A Holiday of Risk

Amazon's toys:
Are they safe for your kid?

Explore even more at
freeandfairmarketsinitiative.org

Holiday shoppers rightfully expect that the gifts they buy from a store have been thoroughly screened to ensure they are legitimate and safe. Parents have an expectation that the products they take off the shelf and wrap for their children are real and do not pose a safety hazard.

Brick and mortar stores have long maintained robust policies to prevent counterfeits and dangerous products. America's most trusted retailers – those with stores across the country – have done the same for their webstores.

But not Amazon. Instead of following the lead of major American retailers that have been in business for decades, Amazon has moved forward with a weak and porous approach to quality protection that allows counterfeits and hazardous goods to slip through the cracks. Oftentimes, customers buy a product they believe is from Amazon, when in reality it comes from a third-party seller whose reputation and integrity is unknown.

This means holiday shopping on Amazon is an extremely risky roll of the dice.

Fake toys can pose serious a number of health concerns, from lead poisoning to choking hazards. In fact, in the holiday catalogue Amazon released, there are over 500 companies selling the top 25 toys showcased in Amazon's glossy toy catalogue. With so many companies selling each one of these toys, how can any parent be sure of what they are getting?

A review of regulatory filings and media reports identified the following risks associated with shopping for toys on Amazon:

Amazon, Amazon Fulfillment Services centers, or third-party Amazon Sellers have been issued 37 citations for violations of the Federal Hazardous Substances Act, the Phthalate Permanent Ban Limit, and of Flammability Standards, among other citations.

Since 2012, 20 products sold by or through Amazon Fulfillment Services centers, third-party Amazon sellers, or Amazon corporate have been recalled for fire hazards, strangulation hazards, failing to meet federal flammability standards, and potential to cause electric shock, among other violations. Many of these recalled products were children's toys.

Bad

Flammability Violation ⚠

Richie House Children's Robes Recalled by Belle Investment Due to Violation of Federal Flammability Standard; Sold Exclusively at Amazon.com[1]

HAZARD:
The children's robes fail to meet federal flammability standards for children's sleepwear, posing a risk of burn injuries to children. Richie House currently sells 146 different products on Amazon.[2]

RECALL DATE:
AUGUST 3, 2017

RECALL DATE:
JANUARY 31, 2013

Risk of Internal Injuries ⚠

High Powered Magnet Balls Recalled by SCS Direct Due to Risk of Ingestion; Sold Exclusively on Amazon.com[3]

HAZARD:
When two or more magnets are swallowed, they can link together inside a child's intestines and clamp onto body tissues, causing intestinal obstructions, perforations, sepsis and death. Internal injury from magnets can pose serious lifelong health effects.

RECALL DATE:
OCTOBER 26, 2018

Lead Paint Hazard ⚠

Children's Toy Instrument Sets Recalled Due to Violation of the Federal Lead Paint Ban; Made by Creative Sto and Sold Exclusively at Amazon.com[4]

HAZARD:
Paint on the maracas, xylophone and carrying case contains levels of lead that exceed the federal lead paint ban. Lead is toxic if ingested by young children and can cause adverse health issues. The product is currently available for sale on Amazon.[5]

Strangulation Hazard ⚠

Hallee Recalls Bed Canopies Due to Entanglement and Strangulation Hazards; Sold Exclusively at Amazon.com[6]

HAZARD:
A child can become entangled in the bed canopy, posing entanglement and strangulation hazards.

