

07 OCT - 7 11:02

October 2, 2007

WRITER'S DIRECT NUMBER. (317) 236-2330
DIRECT FAX. (317) 592-4748
INTERNET: SCALETTA@ICEMILLER.COM

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**



Document Processing Center (7407M)
Attn: TSCA Section 8(e) Coordinator
Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460-0001

CONTAIN NO CBI

**Re: TSCA Section 8(e) Notification
RC2 Corporation and Learning Curve Brands, Inc.
1111 W. 22nd Street, #320
Oak Brook, IL 60523**



Dear Sir/Madam:

RC2 Corporation and its wholly owned subsidiary Learning Curve Brands, Inc. ("RC2") hereby submit this notice to the United States Environmental Protection Agency ("U.S. EPA") because they have become aware of information the U.S. EPA may deem reportable under Section 8(e) of the Toxic Substances Control Act ("TSCA"). RC2 does not admit that by filing this notice that the recalled products as described herein create a substantial risk of injury to health or the environment.

Subsequent to the initial voluntary recall due to potential excess levels of lead in paint involving 26 toy components of the Thomas & Friends Wooden Railway product line, announced by the U.S. Consumer Product Safety Commission ("CPSC") on June 13, 2007, RC2 as well as its vendors, licensors and others continued to test products.¹ As a result of additional testing, RC2 became aware of the potential presence of excess lead in paint on five additional items sold in the Thomas & Friends Wooden Railway product line and excess chromium in paint on three of those items. The potential excess lead and chromium levels in paint on these products was discovered in testing done on the products. The products were manufactured in China and were distributed by RC2 in the U.S. and internationally. RC2 reported the issue to the CPSC and voluntarily participated in a recall of these products with the CPSC on September 26, 2007. A list of all of these products recalled on September 26, 2007 is set forth in CPSC Release

¹ RC2 previously filed a Section 8(e) TSCA Notice with the US EPA on 9/21/07 for these 26 items.

October 2, 2007

Page 2

#07-308, enclosed as Exhibit A to this notice. In the United States, approximately 200,000 units are subject to this recall and may contain excess lead or chromium. Approximately 69,000 units were distributed internationally which are subject to this recall. RC2 is aware that not all units recalled contain excess levels of lead or chromium.

In addition to the five additional Thomas & Friends Wooden Railway items referred to above, RC2 was alerted by authorities in the United Kingdom that certain plastic knights previously sold by RC2 under the William Britain brand contained excess levels of lead. These knights were sold under the product name Knights of the Sword. After investigating the information received from the U.K. and conducting confirmatory testing, RC2 discovered the potential presence of excess lead in the paint on three of the Knights of the Sword toys. These three toys were manufactured in China and were distributed by RC2 in the U.S and internationally. RC2 reported the issue to the CPSC and voluntarily participated in a recall of these products with the CPSC on September 26, 2007. A list of these three additional products recalled on September 26, 2007 is set forth in CPSC Release #07-310, enclosed as Exhibit B to this notice. In the United States approximately 800 units are involved in this recall and approximately 2,200 units were distributed internationally. RC2 sold the William Britain brand in 2005 and at that time transferred any inventory of these three items to the buyer.

There have been no substantiated reports of injuries or incidents to date. Lead and chromium are toxic if ingested and can present a health risk to children. The potential adverse health effects arising from ingestion of excess levels of lead and chromium can vary according to the amount of lead and/or chromium contained in the paint as well as the amount of paint ingested. In extreme cases ingestion of significant amounts of lead or chromium can cause learning disorders or even death. RC2 does not believe that the recalled products realistically create the potential for such extreme injury in light of the levels of lead or chromium which may be present. The levels of excess lead and soluble chromium which may be present in paint on the recalled products varies by product and even within product. The lead content in the paint of some of the recalled products is in excess of 600 parts per million, and the soluble chromium level in some of the three items is in excess of 60 parts per million. Not all products involved in the recall exceed one or both of these levels.

For additional information regarding this notice, please contact RC2's environmental counsel:

Phillip R. Scaletta, Esq.
Ice Miller LLP
One American Square, Suite 3100
Indianapolis, IN 46282
(317) 236-2330

October 2, 2007
Page 3

Respectfully submitted,

RC2 Corporation and Learning Curve Brands, Inc.

By 
One of their attorneys
Phillip R. Scaletta

PRS/llw
Enclosures

NEWS from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE RELEASE
September 26, 2007
Release #07-308

Firm's Recall Hotline: (866) 725-4407
CPSC Recall Hotline: (800) 638-2772
CPSC Media Contact: (301) 504-7908

RC2 Corp. Recalls Additional Thomas & Friends™ Wooden Railway Toys Due to Violation of Lead Paint Standard

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately unless otherwise instructed.

Name of Product: Various Thomas and Friends™ Wooden Railway Toys

Units: About 200,000 (1.5 million other Thomas & Friends railway toys were recalled on June 13, 2007)

Importer/Distributor: RC2 Corp., of Oak Brook, Ill.

Hazard: Surface paints on the toys can contain excessive levels of lead, violating the federal lead paint standard.

Incidents/Injuries: None reported.

