



1230 Avenue of the Americas
New York, NY 10020
212-698-7000

UPDATED February 17, 2009

To: Distributor and Retail Accounts

From: Simon & Schuster

Re: Simon & Schuster Confirms Compliance with the Consumer Product Safety Improvement Act of 2008 (CPSIA)

We understand that the enactment and implementation of the CPSIA has caused great concern and confusion in the marketplace. The U.S. Consumer Product Safety Commission (CPSC) continues to interpret the CPSIA and to issue guidelines regarding its implementation, and it will likely continue to do so throughout the coming year. **We want to assure you that, unless we notify you otherwise in writing, we are confident that all products published by an imprint of Simon & Schuster comply with applicable requirements of the CPSIA.**

The CPSC has received substantial data showing that ordinary books consistently comply with the CPSIA lead content limits. On February 6, 2009, the CPSC issued an enforcement policy providing that CPSC will not impose penalties on anyone for manufacturing, importing, distributing or selling or offering for sale an ordinary children's book printed after 1985 even if such item contains in excess of 600ppm lead, unless the entity had actual knowledge that the book was non-compliant. On February 6, 2009, the CPSC also announced that the phthalate restrictions will apply to inventory. On February 9, 2009, we sent accounts a memo and spreadsheet listing products from Simon & Schuster that might be characterized as toys and may or do contain phthalates, and we asked that accounts immediately stop selling them. That memo and spreadsheet are attached hereto. (Please note that an additional title has been added to the spreadsheet).

In addition, we want to be sure that you are aware of the following:

- **Lead Substrate Limits.** Although limits on the amount of total lead content in products intended primarily for children 12 and under went into effect on February 10, 2009, the CPSC has made special provision, noted above, for ordinary books.
- **Phthalate Limits.** Limits on phthalates contained in toys and certain childcare articles went into effect on February 10, 2009.
- **Certification Requirements.** Certifications of Conformity (COCs) are required to be issued only for products that are subject to a safety standard enforced by the CPSC that is in effect at the time of production. For domestic products, the COCs must be issued by the manufacturer of the product; for imports, the COCs must be issued by the importer of record. However, pursuant to a recent stay issued by the CPSC, COCs for compliance with total lead and phthalate restrictions are not scheduled to be required until February 10, 2010.
- **Third-Party Testing.** Third-party testing of books for total lead content and phthalates is currently not scheduled to be required until February 10, 2010. The CPSC has not yet accredited any independent laboratories to conduct such testing. Simon & Schuster will keep abreast of announcements in this regard, and will ensure that its products comply with third-party testing requirements once they are issued.
- **Certifications for Books Published by S&S.** To the extent required by the CPSIA, Simon & Schuster will be preparing (or having prepared) COCs for its books. Pursuant to the CPSC stay of enforcement referenced above, COCs for lead content in books and for phthalates in toys are not scheduled to be required until February 10, 2010. Any Simon & Schuster toy/novelty book that is subject to any other applicable safety standard for which certification is currently required will be certified as complying with such standard(s).
- **Availability of COCs.** Once certification is required for any title published by Simon & Schuster, we will make the COC available to retailers and distributors, searchable by 13-digit ISBN, at <http://certificate.simonandschuster.biz>.

We hope that you find the foregoing helpful. We have always made the safety of our products a priority, and we will continue to do so consistent with the CPSIA.



S I M O N & S C H U S T E R

1230 Avenue of the Americas
New York, NY 10020
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February 9, 2009

To: All Accounts
From: Simon & Schuster

Re: Important Notice re Phthalates

Toys and certain child care articles are subject to limits on phthalates under the Consumer Product Safety Improvement Act of 2008 (CPSIA) effective February 10, 2009. Although it's not clear that each of the Simon & Schuster titles listed on the attached schedule would be considered "toys" under this law, we wanted to let you know that that they do or may contain phthalates. Accordingly, please immediately stop selling the listed titles. (In addition, if you are a wholesaler, please pass this information along to any reseller customers of yours to whom you may have sold the titles.)

If you have units in inventory, please destroy them or return them to S&S.

Thank you.

**SCHEDULE TO SIMON & SCHUSTER NOTICE OF FEBRUARY 9, 2009
REGARDING PHTHALATES**

ISBN 13:	ISBN: 10:	TITLE:	Last year shipped:	Pub date:
9780689867941	0689867948	Dora's Outer Space Adventure	2007	9/1/2004
9780689865299	0689865295	Oswald's Sand Castle Contest	2007	6/1/2004
9780689840210	0689840217	Bear's Super Shape Search	2002	7/1/2001
9780689840203	0689840209	We Love Counting!	2005	5/1/2001
9780689848414	0689848412	Angelica's Sassy Styles	2006	5/1/2002
9780689834813	0689834810	How to be a Princess By Angelica Pickles	2006	10/1/2000
9780689866739	0689866739	Beyond the Bathtub	2005	5/1/2004
9780689866722	0689866720	If Only...	2005	5/1/2004
9780689846649	0689846649	Dora's Treasure Hunt	2009	4/1/2002
9780689846656	0689846657	Dora Saves the Prince	2009	4/1/2002
9780689864988	0689864981	Be Safe Blue	2007	6/1/2004
9780689824463	0689824467	Blue Skidoos to the Planets	2007	6/1/1999
9780689833786	0689833784	Blue's Memory Scrapbook	2006	6/1/2001
9780689832048	0689832044	Ready Set Grow	2007	6/1/2000
9780689823961	0689823967	Seasons in Blue's Backyard	2007	6/1/1999
9780689843808	0689843801	A Day at the Barn	2006	9/1/2001
9780689849404	0689849400	Bob's Halloween Party	2007	9/1/2002
9780689843792	0689843798	Bob's Recycling Day	2007	9/1/2001
9780689849411	0689849419	Bob's Valentine Party	2007	1/1/2003
9780689858598	0689858590	Get Ready For the Fair!	2007	8/1/2003
9780689862700	0689862709	Good Job Bob!	2007	2/1/2004
9780689840845	0689840845	Christmas with Little Bill	2006	10/1/2002
9780689841460	0689841469	Let's Go to the Supermarket	2006	5/1/2001
9780689840852	0689840853	We're Going to the Zoo!	2006	5/1/2001
9780671444358	0671444352	I'm a Little Fish: Tubby Books	2000	1/15/1982
9780689810411	0689810415	Numbers	2009	8/1/1996
9780689800962	0689800967	Chicka Chicka Sticka Sticka	2009	8/1/1995
9780689874550	0689874553	Eloise Dresses Up	2009	1/1/2005
9780689849312	0689849311	Ouch! Bye Bye Boo Boos	2009	4/1/2002
9780689864773	0689864779	My Very First Day of Preschool	2009	7/1/2006
9780689821363	0689821360	Blue's Bubbly Tub	2005	7/1/1998
9780689829482	0689829485	Blue's Clues Slippery Soap	2009	4/1/2001
9781416918431	1416918434	Baby Looney Toons Daffy Does It Again	2009	10/1/2006
9781416917847	1416917845	VeggieTales The Pirates Who Don't Color Anything!	2008	7/1/2006
9781416936572	1416936572	Franny K. Stein Monster Maker	2009	8/7/2007
9780689858543	068985854X	Snoopy Doghouse	2006	8/1/2003
*9780689832208	0689832206	Blue's Clues: Great Things to Be!	2006	10/1/2000

*Added 2/11/09