RECALL DATE:
OCTOBER 3, 2016

Toys

ISSUE DATE:
SEPTEMBER, 2018

Tracking Label Violation ⚠

Amazon and Amazon Authorized Reseller Bobo's Funny Toy Issued Tracking Label Violation For Marvel Titan Hero Series Wolverine Action Figures[7]

VIOLATION:
The US Consumer Product Safety Commission requires that children's products have distinct tracking labels affixed to their packaging. These labels help CPSC staff and companies along the supply line identify, respond, and contain any hazards, risks, and violations, including for toys that need to be recalled.[8] Bobo's Funny Toy – whose items are fulfilled by Amazon – currently sells several other Marvel Titan Hero Series action figures, including of Spider-Man, Iron Man, and Hulk figures.[9]

1 Press Release, "Richie House Children's Robes Recalled by Belle Investment Due to Violation of Federal Flammability Standard; Sold Exclusively at Amazon.com," US Consumer Product Safety Commission, August 3, 2017, available at https://www.cpsc.gov/Recalls/2017/Richie-House-Childrens-Robes-Recalled-by-Belle-Investment.

2 "Richiehouse," Amazon, accessed November 19, 2018, available at https://www.amazon.com/stores/page/8BC3D5F0-CF20-4A52-918F-6B5218CE1CC4?ingress=0&visitId=c2c753ec-5480-45e3-9231-08d1d7050cea&productGridPageIndex=7

3 Press Release, "High Powered Magnet Balls Recalled by SCS Direct Due to Risk of Ingestion; Sold Exclusively on Amazon.com," US Consumer Product Safety Commission, January 31, 2013, available at https://www.cpsc.gov/Recalls/2013/High-Powered-Magnet-Balls.

Press Release, "Kringles Toys and Gifts Recalls High Powered Magnets Due to Ingestion Hazard; Sold Exclusively on Amazon.com," US Consumer Product Safety Commission, January 31, 2013, available at https://www.cpsc.gov/Recalls/2013/Kringles-Toys-and-Gifts-Recalls-High-Powered-Magnets.

Press Release, "High-Powered Magnet Sets Recalled by Reiss Innovations Due to Ingestion Hazard; Sold Exclusively on Amazon.com," US Consumer Product Safety Commission, December 10, 2012, available at https://www.cpsc.gov/Recalls/2013/High-Powered-Magnet-Sets-Recalled-by-Reiss-Innovations-Due-to-Ingestion-Hazard-Sold-Exclusively-on-Amazoncom#.

4 Press Release, "Children's Toy Instrument Sets Recalled Due to Violation of the Federal Lead Paint Ban; Made by Creative Sto and Sold Exclusively at Amazon.com (Recall Alert)," US Consumer Product Safety Commission, October 26, 2018 available at https://www.cpsc.gov/Recalls/2019/Childrens-Toy-Instrument-Sets-Recalled-Due-to-Violation-of-the-Federal-Lead-Paint-Ban-Made-by-Creative-Sto-and-Sold-Exclusively-at-Amazon-com-Recall-Alert

5 Press Release, "Hallee Recalls Bed Canopies Due to Entanglement and Strangulation Hazards; Sold Exclusively at Amazon.com (Recall Alert)," US Consumer Product Safety Commission, October 3, 2016, available at https://www.cpsc.gov/Recalls/2017/Hallee-Recalls-Bed-Canopies.

6 INNOCHEER Kids Musical Instruments – Tambourine Set, ATSM Certified and FDA Approved Toddler Musical Toys," Amazon, accessed November 19, 2018, available at https://www.amazon.com/INNOCHEER-Kids-Musical-Instruments-Tambourine/dp/B01L6ZMVYU/ref=sr_1_1_sspa?ie=UTF8&qid=1542642488&sr=8-1-spons&keywords=innocheer+kids+musical+instruments&psc=1

7 Violations," US Consumer Product Safety Commission, accessed November 14, 2018, available at https://www.cpsc.gov/Recalls/violations?title=&field_rv_firm_value=amazon&field_rv_citation_value.

"Marvel Wolverine Titan Hero Series Wolverine Figure," Amazon, accessed via Google Web Cache, September 9, 2018, available at https://webcache.googleusercontent.com/search?q=cache:dM9WisS1IzYJ:https://www.amazon.com/Marvel-Wolverine-Titan-Hero-Figure/dp/B00BU9C22E+&cd=8&hl=en&ct=clnk&gl=us.

