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W.A.T.C.H. REVEALS ITS 50th ANNUAL 2022 NOMINEES FOR THE "10 WORST TOYS" THIS HOLIDAY SEASON

50th Annual Report Cautions Parents: Beware of the Danger of Purchasing Potentially Harmful Toys – One Child is Treated In U.S. Emergency Rooms Every Three Minutes For A Toy-Related Injury

(Boston, Mass.— Nov. 16, 2022) World Against Toys Causing Harm, Inc. (W.A.T.C.H.) today revealed its 50th annual nominees for the "10 Worst Toys" of 2022. Toy safety remains a critical concern during this holiday season as evidenced by recent recalls, injuries, and the wide range of potential hazards found in toys available for purchase this year. At the annual press conference, W.A.T.C.H. demonstrated why "Disney Raya's Action & Adventure Sword," "Black Panther Wakanda Battle Claws," "Cocomelon Musical Learning Watch," and other potentially hazardous toys should not be in the hands of children. At a time when there are many unique challenges facing families while raising children, parents and caregivers have a right to expect that the toys they buy are safe, that manufacturers design toys with safety as the top priority, and that there are adequate safety nets in place to prevent a dangerous toy from being sold in the first place; Unfortunately, this is not necessarily the case. Although intended for fun and entertainment, many toys contain hidden hazards unnecessarily putting children at risk of injury or death emphasizing the necessity for more stringent regulation of the toy industry. The Consumer Product Safety Commission (CPSC), the U.S. regulatory agency charged with the oversight of toys and other products, often cannot inform consumers in a timely fashion about even life-threatening hazards due to a regulation requiring cooperation from manufacturers. Time can mean the difference between life and death when it comes to notice of toy hazards.

W.A.T.C.H. offered practical tips for identifying hazards so parents and caregivers know what traps to avoid when inspecting toys already in their homes and when buying toys—especially during the upcoming 2022 holiday shopping season. Consumer advocates Joan E. Siff, President of W.A.T.C.H., and James A. Swartz, Director of W.A.T.C.H., illustrated some of the potential safety hazards recently identified on toy store shelves and online. Among other safety concerns, these traps include coin cell batteries with the potential for ingestion and chemical burn injuries, toy weaponry with the potential for blunt force impact injuries, and plush toys that could lead to infant suffocation. Swartz and Siff also discussed toys sold with unrealistic warnings and instructions, the impact of online purchasing on toy safety, and up-to-date information about toy recalls. One reason the message today is so urgent: Many toy-related injuries are preventable. The full list of nominees for the "10 Worst Toys" of 2022 include:

- Cocomelon Musical Learning Watch: Potential For Battery Ingestion Injuries!
- Disney Raya's Action & Adventure Sword: Potential For Blunt Force and Eye Injuries!
- Li'l Woodzeez Tickle-Your-Taste-Buds Bakery: Potential For Choking Injuries!
- Zeus Lion: Potential For Ingestion/Aspiration Injuries!
- Dingray Musical Bath Toy: Potential For Ingestion and Choking Injuries!
- Ooze Labs Chemistry Station: Potential For Chemical-Related
 Injuries
- Bunny Rabbit Cuddly Pillow: Potential For Suffocation!
- Pop'n Fidget Spinners: Potential For Choking Injuries!
- Nerf Pro Gelfire Mythic Blasters: Potential For Eye and Facial Injuries!
- Black Panther Wakanda Battle Claws: Potential For Eye and Facial Injuries!



W.A.T.C.H. cautions shoppers not to let their guard down as there have been many child deaths, disfigurements and disabilities as a result of poorly designed and tested toys. One child is treated in a U.S. emergency room every three minutes for a toy-related injury. For five decades, the "10 Worst Toys List" has tackled the issue of dangerous toys in the hope of bringing about change and reducing injuries to children. Nonetheless, dangerous toys remain on store shelves, in catalogues, and on e-tailers' websites. Shockingly, classic toy dangers, such as small parts, strings, projectiles, toxic substances, rigid materials, and inaccurate warnings and labels, continue to reappear in new generations of toys putting children at risk.