Description: The recall involves five toys from the Thomas and Friends Wooden Railway product line: the all-black cargo car, toad vehicle, olive green sodor cargo box and all-green maple tree top and signal base accessories. The front of the packaging has the logo "Thomas & Friends Wooden Railway" in the upper left-hand corner. A tracking code may be located on the bottom of some of the products. Toys marked with codes containing "WJ" and "AZ" are not included in the recall.

Recalled Product Name & Tracking Codes

<p>All-Black Cargo Car – Included only in the Brendam Fishing Dock Set. The car is labeled "CARGO CAR" and has either no tracking code or one of the following codes on its undersides: 26833i 28233i 23243i00 24643i00 25343i00 27443i00 32043i00 34743i00 01553i00 04553i00 13353i00 14753i00 15453i00 18353i00 Cargo cars sold in other sets are not included.</p>
<p>Toad vehicle with brake lever – The vehicle is labeled "TOAD" and has the tracking code 16560W000 on its underside.</p>
<p>Olive Green Sodor Cargo Box – The side of the cargo box says "SODOR", the box was included only in the Deluxe Cranky the Crane Set.</p>
<p>All-Green Maple Tree Top and Green Signal Base Accessories – Included only in Conductor's Figure 8</p>

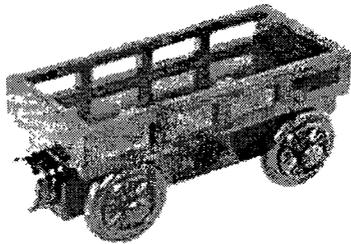
Sets.

Sold at: Toy stores and various retailers nationwide from March 2003 through September 2007 for between \$10 and \$40.

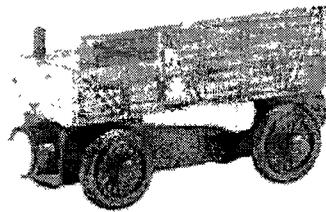
Manufactured in: China

Remedy: Consumers should take the recalled toys away from young children immediately and contact RC2 Corp. for a replacement toy.

Consumer Contact: For additional information, contact RC2 toll-free at (866) 725-4407 between 8 a.m. and 5 p.m. CT Monday through Friday or visit the firm's Web site at <http://recalls.rc2.com>



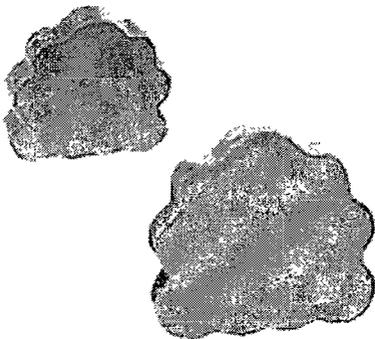
All Black Cargo Car



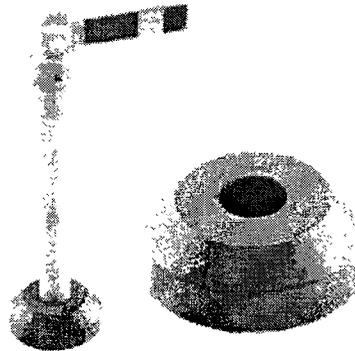
"Toad" vehicle with brake lever



Olive Green Sodor Cargo Box



All Green Maple Tree Top



Green Signal Base

Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at www.cpsc.gov/talk.html. To join a CPSC email subscription list, please go to www.cpsc.gov/cpsclist.aspx. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.

NEWS from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE RELEASE
September 26, 2007
Release #07-310

Firm's Recall Hotline: (866) 725-4407
CPSC Recall Hotline: (800) 638-2772
CPSC Media Contact: (301) 504-7908

RC2 Recalls Knights of the Sword Toys Due to Violation of Lead Paint Standard

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission, in cooperation with the firm named below, today announced a voluntary recall of the following consumer product. Consumers should stop using recalled products immediately unless otherwise instructed.

Name of Product: Britain's "Knights of the Sword" Series Toys

Units: About 800

Importer/Distributor: RC2 Corp., of Oak Brook, Ill.

Hazard: Surface paints on the toy knights contain excessive levels of lead, violating the federal lead paint standard.

Incidents/Injuries: None reported.

Description: The three recalled silver knight toys are mounted on red horses sold individually in see-through blister cards. "Britains" and "Knights of the Sword" are printed on the top of the card in the packaging. The recalled toys include a mounted silver knight on a red horse with an axe; a mounted silver knight on a red horse with two hands on a raised weapon; and a mounted silver knight on a red horse with a lance.

Sold at: Specialty toy stores nationwide from April 2004 through March 2006 for about \$8.

Manufactured in: China

Remedy: Consumers should take these recalled toys away from young children immediately and contact RC2 to receive a full refund.

Consumer Contact: For additional information, contact RC2 toll-free at (866) 725-4407 between 8 a.m. and 5 p.m. ET Monday through Friday or visit the firm's Web site at <http://recalls.rc2.com>







Send the link for this page to a friend! The U.S. Consumer Product Safety Commission is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. Deaths, injuries and property damage from consumer product incidents cost the nation more than \$700 billion annually. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at www.cpsc.gov/talk.html. To join a CPSC email subscription list, please go to www.cpsc.gov/cpsclist.aspx. Consumers can obtain this release and recall information at CPSC's Web site at www.cpsc.gov.