

New law puzzles business owners

Thrift shop owners struggle to interpret lead content rules

BY ANDY MOORE
Staff Reporter

Local thrift store owners have many unanswered questions about a new federal law that goes into effect Feb. 10 concerning lead content in children's products.

HR 4040 passed Aug. 14, 2008, after concerns over potential safety risks forced the recall of millions of toys imported in the last two years. This federal law bans products with more than 600 parts per million total lead content and more than 0.1 percent of certain phthalates. The law also requires that manufacturers and importers certify that children's products made on or after Feb. 10 meet all the new safety standards.

The interpretation of the law becomes more complicated when applied to thrift stores because the products they sell were manufactured prior to the enactment of new lead content regulations.

Hidden Treasures in downtown Kirksville has a sign on the front door stating that the store will stop selling children's toys to comply with the Consumer Product Safety Improvement Act of 2008. Owner Sherry Stacey said she first heard about the

new law last week.

"None of us knew," Stacey said. "Particularly rural America did not know."

Stacey said she contacted the offices of both her state and congressional representatives but has not received a clear explanation of the new regulations.

"Until more is done, I'm just not going to [sell] toys," she said. "That's not a big revenue venue for this store anyway. It's not worth it to sell a \$3 toy and maybe have a \$100,000 fine."

The Consumer Product Safety Commission clarified in a press release last Thursday that thrift stores are required to test children's products intended for resale, but also stated that, "resellers cannot sell children's

products that exceed the lead limit." Retailers could face criminal or civic penalties if they sell products that exceed these limits, according to the press release. Some thrift store owners see a

contradiction in this statement. The CPSC is in charge of interpreting and enforcing the law.

"When assessing civil and criminal penalty, the agency takes into consideration the severity of the violation," said Patty Davis, spokesperson for the CPSC.

Davis referred to the list of recalled items in the press release, which included products that might have lead, such as children's jewelry, painted wooden or metal toys, easily breakable toys and toys with small parts

that could be choking hazards.

"We are going to focus our enforcement efforts on products of greatest risk and largest exposure," she said.

Stacey said she would like to see the law amended to address the ambiguities surrounding resale items.

"[The press release] is certainly a step in the right direction, but it's not an amendment to the law," she said.

The release urges thrift shop owners not to resell products that could possibly contain lead unless they have certification that the product is lead free. To provide certification, thrift store owners would need to send their merchandise to a testing lab. The closest lab to Kirksville is the St. Louis Testing Laboratories, Inc. in St. Louis, Mo.

The press release states that shop owners should pay special attention to recall notices on the CPSC Web site. Selling recalled items became illegal Aug. 14, 2008, the day the law passed.

"These resellers need to make a business decision: 'Am I going to sell that type of product in light of what we know about the history involving these products?'" Davis said.

Tots 2 Teens owner Michelle Elsea said she found the statements in the CPSC press release unclear.

"We're still getting mixed information," Elsea said. "Are we really being given a reprieve? There are still so many unanswered questions."

Elsea said 70 percent of Tots 2 Teens merchandise is for children under age 12, but that she will not stop selling children's products. She said she would simply use more caution with the products.



Hidden Treasures owner Sherry Stacey marks her children's toys half off in an effort to sell her inventory. Stacey has decided not to sell any toys after the new law takes effect.

"We'll check our recalls on a very regular basis to make sure that we don't sell any toys that are unsafe," Elsea said. "[The recalls are] the biggest thing the [CPSC is] trying to push over to us."

Margaret Gregory of Helping

Hands Mission and Soup Kitchen interpreted the press release differently from Elsea. She said the release meant that the new regulations would not impact resale owners at all. Gregory said the concern about the new law was simply exaggerated by

the media.

Davis said children's clothing manufacturers still must test their products. Libraries with children's books will not have to perform the test. Bookstores, however, must test new children's books.

Several new businesses open in Kirksville

BY AMANDA GOESER
Staff Reporter

New businesses and students returning to town bring positive economic news for Kirksville.

"Kirksville is growing, most definitely," new business owner Jessica Austic said. "And [students] are some of the ones that keep us growing and keep us working, so I am always appreciative of that. You can tell when the students are here and when they are gone."

Teresa's Bridal Boutique

A Kirksville resident and landlord for 21 years is taking on a new business endeavor that involves no roofs, carpeting or leases, but instead lace, sequins and silk. Teresa Mills is opening Teresa's Bridal Boutique this Saturday at 101 S. Baltimore Street.

The boutique boasts couture prom and wedding gowns made by private designers from New York and Los Angeles. There also is a special tuxedo fitting area.

"Not everything is couture, though," Mills said. "And couture doesn't have to be scary, like money-wise. Couture is very detailed, very fashionable, maybe just little extra things that are with a gown that aren't with what you are used to seeing."

Teresa's Bridal Boutique will have four or five consultants available for appointments, as well as walk-ins. Mills said an appointment is appreciated to make sure clients can be well taken care of. Mills also



Teresa's Bridal Boutique, which opens on Saturday, offers tuxedo fittings and sells couture prom and wedding gowns made by private designers from New York and Los Angeles.

is looking to add a wedding package with referrals for everything a bride and groom could want and need for their special day.

Now until prom season, Teresa's Bridal Boutique will be open from 10 a.m. to 7 p.m. Monday through Friday and 10 a.m. to 3 p.m. Saturday.

Salon Nouveau

Another new business on Baltimore Street, Salon Nouveau, opened Monday. The salon currently has one stylist and another will be added in spring 2009. Salon Nouveau offers services including cuts, colors and highlights, pedicures and manicures and prom and formal updos. Salon

owner and stylist Jessica Austic also is planning to create a Web site to promote the business.

"I am trying to do some things that are a little bit different — that might make it easier for students, or whomever, to get in touch with me," Austic said. "If you can't call or I'm not here, then you [will be

able to] do it online. I wanted this location so I could be more centrally located, so I could cater more to the students."

Il Spazio

Kirksville resident Steve Collins purchased a local dining favorite, Il Spazio, Jan. 1. Collins bought the restaurant with new ideas, including a closed dining area for meetings and open mic nights. Collins also owns Washington Street Java Company in Kirksville and Il Spazio in Macomb, Ill. The restaurant reopened on Monday after being closed from Jan. 1-12.

"[There is] nothing immediate or drastic as far as changes go," Collins said. "We knocked a few things off the menu that were not very good sellers, and we added a few things on the menu. Right now we are just kind of getting a feel for things."

Dunkin' Donuts and Maid-Rite

Two corporate food chains are looking at Kirksville. Dunkin' Donuts and Maid-Rite each have expressed interest in adding locations in town. Melanie Smith, Kirksville community services director, said each business is in the planning stage and neither has applied for a business license yet.

"Maid-Rite has also told us that they are definitely interested in being here in Kirksville," Smith said. "But they are a franchise opportunity, so they are looking for a local partner, who would partner with them to bring Maid-Rite to the city."



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