

STATE OF NEW YORK : DEPARTMENT OF HEALTH

IN THE MATTER	ORDER FOR
OF	SUMMARY
SPECIFIED TOY PRODUCTS CONTAINING LEAD OR POSING A CHOKING OR SWALLOWING RISK TO CHILDREN	ACTION

WHEREAS, certain toy products manufactured by or for Mattel, Inc. and/or Fisher-Price, Inc. and/or their subsidiaries distributed and sold in New York State pose toxic lead hazards to children and/or pose a risk of choking or being swallowed by children; and

WHEREAS, lead exposure endangers children and is one of the most preventable childhood health problems in New York State today; and

WHEREAS, exposure even to low levels of lead increases a child's risk of developing permanent learning disabilities, reduced concentration and attentiveness and behavioral problems; and

WHEREAS, higher levels of lead can cause mental retardation, kidney disease, liver damage and even death; and

WHEREAS, the products set forth in Attachment "A" pose toxic lead hazards to children; and

WHEREAS, the products set forth in Attachment "B" pose a risk of choking or being swallowed by children; and

WHEREAS, based upon the foregoing, the Commissioner of Health of the State of New York is of the opinion that the continued presence in the marketplace of the

products set forth in Attachments "A" and "B" is a condition that constitutes a danger to the health, safety and welfare of the people of the State of New York; and

WHEREAS, it therefore appears to be prejudicial to the interest of the people to delay action for fifteen (15) days until an opportunity for a hearing can be provided in accordance with the provisions of Public Health Law Section 12-a.

NOW, THEREFORE, THE COMMISSIONER OF HEALTH DOES HEREBY ORDER THAT:

1) Pursuant to Public Health Law Section 16, Mattel, Inc., Fisher-Price, Inc., their subsidiaries and distributors, and all retail and other sellers in the State of New York who are engaged in the sale or distribution of the products set forth in Attachments "A" and "B" shall immediately cease the sale and/or distribution of the specified products and remove them from their shelves.

2) Mattel, Inc. and Fisher-Price, Inc. shall: a) immediately provide copies of this Order, or information regarding the requirements of this Order, to all known distributors, retail establishments and other sellers in New York State of the products specified in Attachments "A" and "B"; and b) by August 20, 2007, provide the names and addresses of all such distributors, retail establishments and other sellers to the Interim Director of the Center for Environmental Health, New York State Department of Health, Flanigan Square, 547 River Street, Troy, New York 12180; and c) by August 24, 2007 provide a certification to the Commissioner of Health of the State of New York that copies of this Order, or information regarding the requirements of this Order, have been provided to those distributors, retail establishments and other sellers.

FURTHER, I DO HEREBY give notice that Mattel, Inc., Fisher-Price, Inc., their subsidiaries and distributors and any retail and other sellers in the State of New York who are engaged in the sale or distribution of the products named in Attachments "A" and "B" are provided an opportunity to be heard at 10:00 a.m. on the 27th day of August, 2007, at offices of New York State Department of Health, Bureau of Adjudication, Hedley Park Place, 433 River Street, 5th Floor South, Troy, New York 12180, to present any proof that the sale or distribution of the specified products does not constitute a danger to the health of the people of the State of New York. If any of the parties subject to this Order desires such a hearing on August 27, 2007, a request for a hearing must be made in writing to the Director, Bureau of Administrative Hearings, New York State Department of Health, Corning Tower, Room 2412, Governor Nelson A. Rockefeller Empire State Plaza, Albany, New York 12237, and be received by the close of business on August 22, 2007.

DATED: Albany, New York
August 17, 2007

NEW YORK STATE DEPARTMENT OF HEALTH

BY: 
RICHARD F. DAINES, M.D.
Commissioner of Health

ATTACHMENT 'A'

FISHER-PRICE, INC.