Year-In-Review:

<u>Toy-related Injuries & Deaths</u>: According to the latest statistics from the CPSC, there were an estimated **198,000** toy-related injuries in the U.S. in **2020**, and a reported 51 children died from toy-related incidents from 2018 to 2020. Behind each injury and fatality is a child and family whose lives are often permanently affected. Even one injury to one child is too many, particularly when the injury is preventable.

- Stricter Government Enforcement: More tools are needed to oversee a \$25 billion U.S. toy industry and ensure the manufacture of safe products for children. [™] The CPSC should be granted the authority to act independently from manufacturers to warn consumers immediately when there is a toy with an identified hazard or a record of harming children. Additionally, the CPSC needs increased funding, an expanded workforce, more product testing, stricter safety requirements, broader and better-publicized notification of recalls and hefty fines imposed on manufacturers whose toys are recalled or found to be defective.
- Recalls: The recurrence of many known hazards in toys that have been recalled is suggestive of a broken system that needs fixing before more children are harmed. This year, toys available for sale were recalled for a wide range of defects, such as a shape sorter that could come apart posing a choking hazard to infants, a toy house with lead that is a known toxin, and blocks with magnets that, if swallowed, could link together causing intestinal obstructions, perforations, blood poisoning and death. There is clearly more to be done to protect children. Many of the toys recalled contain types of hazards, such as choking and lead poisoning risks, that have been well-known to the toy industry for years. In 2022, in a 10-month period, the CPSC announced 27 toy recalls representing more than one million three hundred thousand (1,300,000) units of toys in the U.S. that could lead to serious injuries or death. While recalls are important safety measures, they are reactive, not proactive. Recent CPSC toy recalls highlight the importance of making sure products are safe BEFORE reaching retail or ecommerce outlets. Once these toys are on the market, they can resurface in stores, online, at your child's school, or at a neighbor's home. Further, it's important when choosing toys to remember not all unsafe toys are necessarily recalled; enforcement agencies, such as the CPSC, may have limited resources to police such a large industry, existing standards can be inadequate, and regulators often scramble to keep up with emerging technologies.

<u>Safety Spotlights: What's in Your Toybox?</u>: Once a dangerous toy is made available for sale, it can put generations of children at risk of harm. The reality is many unsafe toys end up in children's homes and schools. The need for continued vigilance remains whether toys are new or used, purchased from popular e-tailers or consumer-to-consumer venues (i.e., eBay, yard sales), or in your home toybox. Although intended for fun and entertainment, many toys contain hidden hazards unnecessarily putting children at risk of injury or death.

WATCH OUT! Hidden Hazards—Button and Coin Cell Batteries: Foreign body ingestion, such as batteries, is the fourth leading cause of calls to the poison control center in the U.S. for children 5 and under. Recent devastating injuries reported after children ingested button or coin cell batteries have raised an alarm about the importance of promoting awareness and protecting children from this potentially deadly



hazard. These small, shiny discs may fall out of toy battery compartments during play and become an attractive lure for toddlers who have a propensity for putting small objects in their mouths. The number of serious injuries or deaths caused by button or coin-shaped batteries has increased nine-fold in the last decade. Viii The "Cocomelon Musical Learning Watch" has a compartment in the back containing a coin cell battery, which are known to potentially cause severe injuries and death when ingested due to internal chemical burns. After many reported tragedies, including the death of 18-month-old Reese Hamsmith who swallowed a button battery from a remote control, New legislation (Reese's Law) was passed to add more stringent regulations to batteries in toys and other products. WA.T.C.H. cautions families to remain vigilant as coin cell and button batteries are found in many toys and home devices. Tragically, in the United States there are an estimated 2,800 children treated for button battery ingestion each year, many involving catastrophic consequences. In 2020, children were home more often and battery-related injuries for 5 to 9-year-olds increased an alarming 93%. Vii

