

February 10, 2009

Statement from Oncourt Offcourt:

With proper consultation, we have been advised that our products fit into the sporting goods category and, as such, are not subject to the same criteria as recently established for the toy industry. Further, our products are not "toy versions" of sporting goods products used at home by young children without adult supervision. None of our products are sold in toy stores. They are actual sporting goods products that are consistently used under continuous professional adult supervision (physical education teachers, tennis coaches, etc.).

This is further confirmed as we do not sell direct to retail stores and do not have retail packaging available in any of our products that might be construed as being used by young children on their own. We also do not have small packaging units of products like tennis balls, for example, that parents would purchase at the retail level as a package of 3 balls. Rather we sell in higher bulk quantities, to be used by teachers and coaches.

Regarding the products that we have had designed for coaches working with children to learn tennis, they are only used with supervision. The idea is that children left to play with a toy on their own might insert it into their mouth, making these "high risk" elements like lead and phthalates dangerous. Our products do not fit in that category of use, as our products are not "toy versions" that children are using on their own. That said, Oncourt Offcourt has still secured positive test results for lead content on our best selling Mini-Nets and Maxi-Nets, as well as many other products just to err on the side of caution.

CPSC Exempts All Non-Toy Sporting Goods from Phthalate Ban <<http://www.sginewswire.com>>

The Consumer Product Safety Commission issued a guideline on its website late Friday night that exempts sporting goods from the ban on phthalates that takes effect Feb. 10. The only sporting goods products that will be subject to the ban are toy versions of sporting goods, i.e. a product intended for use by a child 12 years of age or younger. The ruling also exempts bicycles, playground equipment and musical instruments, as long as they are not aimed at children under the age of 13.

Here's an example: A U.S. company sells pianos that are imported from China. These musical instruments are not "toy versions" of pianos as a full size piano is clearly not a "toy version" but still it is a fact that thousands of young children are learning how to play the piano on these full size versions. Are companies that sell full-sized pianos required to provide test results for lead and phthalates? The answer is no.

Our sporting goods products are non-toy coaching tools.

Please let Heather or I know if you have any additional concerns or requirements we can address.

Sincerely yours,  
Joe Dinoffer

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