<u>Product Name</u>	<u>Product Number</u>
Elmo Light Up Musical Pal	33662
Ernie Light Up Musical Pal	33663
Big Bird Light Up Musical Pal	33664
Elmo Stacking Rings	34658
Elmo Tub Sub	39038
Sesame Street Shape Sorter	39054
Elmo Keyboard	87946
Ernie Splashin' Fun Trike	90267
Elmo Collectible	90609
Cookie Collectible	90611
Zoe Collectible	90612
Ernie Collectible	90613
Big Bird Collectible	90614
Construction Playset	90745
Elmo Boom Box	93068
Action Fire Engine	93107
Press 'n Go Elmo	93307
Press 'n Go Cookie Monster	93308
Cookie Saxophone	93492
Elmo's Guitar	93493
Splash Tub Puzzle	93615
Music and Lights Phone	93780
Count to Beat Elmo	B7554
Shake, Giggle & Roll	B7888
Elmo in The Giggle Box	B7987

Silly Parts Talking Elmo	B7989
Dora's Talking House	B9620
Dora, Backpack, Perrito Figure Pack	C6908
Diego Figure pack	C6909
Swiper Figure Pack	C6910
Boots, Tico Figure Pack	C6911
Dora Talking Vamonos Van	G3825
Sing With Elmo's Greatest Hits	G5112
Giggle Doodler	G9717
Grow with Me Elmo Sprinkler	H2943
Cousin Daisy	H3343
Birthday Dora	H3344
Elmo & Pals (Elmo, Cookie, Ernie)	H5569
Elmo & Pals (Elmo, Zoe, Bigbird)	H5570
Dora Figures in Tube	H4187
Water Fun Tote	H4628
Dora 3 Pack Figures in Tube	H8236
Blue 3 Pack Figures in Tube	H8237
Sponge Bob 3 Pack Figures in Tube	H8238
Chef Dora	H9124
Bedtime Dora	H9125
Giggle Grabber Ernie	H9186
Giggle Grabber Oscar the Grouch	H9188
Diego Talking Field Journal	J0338
Go Diego Go Antarctic Rescue	J0343
Go Diego Go Deep Sea Rescue	J0344
Go Diego Go Mountain Rescue	J0345
Go Diego Go Talking Rescue 4 x 4	J0346
Giggle Grabber Soccer Elmo	J5935
Giggle Grabber Chef Cookie Monster	J5936

Sesame Street Giggle Toolbelt	J6537
Queen Mami	J6762
Royal Boots and Tico	J6763
Prince Diego	J6765
Sesame Street Tub Pots & Pans	J7983
Sesame Street Giggle Drill	J9518
Dora's Talking Pony Place	J9692
Twins Nursery	K0617
Diego - Talking Gadget Belt	K3414
Go Diego Go Mobile Rescue Unit	K3571
Fairytale Adventure Dora	K3580
Go Diego go Dinosaur Rescue	K4139
Toucan Motorcycle Rescue	K4140
Dora Figure	L0305
Suprise Inside Diego Eggs	L3194
Sesame Street Elmo Jack-In-The-Box	L3215
Sesame Street Birthday Figure Pack	L3488
Sesame Street Super Boom Box	L3507
Birthday Dora	L5202
Diego Tub trike	L5813
Pablo & Pals	L8905
Dora Figures Dora & Kitty	M0351
Dora Figures Diego & Bear	M0352
Go Diego Go Talking Gadget	M0524
Sesame Street Giggle Doodler	M0527
Dora's Talking House	M0732
Let's Go Rescue Center	M2051
Fairytale Castle	M2052

MATTEL, INC.

Product Name

Product Number

"Sarge" die cast toy cars

Toy Jeep marked "7EA" and
"China" on the Bottom, including
product numbers M1253 and
K5925

ATTACHMENT 'B'

