



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY

BETHESDA, MD 20814

## Enforcement Guidance for Child Care Providers

The Consumer Product Safety Act (CPSA), as amended by the Consumer Product Safety Improvement Act (CPSIA), mandates that certain consumer products must comply with applicable CPSC requirements. On December 15, 2010, the U.S. Consumer Product Safety Commission (CPSC) voted unanimously to approve new mandatory standards for full-size baby cribs (16 C.F.R. part 1219) and non-full-size baby cribs (16 C.F.R. part 1220). The new mandatory crib standards impose significant requirements on full-size and non-full-size cribs. The rule provides two compliance dates.

- Effective June 28, 2011, cribs offered for sale, contracted to sell or resell, manufactured, offered, provided for use, or otherwise placed in the stream of U.S. commerce must comply with the new federal crib standards.
- Effective December 28, 2012, the cribs that child care facilities, family child care homes, and places of public accommodation affecting commerce, provide for use must comply with current CPSC crib standards.

The CPSC has received questions asking how to determine whether a particular crib is compliant with the applicable CPSC standard, as well as what documentation would be acceptable to CPSC to demonstrate compliance. Below are the guidelines to follow in order to determine whether a crib complies with current CPSC crib standards:

- Determine the manufacture date based on the tracking label on the crib or the registration form supplied. For purposes of enforcing in child care facilities and family child care homes, we will presume that cribs manufactured on or after June 28, 2011 comply.
  - If the tracking label or registration form on the crib indicates that the crib was **manufactured after June 28, 2011**, no additional documentation is necessary to determine compliance with 16 C.F.R. part 1219 or 16 C.F.R. part 1220.
  - If the crib was **manufactured prior to June 28, 2011**, a Children's Product Certificate (CPC) or test report from a CPSC-accepted third party lab is the preferred way to demonstrate compliance with 16 C.F.R. part 1219 or 16 C.F.R. part 1220. While manufacturers, importers, and retailers are not

required to supply CPCs or test reports to consumers, many will provide these documents to consumers upon request, or they post them on their websites.

- If the crib **does not have a tracking label or registration form** affixed to it:
  - If the crib was **purchased prior to June 28, 2011**, and does not have a tracking label or registration form, it is unlikely that it has been certified as being compliant with current CPSC crib standards. However, consumers may contact the manufacturer or retailer to determine which, if any, standard to which the crib has been certified.
  - If the crib was **purchased after June 28, 2011**, and it does not have a tracking label or registration form, contact the CPSC's Office of Compliance and Field Operations at [jjirgl@cpsc.gov](mailto:jjirgl@cpsc.gov). Compliance staff will use this information when following up with the manufacturer or importer.
- Receipts alone are not an indicator of compliance and should only be used to support the documents identified above when determining compliance.

## **Definitions:**

**Registration form** means a postage-paid consumer registration form provided by the manufacturer with each product. Registration forms must identify the manufacturer's name and contact information, model name, model number, and the date of manufacture.

**Tracking label** means a permanent, distinguishing mark on the product and its packaging, to the extent practicable, which must contain certain basic information, including the source of the product, the date of manufacture, and cohort information, such as batch or run number.

**Children's Product Certificate (CPC)** means a certificate provided by the manufacturer or importer to the retailer or distributor of a children's product. The certificate must accompany the product through commerce and be provided to the retailer or distributor. The CPC certifies that such children's product complies with applicable children's product safety rule(s) based on the testing by a third party conformity assessment body accredited and accepted by the Commission to conduct such tests and identifies: the product covered by the certificate; the safety regulation to which the product is being certified; the importer or domestic manufacturer; contact information for the individual maintaining records of test results; date and place where the product was manufactured; date and place where the product was tested; and identification of the third party laboratory on whose testing the certificate depends.