"Bobo's funny toy – Authorized Reseller Storefront," Amazon, accessed via Google Web Cache, September 14, 2018, available at https://webcache.googleusercontent.com/search?q=cache:VSo7ly-rDZ4J:https://www.amazon.com/s%3Fie%3DUTF8%26me%3DA2XZX7VPH6TZ0C%26page%3D1+&cd=1&hl=en&ct=clnk&gl=us.

8 "Tracking Label Requirement for Children's Products," United States Consumer Product Safety Commission, accessed November 16, 2018, available at https://www.cpsc.gov/Business--Manufacturing/Business-Education/tracking-label

9 "Bobo's funny toy – Authorized Reseller Storefront," Amazon, accessed November 19, 2018, available at https://www.amazon.com/s?marketplaceID=ATVPDKIKX0DER&me=A2XZX7VPH6TZ0C&merchant=A2XZX7VPH6TZ0C.

RECALL DATE:
JUNE, 2017

Phthalate Violation ⚠

Amazon was ordered to stop the sale and correct future production of five variations of Nicery Reborn Baby Doll toys[10]

Hazard:

Amazon.com LLC was cited for five Phthalate Permanent Ban Limit Violations. Ingestion of phthalates – which are used to make vinyl and plastics soft – can have harmful health effects on children.[11] The products were manufactured in China. This toy is currently for sale on Amazon.[12]

10 "Violations," US Consumer Product Safety Commission, accessed November 14, 2018, available at https://www.cpsc.gov/Recalls/violations?title=&field_rv_firm_value=amazon&field_rv_citation_value=.
"Nicery Doll Simulation Silicone," Amazon, accessed November 15, 2018, available at https://www.amazon.com/Nicery-Doll-Simulation-Silicone-TTF-RD55C076/dp/B07HNYFCFF.

11 "CPSC Prohibits Certain Phthalates in Children's Toys and Child Care Products," United States Consumer Product Safety Commission, October 20, 2017, available at https://www.cpsc.gov/content/cpsc-prohibits-certain-phthalates-in-children%E2%80%99s-toys-and-child-care-products

12 "Nicery Reborn Baby Doll soft Silicone Vinyl Cloth Body 22inch 55cm Magnetic Mouth Lifelike Boy Girl Toy for Ages 3+ Blue Dog Nicery-55C076," Amazon, accessed November 19, 2018, available at https://www.amazon.com/Nicery-Simulation-Silicone-Magnetic-Nicery-55C076/dp/B0753KNF37/ref=sr_1_5?ie=UTF8&qid=1542642214&sr=8-5&keywords=nicery+reborn+baby+doll+soft+simulation

13 "Violations," US Consumer Product Safety Commission, accessed November 14, 2018, available at https://www.cpsc.gov/Recalls/violations?title=&field_rv_firm_value=amazon&field_rv_citation_value=.
Press Release, "ASHERANGEL Recalls Children's Sleepwear Due to Violation of Federal Flammability Standard; Sold Exclusively at Amazon.com (Recall Alert)," US Consumer Product Safety Commission, September 5, 2017, available at https://www.cpsc.gov/Recalls/2017/asherangel-recalls-childrens-sleepwear-recall-alert#.
"Hundreds of Children's Nightgowns, Pajamas Sold On Amazon Recalled," CBS Boston, September 5, 2017, available at https://boston.cbslocal.com/2017/09/06/recall-asherangel-children-clothing-nightgowns-pajamas/.

RECALL DATE: SEPTEMBER 5, 2017

Flammability Violation ⚠

ASHERANGEL Recalls Children's Sleepwear Due to Violation of Federal Flammability Standard; Sold Exclusively at Amazon.com[13]

HAZARD:
The children's nightgowns and pajama sets fail to meet flammability standards for children's sleepwear, posing a risk of burn injuries to children.

