

CPSC Continues to Gamble Reputation in Magnet Ban, Stakes Grow [Part 1]

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DENVER, CO, November 14, 2013 /EINPresswire.com/ -- The 2008 CPSC Leadership (Robert Adler and Inez Tenenbaum) have tossed the old ways of the CPSC (Consumer Product Safety Commission) out the window and set a blazing trail of new precedents, especially in their expensive campaign to ban magnet sets typically used for [art and education](#). The ethos of consistency and fairness earned by the agency in the previous four decades is heavily wagered in a play to expand regulatory powers.

The louder the CPSC blares danger alarms, the bigger the stakes get. If indeed a wolf is identified, the organization will be recognized and thanked. National poll results, article responses, rulemaking comments, and every other indicator of public opinion show scarce appreciation found for a new prohibition that wasn't sought. Supporters of the ban claim the products pose a "hidden hazard", and that increased incidents of magnet ingestion show consumers cannot reliably heed warnings, and a nation-wide all-ages ban is the only solution.

In recent events, the pot grew when the CPSC held a public hearing, though forgetting to invite any public. The hearing appeared to be an invitational meeting(0) in an effort to pass the controversial ban, with only the commission's various advocacy groups (who supported the ban) in attendance. A full video recording of the meeting can be found [here](#), where you will have the opportunity to see a doctor [Gastroenterologist Dr. Mark A. Gilger, M.D.][put magnets on a cupcake](#), and claim magnets look just like candy and are therefore dangerous.

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No man is good enough to govern another man without the other's consent.”

Abraham Lincoln



Inez Tenenbaum and Robert Adler, Gambling Agency Ethos

The familiar arguments made at the October 22nd hearing by CPSC advocates, like AAP and NASPHGAN, mirror those submitted to the rulemaking comments a year ago. The meeting does pull back the curtain on how modern CPSC operates, with advocacy partners pushing forward with the grand purpose of saving lives in the manner of a foregone conclusion. A purpose apparently grand enough to distort dangers and misrepresent facts.

For example, half of the speakers in the hearing based their statements on a claim that surfaced one year ago, that there have been an "estimated 1700 deaths from magnet sets from 2009-2012" due to narratives in the NEISS database. The part they scandalously fail to mention is the lack of a control sample in their science. The same search applied to the 3 years (2006-2008) prior to magnet sets on the market reveals 94% as many recorded injuries. (1) To be clear: Using identical methodology, "magnet sets" caused nearly as many injuries in a period when "magnet sets" existed on the market as when they didn't. Another example is that throughout the meeting, the terms "magnet sets" and "children's toys" are used interchangeably, ignoring the fact that this rule greatly affects magnets that are not marketed as toys, and are not primarily used by children.

The position of pediatricians and gastroenterologists on the issue is perhaps morally defensible. Magnet ingestion is dangerous due to potential intestinal pinching. They want just to save lives. In the scope of their limited perspective they have seen an alarming rise of injuries in the past 10 years in their specialized medical field of pediatric gastroenterology. And it's not their job to: compare relative risks, weigh industry/consumer effect, consider past policies, measure democratic opinion, or behave consistently. It's plausible that the medical advocates were not aware of the abrogation of their arguments, as discussion is generally directed toward the commission, who then seemingly re-forwards all concerns to the archives. Dear Pediatricians and Gastroenterologists who are pro-magnet-prohibition and really believe in an all-ages nationwide magnet ban, Savemagnets.com challenges you to an open and live debate on twitter.

Medical specialists and advocacy representatives can plead ignorance The same degree of moral defensibility can in no way be granted to the Tenenbaum-Adler regime of the CPSC, whose duty is to uphold the fairness, transparency and honesty of the federal agency. Some of the giant concerns that CPSC will ultimately need to address:

- That the assumption that warnings don't work undermines past safety standards deemed acceptable by the CPSC and US Congress. Products more dangerous than magnets are effectively addressed with warnings, with no reduction of consumer rights.
- That the ban includes products that have not been demonstrated to pose the same risk as those which have been ingested. For instance, Zen Magnets LLC has never sold magnets as toys or compared them to toys. Nor are children the primary users of Zen Magnets.
- That over inclusive rules needlessly strangle commerce and innovation and are in non-compliance with EO 12866 1(a).
- That magnet sets are not the first consumer product that are poisonous if consumed and not poisonous if not consumed. Such products are already under jurisdiction of existing legislation like the PPPA.

“No man is good enough to govern another man without the other’s consent.” ~ Abraham Lincoln. Power is given from the people to the government, not the other way around. The matter of the ban was brought to the attention of PPP (Public Policy Polling) to conduct a national poll, who sampled registered voters in all 50 states. The results are utterly decisive: 88% opposition to a nation-wide all-ages ban on magnet sets is present in the US, margin of error of 3.5%. (2) If you, the reader, want a fun challenge, try to get the CPSC to acknowledge that this exists. It of course only hurts the odds of their gamble to have more attention drawn to nationally representative results which contradict the ban. Fun fact: PPP was the pollster that [most accurately predicted the 2012](#) presidential election.

To be continued...

Full post at: <http://savemagnets.com/cpsc-continues-to-gamble-reputation-in-magnet-ban-stakes-grow/>

(0) <http://www.cpsc.gov/Newsroom/Public-Calendar/2014/Public-Hearing/Agenda/Magnet-/Tim-Szeto-Comments-to-CPSC-on-a-Proposed-Safety-Standard-for-Magnet-Sets/>

(1) <http://savemagnets.com/massive-cpsc-misinformation-health-canada-analysis-shows/>

(2) <http://publicpolicypolling.com/NationalSurveyResults.pdf>

Shihan Qu

savemagnets.com

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[email us here](#)

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