U.S. Consumer Product Safety Commission

Key Procedural Requirements under the Consumer Product Safety Improvement Act of 2008

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Question

As a buyer, when you think of "**procedural requirements**" of the U.S. CPSC, what comes to mind?

What Do You Think Of?

Testing children's products

Too many Requirements

Certifications

Logical

RANDOM

Unclear/vague   Very detailed Paperwork

Not important   Very Important

Lose **TIME**   Saves TIME

Affects

RECALL

Costs *me money*

Saves *me money*

Responsibility

Liability

Agenda for Presentation

Procedural Requirements

   -- Children's Products

   -- Non-Children's Products

Certificates

Background: CPSIA of 2008

2007: High-profile product recalls

- Lead paint in children's toys
- Dangerous cribs

2008: Congress passes the CPSIA

Background: Children's Products and the CPSIA

Children's Products and the CPSIA

Key **procedural** requirements for children's products

Look for and ask seller about:

- Third party testing
- Children's Product Certificate (CPC)
- Tracking labels

Children's Products

Ask Supplier: When Was the Product Tested and By Whom?

Ask Yourself: Should We Test This Product?

- Initial third party testing (also called certification testing);

- Material change testing; and

- Periodic testing.

Identify a CPSC-Accepted Laboratory

Do Your Research:

- Review www.cpsc.gov/cgi-bin/labsearch/

- All non-exempt materials must be third party tested by a CPSC-accepted laboratory.

- Laboratories are accepted by the CPSC on a test-by-test basis.

Initial Testing and Certificate of Conformity

- The importer is responsible for ensuring that representative samples are tested.

- **CPSC-accepted laboratory** performs applicable testing and provides testing results.

- Testing needs to be completed before entry at the port or distribution in commerce.

- The importer is responsible for providing a certificate of conformity based on passing results. Find a template for a Children's Product Certificate (CPC) at: www.cpsc.gov/cpc

Material Change Testing & Certificate of Conformity

Ask: Do you know if there has been a material change to the product after initial certification?

. 1. Re-test the affected component part or the entire product; and

2. Issue a new Children's Product Certificate

Periodic Testing Rule

General guideline:

After initial testing and certification, majority of manufacturers and importers must periodically test children's products once per year.

Ask: Has your supplier demonstrated it meets standards through testing it or others has done?

Tracking Labels

Ask: Are the Products You Review Fulfilling Requirements for Tracking Labels?

A permanent mark must be affixed to the product <u>and</u> its packaging, if practicable

No mandated format

Mandatory Safety Rules for Durable Infant Products

- Third party testing and certification are required for durable infant and toddler products subject to mandatory safety rules

- Consumer registration requirement

- www.cpsc.gov/durableinfantproducts

Safety Rules for Durable Infant or Toddler Products

Current List of Durable Infant or Toddler Products:

- Bassinets and Cradles
- Bedside Sleepers
- Booster Seats
- Carriages and Strollers
- Changing Tables
- Children's Chairs and Stools
- Cribs (Full-Size)
- Cribs (Non Full-Size)
- Expansion Gates and Expandable Enclosures
- Frame Child Carriers
- Hand-Held Infant Carriers
- High Chairs

- Infant Bath Seats
- Infant Bath Tubs
- Infant Bouncer Seats
- Infant Inclined Sleep Products
- Infant Swings
- Infant Walkers
- Play Yards
- Portable Bed Rails
- Portable Hook-On Chairs
- Sling Carriers
- Soft Infant and Toddler Carriers
- Stationary Activity Centers
- Toddler Beds

Non- Children's Products and the CPSIA

- Regulations for certain non-children's (general-use) products require:

  – Testing: Any laboratory can perform the testing for non-children's products. Third party testing is not required.

  – A General Certification of Conformity (GCC) is required for all products subject to a rule, ban, standard or regulation enforced by the CPSC.

    Ask: Is this Product Subject to a GCC, Does it have one?

What Testing Requirements Exist for Non-Children's Products?

Reasonable Testing Program (RTP)

- Some standards contain an RTP for their products.

- General RTP for all regulated non-children's products has not been defined by the Commission.

Children's and Non-Children's Products: What Must Be Certified?

- Responsibility of the importer.   Importers and manufacturers , as well as buyers, should have a clear understanding of *which technical regulations need to be* met.

- Foreign manufacturers/suppliers should insist on a list of which technical regulations apply. Buyers should familiarize themselves with the requirements.

Children's and Non-Children's Products: Content of Certificates

All certificates of conformity must:

- Identify the manufacturer or importer issuing the certificate and any third party on whose testing the certificate depends, by name, address, and phone number.
- Specify each applicable regulation, ban, etc.
- Spell out the date and place where the product was manufactured and date and place of testing.
- Show contact information for the person maintaining test records.

Children's and Non-Children's Products Availability of Certificates

- Certificates must "_**accompany**_" each product or shipment of products covered by the same certificate.

- A copy of the certificate must be made available to the Commission and Customs _**upon request**_.

Children's and Non-Children's Products: Electronic Certificates

Electronic form are acceptable.

Key requirements for certificate
- Timely
- Accessible

Sec. 15 Reporting Obligations

- Legal obligation to immediately report the certain types of information to the CPSC:

https://www.cpsc.gov/reporting

Ask Yourself: Is this a defective product that could create a substantial risk of injury to consumers, a product that creates an unreaosnable risk of serious inury or death, or fails to comply with product rule, reg, standard, ban?

Report an Unsafe Product   Contact CPSC | CPSC.gov Redesign: your thoughts? | Consumers: **Español** Businesses: **Español** | 中文 | Tiếng Việt

UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION

Connect with Us:

Search CPSC.gov

For Certification, Testing and Other Requirements:

www.cpsc.gov/Business-Education

www.cpsc.gov/zh-CN/Business--Manufacturing/Business-Education/

www.cpsc.gov/DesktopGuide

http://www.cpsc.gov/Global/Business-and-Manufacturing/Business-Education/QuickResourceGuideCh.pdf?epslanguage=zh-CN

Thank You!

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