

109TH CONGRESS  
1ST SESSION

# H. R. 3738

To direct the Consumer Product Safety Commission to declare Yo-Yo Waterball toys to be a banned hazardous product.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2005

Mr. ANDREWS (for himself and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To direct the Consumer Product Safety Commission to declare Yo-Yo Waterball toys to be a banned hazardous product.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds the following:

5 (1) Yo-Yo Waterballs (also known as water yo-  
6 yos) are inexpensive, easily accessible toys that pose  
7 a strangulation hazard and threaten the health of  
8 children.

9 (2) Yo-Yo Waterballs are banned in France, the  
10 United Kingdom, Luxembourg, Australia, Brazil,

1 and Canada, and Germany and New Zealand have  
2 issued warnings concerning Yo-Yo Waterballs.

3 (3) The New York State Consumer Protection  
4 Board has issued 2 warnings calling Yo-Yo  
5 Waterballs serious hazards to kids, and the Massa-  
6 chusetts Office of Consumer Affairs and Business  
7 Regulation calls Yo-Yo Waterballs a great risk to  
8 children.

9 (4) Illinois banned Yo-Yo Waterballs on June 8,  
10 2005.

11 (5) Consumer Reports magazine rated Yo-Yo  
12 Waterballs as “not acceptable” in the December  
13 2003 issue.

14 (6) World Against Toys Causing Harm labeled  
15 Yo-Yo Waterballs as one of the 10 Worst Toys of  
16 2003.

17 (7) On July 2, 2003, a petition from New  
18 York’s Empire State Consumer Association reported  
19 that the fluid inside the balls is toxic and flammable.

20 (8) The report of the Public Interest Research  
21 Group Education Funds dated November 2004, lists  
22 Yo-Yo Waterballs as a strangulation hazard.

23 (9) The United States Consumer Product Safe-  
24 ty Commission has reported that Yo-Yo Waterballs  
25 pose a potential risk of strangulation.

1           (10) According to the Consumer Product Safety  
2 Commission, as of September 29, 2004, Yo-Yo  
3 Waterballs were responsible for 397 reported health  
4 incidents.

5           (11) In spite of evidence concerning the danger  
6 to children caused by Yo-Yo Waterballs, the Con-  
7 sumer Product Safety Commission has refused re-  
8 peated attempts towards banning these dangerous  
9 toys.

10 **SEC. 2. DECLARATION OF YO-YO WATERBALL TOY A**  
11 **BANNED HAZARDOUS PRODUCT.**

12       Not later than 90 days after the date of enactment  
13 of this Act, the Consumer Product Safety Commission  
14 shall promulgate a rule pursuant to section 9 of the Con-  
15 sumer Product Safety Act (15 U.S.C. 2058) declaring the  
16 Yo-Yo Waterball toy a banned hazardous product under  
17 such Act.

18 **SEC. 3. DEFINITION.**

19       For purposes of this Act, the term “Yo-Yo Waterball  
20 toy” includes the Yo-Yo Waterball, and any similar water  
21 yo-yo that contains a rubber ball that is capable of being  
22 filled with liquid and that is attached to a rubber cord.

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