<u>Product Name</u>	<u>Product Number</u>
Polly Pocket! Polly Place Hangin' Out House	B2632
Polly Pocket! Polly Place Treetop Clubhouse	B3158
Polly Pocket! Spa Day	B3201
Polly Totally! Polly Place Totally Tiki Diner	B7118
Polly Pocket! Quik-Clik Boutique	G8605
Polly Pocket! Quik-Clik City Pretty Playset	H1537
Polly Pocket! Quik-Clik Sporty Style Playset	H1538
Polly Pocket! Totally Zen Playset	H3211
Polly Pocket! Happenin' Pet Station	55503
Polly Pocket! Polly Place Magnetic Additions Assortment	B2631
Polly Pocket! Activity Lunch box	B3203
Polly Pocket! Activity Locker	B3204
Polly Pocket! Collectible Lip Gloss	B3207
Polly Pocket! Collectible make Up Powder Puff	B3209
Polly Pocket! Dip N' Dive Pool	B3210
Polly Pocket! Birthday Surprise	B3396
Polly Pocket! Dazzlin' Pet Show Divine Dogs	B7078
Polly Pocket! Rick's Magic Show	B7082
Polly Pocket! Sweet Treats	B7125
Polly Pocket! Birthday Mail box	B7127
Polly Pocket! Stretch Polly Disco Lamp	B7128
Polly Pocket! Jewelry Box Purple	B7129
Polly Pocket! Polly Magnet Bus	B8478
Polly Pocket! Collectible Caboodle	B9521
Polly Pocket! Activity Lunch Box Pink	B9522
Polly Pocket! Activity Locker Orange	B9523

Polly Pocket! Polly Glitter Puff	B9525
Polly Pocket! Collectible Caboodle Purple	B9578
Polly Pocket! Fashion boutique on the Go	B9929
Polly Pocket! Birthday Mail box Pink	C0504
Polly Pocket! Jewelry Box Yellow	C0505
Polly Pocket! Disco Lamp	C1341
Polly Pocket! Disco lamp Purple	C1342
Polly Pocket! Mermaid Stars	G8602
Polly Pocket! Quick Click Playset	G8606
Polly Pocket! Snow Cool Hotel	G8612
Polly Pocket! Quick Click House of Style playset	G8614
Polly Pocket! Polly by Me Totally Beadiful	G8615
Polly Pocket! Quick Click penthouse	G8616
Polly Pocket! Quick Click movie Time Playset	H1553
Polly Pocket! Pollywood Limo Scene Vehicle	J1659
Polly Pocket! Pollywood Dial A Style Lila	J1661
Polly Pocket! Pollywood Dial A Style Lea	J1662
Polly Pocket! Stick N' Style	J1670
Polly Pocket! Pollyworld Rock in' Theme Park Playset	J1681
Polly Pocket! Pollyworld Dress N' Drive Lounge Playset	J1687
Pollyworld Theme Park Party Quick Click Doll and Fashion	J1695
Polly Pocket! Pollyworld Quick Click Polly Doll	J4169
Polly Pocket! Pollyworld Quick Click Crissy Doll	J4170
Polly Pocket! Pollyworld Quick Click Lea Doll	J4171
Polly Pocket! Pollyworld Quick Click Shani Doll	J4172
Polly Pocket! Pollyworld Costume Art Lea	J9305
Polly Pocket! Pollyworld Gift Shop Lila	J9306
Polly Pocket! Twirl and Swirl Beauty Case	J9648
Pollyworld Dial a Song Polly Fashions	J9965
Pollyworld Dial a Song Polly Fashions	J9966

Pollyworld Rockin' Tour Bus	K3460
Polly Pocket! Quick Click Pool Party Playset	H1554
Doggie Day Care Coco	H1532
Doggie Day Care Sparley	H1533
Doggie Day Care Lula and Baby	G4461
Doggie Day Care Crockett and Baby	G4462
Doggie Day Care Taffy and Baby	G4464
Doggie Day Care Snack Time with Cookie	G4459
Doggie Day Care Diaper Change with Ginger	G4460
Doggie Day Care Ice Cream with Ranger	H1530
Doggie Day Care Puppy Park with Dixie	G9703
Doggie Day Care Dream House nursery with Honey	G4457
Doggie Day Care Bath Time with Beau	G4458
Barbie and Tanner play set	J9472
Barbie and Tanner play set	J9560
Batman Magna Battle Armor Batman figure	J1944
Batman magna Fight Wing Batman figure	J1946
Batman Secret ID figure	J5114
Batman Flying Fox figure	J5115
One Piece Triple Slash Zolo Roronoa figure	J4142
Polly Pocket! Poly Place Gameron Garage playset	B3211