

The Magnet Injury Prevention Act

U.S. Representative Tony Cárdenas and U.S. Representative Kim Schrier

Background

Powerful magnet sets — often sold as desktop trinkets — can damage organs when two or more magnets are swallowed and their magnetic force pulls them together across different sections of the digestive system. For example, connections (fistulas) can develop between the stomach and small intestine, or the colon and bowel. These connections can lead to obstructions, perforations, infections or death. Children are especially at risk of harm by these small, powerful, swallowable magnets. Between 2009 and 2018, the US Consumer Product Safety Commission has documented two deaths and 4,500 magnet related cases in U.S. emergency departments for ingestions of magnets, most involving children between 11 months and 16 years of age.¹

In 2013, the CPSC recalled high-powered magnetic balls.² The next year, CPSC finalized a safety standard to prevent the sale of these unsafe magnets. In the brief time that the high-powered magnet ban was in place, researchers found the frequency of pediatric ingestions, operations and surgeries significantly decreased.³ Courts vacated the CPSC standard and recall in 2015,⁴ allowing these magnets to pose an ongoing threat to children. The CPSC is once again in the process of promulgating a rule to deal with magnet related injury,⁵ but a permanent legislative fix is necessary.

The Magnet Injury Prevention Act of 2022

The Magnet Injury Prevention Act of 2022 bans certain small, high-powered magnet sets. Specifically, the Act designates magnets as banned hazardous products if those magnets: are designed, marketed, or intended to be used for entertainment, jewelry, mental stimulation, stress relief or any combination of these; are consumer products; fit completely within a small parts cylinder (16 CFR § 1501.4) and contain any individual magnet with a flux index—or magnetic field strength—greater than 50 kG² mm². It also directs the CPSC to promulgate a final product safety standard for magnets with a flux index of below 50kG² mm² but above 20kG² mm² if determined necessary.

Support

Consumer Federation of America

Kids in Danger

The American Academy of Otolaryngology–Head and Neck Surgery

The North American Society for Pediatric Gastroenterology, Hepatology and Nutrition (NASPGHAN)

Senator Blumenthal has introduced companion legislation in the Senate

¹ <https://www.cpsc.gov/Newsroom/News-Releases/2021/Ingestion-of-High-Powered-Magnetic-Balls-and-Magnetic-Cubes-Poses-Serious-Risk-of-Severe-Internal-Injury-or-Death-in-Children-and-Teens>

² <https://www.cpsc.gov/Recalls/2013/high-powered-magnet-balls>

³ [https://www.jpeds.com/article/S0022-3476\(17\)30187-7/fulltext](https://www.jpeds.com/article/S0022-3476(17)30187-7/fulltext)

⁴ <https://www.cpsc.gov/Regulations-Laws--Standards/Rulemaking/Final-and-Proposed-Rules/Magnets>

⁵ <https://www.cpsc.gov/s3fs-public/Proposed-Rule-Safety-Standard-for-Magnets.pdf?VersionId=2Xizl5izY1OvQRVazWpkqdJHXg5vzRY>