Fire & Burn Hazards ⚠

Amazon Recalls 260,000 AmazonBasics Portable Power Banks Due to Fire and Chemical Burn Hazards[14]

VIOLATION:
The product's battery had the potential to "overheat and ignite, posing fire and burn hazards." Amazon ordered the recall after it received more than 50 reports of the power banks overheating, "causing chemical burns and property damage." The products were manufactured in China and exclusively sold on Amazon.com, at Amazon Bookstores, and at Amazon Pop-Up Stores from December 2014 to July 2017.

ISSUE DATE: MARCH 13, 2018

RECALL DATE: NOVEMBER 1, 2017

Flammability Violation ⚠

VIV&LUL Recalls Children's Sleepwear Due to Violation of Federal Flammability Standard; Sold Exclusively at Amazon.com[15]

HAZARD:
The children's pajamas fail to meet the flammability standard for children's sleepwear, posing a risk of burn injuries to children.

Lead Paint Hazard ⚠

Active Kyds Recalls Children's Toy Shovels and Garden Tool Sets Due to Lead Violations; Sold Exclusively on Amazon.com[16]

HAZARD:
Excessive lead paint levels on the yellow shank and black blade on the shovel, and the black paint on the garden tool set violates the federal lead paint standard. In addition, the black plastic shovel handle and bag clip on the garden tool drawstring bag contain excessive lead content levels, a violation of the federal lead standard. Lead is toxic if ingested by young children and can cause adverse health effect. Active Kyds currently sells 7 different products on the Amazon platform.[17]

RECALL DATE: JANUARY 10, 2017

14 Press Release, "Amazon Recalls Portable Power Banks Due to Fire and Chemical Burn Hazards (Recall Alert)," US Consumer Product Safety Commission, March 13, 2018, available at https://www.cpsc.gov/Recalls/2018/Amazon-Recalls-Portable-Power-Banks-Due-to-Fire-and-Chemical-Burn-Hazards-Recall-Alert.

Sara Salinas, "Amazon recalls 260,000 portable power banks for fire hazard," CNBC, March 13, 2018, available at https://www.cnbc.com/2018/03/13/amazon-power-banks-recalled-for-fire-hazard.html.

15 Press Release, "VIV&LUL Recalls Children's Sleepwear Due to Violation of Federal Flammability Standard; Sold Exclusively at Amazon.com (Recall Alert)," US Consumer Product Safety Commission, November 1, 2017, available at https://www.cpsc.gov/Recalls/2018/VIV-LUL-Recalls-Childrens-Sleepwear-Recall-Alert.

16 Press Release, "Active Kyds Recalls Children's Toy Shovels and Garden Tool Sets Due to Lead Violations; Sold Exclusively on Amazon.com (Recall Alert)," US Consumer Product Safety Commission, January 10, 2017, available at https://www.cpsc.gov/Recalls/2017/Active-Kyds-Recalls-Childrens-Toy-Shovels-and-Garden-Tool-Sets.

17 "Active Kyds," Amazon, accessed November 19, 2018, available at https://www.amazon.com/s/s/ref=sr_nr_p_89_0?fst=as%3Aoff&rh=i%3Aaps%2Ck%3Aactive+kyds%2Cp_89%3AActive+Kyds&keywords=active+kyds&ie=UTF8&qid=1542644904&rnid=2528832011

Amazon has a responsibility to do a better job policing their own site for counterfeit and potentially dangerous goods. They must:

1. Provide transparency of where a product is coming from
2. Immediately remove listings for potentially hazardous and counterfeit goods
3. Ban sellers found to be selling hazardous or counterfeit goods, and report them in every instance to the state attorney general, the Consumer Product Safety Commission and the Federal Trade Commission
4. Notify Customs and Border Protection when these hazardous or counterfeit goods have been imported directly from another country

If you receive a counterfeit or hazardous good this holiday season, immediately report it to the Consumer Product Safety Commission.

Explore even more at
freeandfairmarketsinitiative.org

FREE & FAIR
MARKETS INITIATIVE