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June 26, 2008

Thomas Moore
Commissioner
Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Dear Commissioner Moore:

I am writing to express my concern about reports from my home state of New Jersey regarding the high levels of lead in artificial turf. Families are understandably concerned, but also confused by the news. I encourage you to expand your investigation into this source of lead contamination and immediately issue consumer guidance on this matter to answer the growing frenzy of questions raised by these reports.

As you already know, the State of New Jersey discovered high amounts of lead in artificial turf on athletic fields. Specifically, New Jersey health officials discovered elevated lead levels on a Newark playing field while investigating possible contamination from another source. Due to the state officials' efforts, high levels were also found in fields in Hoboken and Ewing, New Jersey. As a result, local officials have replaced all three fields.

This discovery in New Jersey caused the Centers for Disease Control and Prevention (CDC) to recommend lead testing for artificial turf athletic fields containing worn or faded turf blades made of nylon or nylon-blend fibers and nylon fields with visible dust. The tests conducted by the New Jersey Department of Health and Senior Services (DHSS) found a limited number of artificial turf samples contained elevated lead levels in products that contain nylon fibers. After further laboratory testing, DHSS recently confirmed that these fibers dissolved under conditions similar to the human digestive process and could be absorbed by the human body.

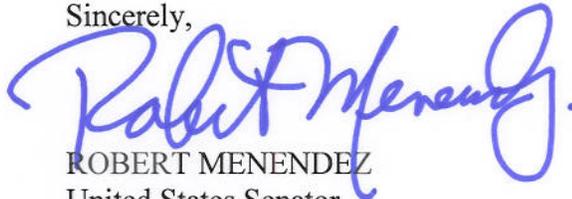
Elevated levels of lead in children can result in learning disabilities, reduced cognitive functioning, or other developmental problems. Therefore, lead contamination in an environment frequented by children is of deep concern to me.

I encourage you to carefully consider the recommendations of New Jersey state officials on this issue. New Jersey is to be commended for discovering the issue and bringing it to your attention, but this is clearly a national problem that warrants further investigation and guidance by your agency. The CPSC should continue to investigate artificial turf, including a comprehensive study of fields throughout the country comparing all manufacturers and ages of fields. The potential exposure of children to lead is too dangerous to ignore and warrants immediate action.

In addition, guidance is needed to help families understand any risk of exposure and what actions they can do to protect themselves and their children. Your agency is tasked by law with assisting consumers in evaluating the comparative safety of consumer products and your leadership on this issue is vital. Should access to aging fields or all fields be limited? Can field owners perform some type of maintenance to reduce exposure? What are the steps your agency is taking to require that manufacturers remove lead content from their product?

Action is needed to protect the people of New Jersey and nationwide. Thank you for your attention to this issue and I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Robert Menendez". The signature is fluid and cursive, with a large initial "R" and "M".

ROBERT MENENDEZ
United States Senator