• <u>WATCH OUT! Small Parts Choking Hazards:</u> W.A.T.C.H. is alerting parents to be vigilant when it comes to toy safety and regularly examine the toys in their child's toy box for hidden hazards that may or not be easily detected, such as toys with small parts sold to babies. Consumers may expect there are sufficient checks and balances in place to prevent dangerous toys from reaching store shelves and e-commerce sites, but unfortunately this is not always the case. Toys with small parts that could detach during play or long pieces that could be mouthed and occlude a child's airway are examples of less obvious hazards. On the 2022 "Worst Toys" list, both the "Dingray Musical Bath Toy" and the "Li'l Woodzeez Tickle-Your-Taste-Buds Bakery" have parts that could be potential choking hazards for young children. Choking is one of the most significant contributors to toy-related injuries and deaths. **iii

STEPS FOR A SAFER HOLIDAY SEASON AND BEYOND

Although there is much that families haven't been able to control during these uncertain times since the onset of COVID-19, continued vigilance and awareness about the types of toy hazards that have been associated with injuries in the past can help kids enjoy a safer holiday season. Beware of toys with deadly track records, recalled toys, and incomplete product information that may mask hazards at the time of purchase. Unfortunately, even toys that are in compliance with current industry or regulatory standards have proven to be hazardous, further demonstrating the inadequacy of existing standards.

Since there currently is no full-proof safety net in place to prevent dangerous toys from reaching consumers, the message for parents this holiday season is to think *defensively* when it comes to toy safety. For starters, know what classic safety traps to look out for, inspect new and old toys for defects and poor design, learn to identify hidden hazards that reappear year after year, and do not be lulled into a false sense of security that a toy is safe because of a familiar brand name on a package or due to its availability at a well-known retailer or e-tailer. Ordering online is a convenient way to avoid holiday crowds, but shoppers face the disadvantage of not being able to physically examine the toy at the time of purchase. Whether buying a toy in-person or online, W.A.T.C.H. wants to remind families to thoroughly inspect a toy and its packaging for safety red flags before giving it to a child (go to ToySafety.org for more information).

<u>First Line of Defense– Safe Design and Manufacturing:</u> The time to prevent injuries is during the design and manufacturing phase, before a toy is available for sale. Toys are embellishments of life, not necessities, and there is no excuse for manufacturing, importing, and distributing a toy that can injure or kill a child. Many toy-related injuries and deaths could have been prevented with better designed, manufactured, and marketed toys. In a toy industry generating approximately \$90 billion dollars in global sales annually^{xiv}, safety concerns must be a priority, not an afterthought. The difficulty in purging the market of goods that have been recalled shows the



burden must be on manufacturers and retailers, not consumers, to identify the known hazards before their products enter the channels of commerce. Recent injuries and recalls highlight the importance of the safety messages W.A.T.C.H. has been promoting for years. Many of the toys recalled in the last year not only put children at risk of serious injury or death but are also evidence of substandard manufacturing practices and inadequate pre-market testing. The best weapon in the fight to prevent injuries to children continues to be preventing unsafe toys from reaching consumers in the first place.

Advocacy Can Save Lives: Armed with information about what types of defects have been associated with injuries in the past, more consumers can make informed decisions when choosing children's products. Thanks in part to the efforts of W.A.T.C.H., toy safety has become an active conversation that has helped reduce preventable injuries, resulted in significant changes in the industry, and led to increased regulations. W.A.T.C.H. works to inform families about toy hazards and to reduce preventable injuries to children. As a result of advocacy, the industry and regulators continue to be held accountable to make safety a priority and millions of toys have been re-designed, recalled, or otherwise identified to consumers. While a step in the right direction, regulations should be a floor, not a ceiling, for toy safety. There is more work to be done to prevent needless and tragic injuries to children as a result of poorly designed and manufactured toys. A key message today is to let consumers know that while there are dangerous toys being sold in retail stores and online, advocacy and awareness this holiday season and year-round can truly save lives.

