

Debate

Is the Buckyballs Product too Dangerous to Remain on the Market?

ISSUE: Do Buckyballs represent enough of a threat to child safety that they should be banned?

Buckyballs and Buckycubes are sets of small magnetic balls that come together to form different shapes. These sets are marketed to adults as a stress reliever intended for use on office or home desks. The company has posted many warning labels on the packaging of its products indicating that the sets are not for children and can cause harm if magnets are ingested. In July of 2012, the Consumer Product Safety Commission (CSPC) filed a complaint against Buckyballs manufacturer Maxfield and Oberton claiming that despite the warning labels, children have been swallowing Buckyball magnets and suffering severe injuries. The complaint calls for the discontinuation of the products, which could destroy the organization.

Some supporters of Buckyballs rely on statistical evidence to argue for their continued presence on the market. According to the CSPC, there have been 22 incidents involving children who suffered injuries from ingesting magnetic pieces from Buckyball sets. With approximately 2.2 million Buckyball sets in circulation and 10 to 216 magnets in each set, there are approximately 475.2 million individual magnetic pieces in customers' possession. According to these numbers, the probability of child-related injury from dog bites, playing sports, participating in cheerleading or skateboarding, and being poisoned by household cleaning items are higher than Buckyballs injuries.

In addition to five warning labels on its packages, Maxfield and Oberton made an educational video on its website indicating the dangers of swallowing the magnets. The company claims that safety has been a prime concern, causing the company to constantly review its warning labels and safety practices. The CSPC was involved in these processes and had even offered suggestions as to how to make the emphasis on safety stronger. When the Buckyball sets were first introduced, the legal definition of a child was 12 and under. In 2009 the law changed to 13 and younger, and the company adjusted its warnings accordingly. To avoid any confusion on the part of the consumer, it also posted a warning label specifying that children should not be allowed to have contact with the product.

Later the company made its warnings more specific by listing some of the injuries that could occur from ingesting Buckyballs magnets. During the holiday season, it put out a notice to its retailers reminding them not to sell the magnetic sets to children or to adults intending to buy them for children. The chairman of the CSPC at the time commended the company's efforts. The company also launched a website with information on magnet safety and, at the suggestion of the CSPC, worked with physicians, formed a coalition for magnet safety, and worked with other institutions to develop voluntary standards for labeling and marketing standards for products such as Buckyballs. The company insists that it has not only responded to the injuries that have occurred by emphasizing its warning labels but has also taken preventative measures. CEO Craig Zucker states that the products were never intended for child use and were never marketed to children.

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The CSPC, on the other hand, claims that Buckyballs were marketed to children. When they originally debuted on the market, Buckyballs was compared to other popular children's toys such as silly putty. Buckyballs was rebranded as a desk toy for adults without changing the look or design of the product. Critics argue that the design is attractive to children and that their look, feel, and the way the magnets interact with each other make children want to play with them. Older children have used the Buckyball magnets to pretend that they have lip and cheek piercings. The CSPC also claims that because the warning labels are only placed on the packaging of the product, which is usually discarded, not everyone who uses the sets are adequately warned. The CSPC alleges that the labeling does not communicate the severity of potential injury, nor does it seem to be effective to prevent injury. Another objection is that the product is not child-proofed in any way. The CSPC also claims that the intended use of the product is being ignored and is therefore becoming a hazard to children who come into contact with it.

The injuries are severe. While there have been no fatalities, death and long-term injury are possibilities. When a person ingests more than one magnet, the magnets will attract each other inside the stomach and intestinal walls, causing perforations in the stomach and intestines. This can lead to internal bleeding and leakage of toxic fluids into the body. When two or more magnets are ingested and tearing does occur, not only is surgery necessary, but these injuries can and have caused life-long gastrointestinal issues. Additionally, because the magnets are so small, parents do not often realize what has happened, and the initial symptoms are similar to a typical stomach flu. Doctors agree with the CSPC because they see these injuries as causing unnecessary damage to children who will have to deal with the effects for the rest of their lives. The most severe case includes a 3-year old girl who ingested 37 magnets and experienced significant internal injury.

There are two sides to every issue:

1. The Buckyballs product properly warns consumers about potential dangers and should not be removed from the market.
2. The Buckyballs product should be removed from the market because of its dangers to children.

Sources:

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