



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
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CHAIRMAN INEZ M. TENENBAUM

**STATEMENT OF CHAIRMAN INEZ M. TENENBAUM ON THE
STAY OF ENFORCEMENT OF TESTING AND CERTIFICATION REQUIREMENTS**

December 17, 2009

As Chairman I believe that the Commission should act to prevent confusion within the regulated community and give consumers confidence in the safety of the products they purchase, especially those intended for children. To fulfill this goal, the Commission came together to announce what actions we intended to take with regard to the stay of enforcement, in advance of the original February 10, 2010 deadline. The Commission voted this week to extend the stay of enforcement of testing and certification requirements for many regulated children's products, including those subject to the lead content limits. I would like to sincerely thank the staff of the agency and the Commissioners' staffs who worked tirelessly over the past month to provide a timely decision for our stakeholders. Through the hard work of our staff, the Commission was able to reach a full consensus on most of the issues related to the stay of enforcement on testing and certification requirements.

The extension of the stay was needed in order to give the agency more time to promulgate rules important to the continued implementation of the CPSIA and for the agency to educate our stakeholders on the requirements of those new rules. The agency is actively seeking input from our regulated community, and we will continue to do so as we implement the CPSIA. The attendance of over 250 people at our recent testing workshop was highly encouraging, and it is my hope that our stakeholders will continue to be active partners in our implementation of the CPSIA.

The Commission also voted unanimously to approve an interim enforcement policy that allows component testing as a basis to demonstrate compliance with the new lead paint and lead content limits. It is hoped that component testing will prove to be a successful solution for certification to the new lead limits, especially for smaller businesses. To this end, I voted to extend the stay on lead content testing and certification until February 10, 2011, in order to allow component testing adequate time to develop and to give our stakeholders adequate notice of new requirements. Although the stay on testing and certification requirements has been extended for many regulated children's products and component testing is now permissible, it is important to remember that all products have always and must continue to comply with all applicable standards and bans.