<u>W.A.T.C.H.'S 2022 "10 WORST TOYS" LIST</u>: Consumers can help children enjoy a safer holiday season knowing what traps to avoid when selecting toys. W.A.T.C.H.'s "10 Worst Toys" list, a hands-on tool for consumers, raises awareness of the different types of potential hazards to avoid while toy shopping. <u>The particular toys on the "10 Worst Toys" list are illustrative of some hazards in toys being sold to consumers and should not be considered as the only potentially hazardous toys on the market.</u>

W.A.T.C.H., Inc., a 501(c)(3) non-profit organization, works to educate the public about child safety. W.A.T.C.H. helps raise awareness about the dangers hidden in many toys, children's products, and recreational activities. Noted trial attorneys, authors and consumer advocates, Edward Swartz (1934-2010), James Swartz, Joan Siff and W.A.T.C.H. have been responsible for the "10 WORST TOYS" nominees, released for the past 50 years, as well as a Summer Safety Report addressing summer hazards for children. For more information on W.A.T.C.H. and the press conference, please visit www.toysafety.org or follow us @WATCHsafety on Twitter and Facebook.

Joan E. Siff, President of W.A.T.C.H. & Board Member, Franciscan Children's.

James A. Swartz, Director of W.A.T.C.H., noted trial attorney, author, and consumer advocate.

MORE ABOUT THE AUTHORS

Ioan E. Siff, President of W.A.T.C.H., began presenting the "Ten Worst Toys" list with the organizations founder, Attorney Edward M. Swartz (1934-2010), on behalf of W.A.T.C.H. in 1991. She earned her J.D. and MS in Mass Communication from Boston University. After serving as an Assistant District Attorney in the Commonwealth of Massachusetts, New York, and the District of Columbia. Ms. Siff is the author of "Toy Regulation to Still Lagging in Protecting Children," published in the Leader's Product Liability, Law and Strategy. She has given numerous lectures on behalf of W.A.T.C.H., to increase awareness about unsafe children's products. Joan Siff has appeared on DailyMailTV, Megyn Kelly Today, Fox and Friends, Fox News Live, LawLive (FATV), CNN Radio Atlanta, NECN, The Michael Smerconish Morning Drive Radio Program (Philadelphia). Having served on several non-profit boards relating to children's causes, she is currently a Board Member of Franciscan Children's.

**James A. Swartz, Director of W.A.T.C.H., is a nationally known trial attorney and consumer advocate. His law practice at Swartz & Swartz includes many well-known cases involving product liability injuries. Attorney Swartz has authored book chapters relating to child and product safety, including "Hazardous Playthings Causing Injury to Children," (Children and Injuries, Lawyers & Judges Pub. Co., Inc.) and "The Common Law in the New Millennium-Protecting Our Children," (Civi Trial Practice-Winning Techniques of Successful Trial Attorneys, Lawyers & Judges Pub. Co., Inc.), as well as numerous articles. Mr. Swartz earned his J.D. at Georgetown University Law Center. He is a member of Trial Lawyers for Public Justice, serving as Massachusetts State Coordinator; The Massachusetts Bar Association; The Massachusetts Academy of Trial Attorneys; The American Bar Association; and The Boston Bar Association, among many other associations. James Swartz has appeared on many national television programs including The Doctors, "Take It Personally" on CNN, "Newsfront"

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Intitue//www.core.gov/s19-public/pdis/pdis_pdf_CP5Addris-ctSheet pdf
iii www.nationaudechidems.org
iii Top Mated Deaths and Injuries for 2002 (CP5C, July 2023)
iv thips://www.core.gov/mbices/1200/cp5C, July 2023)
iv thips://www.core.gov/mbices/1200/cp5C, July 2023



COCOMELON MUSICAL LEARNING WATCH



Price: \$16.99

Manufacturer or Distributor: Just Play, LLC

Retailer(s): Kohl's; Kohls.com; Target.com; Amazon.com;

Walmart.com

Age Recommendation: "3+"

Warnings: "WARNING: This product contains a Button or

Coin Cell Battery. A swallowed Button or Coin Cell Battery can cause internal chemical burns in as little as two hours and lead to death...", and other small parts and battery-related

warnings.

