



August 30, 2016

The Honorable Michael Froman
Ambassador
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Froman:

I am writing to express my deep gratitude for the tireless work of your team in representing the U.S. toy industry at the World Trade Organization's (WTO) Technical Barriers to Trade Committee.

Over the past several years, the toy industry has seen an increase in international regulations that have acted as technical barriers to trade (TBT) – increasing costs for U.S. companies and limiting access to growing export markets around the world. These testing regulations, certification requirements, inspection procedures and safety standards have differed from international norms in one way or another but have not led to “safer” toys sold in their respective markets. In fact, some of these standards have been put into place simply to limit imports and protect the competitiveness of a country's domestic toy industry. While the industry is supportive of international governments enacting toy safety regulations that are based on sound science and that reduce risk of harm, toy safety regulations should not be used as a trade barrier.

As background, The Toy Industry Association™, Inc. (TIA) represents over 900 businesses – toy manufacturers, importers and retailers, as well as toy inventors, designers and testing labs – who are all involved in the business of bringing safe and fun toys and games to market. Accounting for about a quarter of the global market, approximately 3 billion toys are sold in the U.S. each year, totaling \$22 billion at retail. The industry has a robust domestic manufacturing sector. Even where production is performed offshore, the most important aspects of creating a toy – research and development, design, safety assurance, and tooling and component manufacturing – occur domestically. **Nearly 80% of global toy retail sales remain in the U.S. to create high-paying American jobs.**

Toy safety is the top priority for the industry, and TIA and its members have long been leaders in toy safety, dating back to the 1930s. Our efforts include leading the development of the first comprehensive toy safety standard (later adopted as ASTM F963, which in 2008 became a mandatory consumer product safety rule under CPSIA); the industry continues to provide technical input and actively participate in the ongoing review of this "living" standard today, to keep pace with innovation and potential emerging issues. TIA and its members work with government officials, consumer groups, medical and child development experts, testing labs and industry leaders on ongoing programs to ensure safe play.

For these reasons, we would like to thank your team for the continual work to advocate on behalf of the U.S. toy industry both at the WTO TBT Committee and bilaterally with foreign governments. The USTR/DOC representations have yielded some significant recent successes including:

- Working with Turkey's Ministry of Customs and Ministry of Industry to remove a redundant testing requirement that was implemented on all toy imports (while the requirement reportedly remains in force, we understand companies are now no longer asked to submit to this redundant testing).
- Organizing a multi-industry delegation to discuss the effectiveness of the internationally recognized ASTM standards (including the toy safety standard, ASTM F963) with the Standards Institute Israel (SSI). This engagement resulted in Israel issuing a draft regulation recognizing ASTM F963 as acceptable for toys sold in the Israeli market.
- Securing commitments from Thailand and Peru to notify the TBT Committee of the toy standards and conformity assessment procedures being developed in their respective countries prior to finalization. This will provide our industry an opportunity to review and provide comments.
- Working with the Taiwan Bureau of Standards, Metrology and Inspection (BSMI) to align chemical regulations with international standards and amend an inappropriately applied formamide standard.
- Working with China's General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) to include metal toys in a pilot program to allow non-Chinese testing facilities to issue "CCC" certification.
- Direct engagement with Indonesia's Ministry of Industry to secure an earlier two-year delay of an in-country testing requirement.
- Securing acceptance of ASTM F963 as demonstration of conformity for toys sold in Colombia.

These are but a small sampling of a long list of ongoing engagement the U.S. Government has conducted on the toy industry's behalf. And while success has not yet been achieved in all cases, USTR's direct involvement has been, and continues to be, a critical force in our advocacy efforts on these issues.

Thank you again for your assistance and support on these issues. If you have any questions, please contact Rebecca Mond, senior director of federal government affairs at rmond@toyassociation.org or 202.459.0352.

Sincerely,

A handwritten signature in black ink, appearing to read "Spasierb", written in a cursive style.

Steve Pasierb
President & CEO
Toy industry Association