HAZARD: POTENTIAL FOR BATTERY INGESTION INJURIES!

W.A.T.C.H. OUT! The "musical learning watch" is marketed to children as young as three-years-old, for learning "core" skills such as telling time, counting, and "daily activities". A compartment in the back contains a coin cell battery – such batteries are known to potentially cause severe injuries and death when ingested, due to internal chemical burns.

DISNEY RAYA'S ACTION & ADVENTURE SWORD



Price: \$13.99

Manufacturer or Distributor: Jakks Pacific, Inc.

Retailer(s): Target; Target.com; Amazon.com;

Walmart.com

Age Recommendation: "3+"

Warnings: "CAUTION: Adult Supervision Suggested.

Never swing at people, animals, or fragile objects", and other cautions/warnings on

packaging.

HAZARD: POTENTIAL FOR BLUNT FORCE AND EYE INJURIES

W.A.T.C.H. OUT! Children as young as three-years-old are encouraged to "save the world" with this "Action & Adventure" sword made of rigid plastic, with the potential for facial and other impact injuries.

Li'L WOODZEEZ TICKLE-YOUR-TASTE-BUDS BAKERY



Price: \$19.99

Manufacturer or Distributor: Maison Battat, Inc.

Retailer(s): Target; Target.com; Amazon.com

Age Recommendation: "3+"

Warnings: "WARNING: CHOKING HAZARD-Small

parts. Not for children under 3 years" (on tag

only).

HAZARD: POTENTIAL FOR CHOKING INJURIES!

W.A.T.C.H. OUT! This "69 [pieces]" bakery set is sold for small children, including miniature and potentially ingestible versions of pies, cake slices, bread, and other food items. The "choking hazard" warning appears only on the throw-away tag.

BLACK PANTHER WAKANDA BATTLE CLAWS



Price: \$29.24

Manufacturer or Distributor: Hasbro; Marvel Studios

Retailer(s): Target; Target.com; Amazon.com;

Walmart.com; Kohls.com; JCpenny.com

Age Recommendation: "5+"

Warnings: "CAUTION: Do not swing, poke or jab at people

or animals", and other warnings/cautions.

HAZARD: POTENTIAL FOR EYE AND FACIAL INJURIES!

W.A.T.C.H. OUT! These rigid, plastic "battle claws", inspired by the famous comic book and movie character, Black Panther, are sold for five-year-olds. The manufacturer includes a caution prohibiting "hit[ting] or swing[ing] at people or animals."

ZEUS LION



Price: \$44.99

Manufacturer or Distributor: Douglas Co., Inc.

Retailer(s): Amazon.com; Walmart.com; Henry Bear's Park

Age Recommendation: "FOR 24 MONTHS & UP" (on tag only)

Warnings: "WARNING! Packaging is not a

toy. Remove all packaging before playing...."

(on tag only).

HAZARD: POTENTIAL FOR INGESTION/ASPIRATION INJURIES!

W.A.T.C.H. OUT! This cuddly, plush lion is sold as a "cuddle toy" for babies as young as 24 months old. The toy's long, fiber-like hair may not be adequately rooted, and is prone to "shedding". The hair, once separated, presents the potential for ingestion or aspiration injuries.

DINGRAY MUSICAL BATH TOY



Price: \$11.49

Manufacturer or Distributor: Munchkin, Inc.

Retailer(s): Target; Target.com; Amazon.com;

Walmart.com

Age Recommendation: "12 M+"

Warnings: "WARNING: Never allow child to put the

mallet in their mouth..." and other warnings on

packaging.

HAZARD: POTENTIAL FOR INGESTION AND CHOKING INJURIES!

W.A.T.C.H. OUT! This colorful, floating stingray xylophone is sold for babies as young as twelve-months-old. The manufacturer recognizes the ingestion hazard posed by the approximately 6" long "mallet", with a warning on the packaging to "[n]ever allow child to put the mallet in their mouth...." Such slender, rigid accessories can potentially be mouthed and occlude a child's airway.

OOZE LABS CHEMISTRY STATION



Price: \$29.99

Manufacturer or Distributor: Thames & Kosmos LLC

Retailer(s): Target; Target.com; Amazon.com;

Walmart.com

Age Recommendation: "Ages 6+"

Warnings: "WARNING - This set contains chemicals...that

may be harmful if swallowed. Read cautions on individual containers and in manual carefully. Not to be used by children except under adult supervision", and other warnings/cautions on

package and package inserts.

HAZARD: POTENTIAL FOR CHEMICAL-RELATED INJURIES!

W.A.T.C.H. OUT! The "ooze labs chemistry station" is marketed for children to do "slimy, fizzy, colorful, and bubbly experiments." There are numerous warnings and cautions on the box, in the manual, and on the packaging for the assorted chemicals and ingredients, including: "Do not get in eyes, in mouth, or on clothing.... Do not ingest. Avoid breathing dust.... Keep out of reach of small children."

BUNNY RABBIT CUDDLY PILLOW



\$10.79 Price: **Manufacturer or Distributor:** Lazada

Retailer(s): Amazon; Amazon.com; Walmart.com

"Not for children under 3 yrs"; **Age Recommendation:** "Suitable for any and all ages" (online)

Warnings: "WARNING! CHOKING HAZARD. Small parts. Not for children under 3 yrs"

(online).

HAZARD: POTENTIAL FOR SUFFOCATION!

W.A.T.C.H. OUT! This plush pillow in the form of a "cuddly" stuffed rabbit is marketed as a "[h]ugging pillow" which is "[s]oft & [s]queezable". There are no warnings or cautions on or with the product. Further, despite an online warning that the pillow is "[n]ot for children under 3 [years]", a conflicting recommendation states it is "[s]uitable for any and all ages". The hazards associated with pillows sold for infants are well documented - a pillow can block a baby's mouth, potentially causing suffocation. Infant pillows and similar items have been banned by the Federal Hazardous Substances Act (16 CFR 1500.18)

POP'N FIDGET SPINNERS



Price: \$4.98

Manufacturer or Distributor: Best Brands Consumer Products, Inc. Retailer(s): Walmart; Walmart.com; Amazon.com

Age Recommendation: None. Warnings: None.

HAZARD: POTENTIAL FOR CHOKING INJURIES!

W.A.T.C.H. OUT! Fidget spinners, like these multi-colored versions, can be found in retail toy aisles. The Pop'n Spinners are made with three small rubber inserts, which present a potential choking hazard if removed. The manufacturer provides no warnings or age recommendations.

NERF PRO GELFIRE MYTHIC BLASTERS



Price: \$79.00

Manufacturer or Distributor: Hasbro, Inc.

Retailer(s): Walmart; Walmart.com; Target.com;

Amazon.com; Ebay.com

Age Recommendation: "14 +"

Warnings: "WARNING: Do not aim at eyes or face. Use of

eyewear always required.... Do not freeze or

modify rounds.... Impact...may cause temporary marks on skin.... This is not a toy....", and other cautions/warnings on box,

inserts, and blaster.

HAZARD: POTENTIAL FOR EYE AND FACIAL INJURIES!

W.A.T.C.H. OUT! Children are encouraged to "grow 10,000 Gelfire rounds" by adding water, then firing using the "semi-automatic" blaster. Eyewear is included to protect against the force of the "polymer projectiles". Initially, the manufacturer warns that "[t]his is not a toy" despite its availability in the retail toy aisle for use by children.