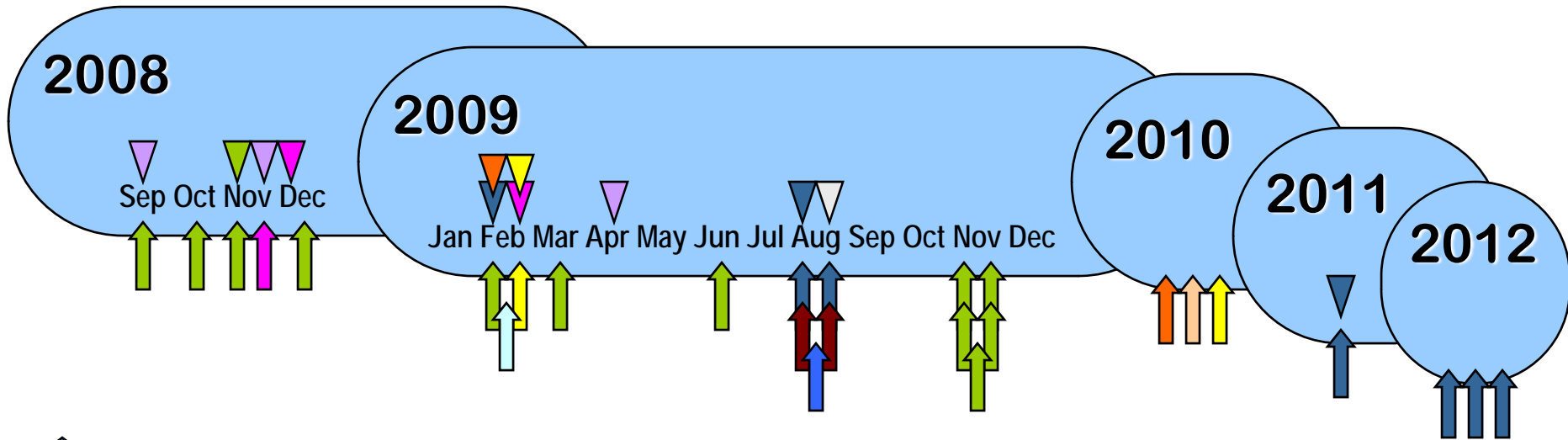


# Overview and Regulatory Timetable

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United States Consumer Product Safety Commission

# Implementation Timetable



▼↑• (101) Lead Paint

↑• (102) Third Party Certification

▼ General Conformity Assessment

▽ (103) Tracking Labels

↑• (104) Durable Products Registration

▼↑ (105) Labeling/Advertising

▼↑• (106) Mandatory Toy Standard

▼↑ (108) Phthalates

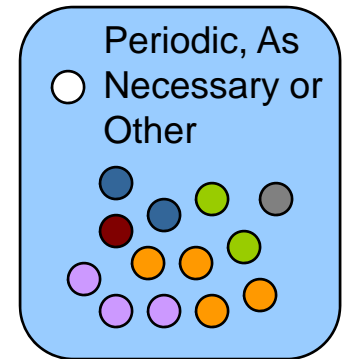
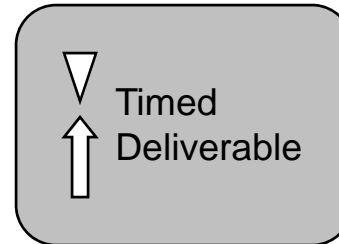
↑ (214) Recall Notices

↑ (217) Civil Penalty Factors

↑ (222) Imported Products Risk Assessment

• (223) Substantial Product Hazard

▼• (232) ATVs



# Third-Party Testing of Children's Products

	<b>CPSC Publishes Accreditation Procedure</b>	<b>Third-Party Testing Required</b>
Lead Paint	September 2008	December 2008
Cribs And Pacifiers	October 2008	January 2009
Small Parts	November 2008	February 2009
Metal Jewelry	December 2008	March 2009
Baby Bouncers, Walkers And Jumpers	March 2009	June 2009
300 ppm Lead Content	May 2009	August 2009
CPSC Children's Product Safety Rules	June 2009	September 2009

# Lead Timeline

## ■ Lead Content

- 600 ppm limit – 180 days after enactment
- 300 ppm limit – 1 year after enactment
- 100 ppm limit – possible after 3 years if technologically feasible

## ■ Lead Paint

- 90 ppm limit – 1 year after enactment

### **Lead Content Exclusion Rules**

- **Inaccessibility:** Guidance rule on product components or classes of components considered inaccessible
- **Electronic Devices:** Rule issuing requirements to eliminate or minimize accessibility of lead & compliance schedule.

# Application to Inventory

- **Third-party testing:** “. . . The [third-party testing requirement] shall apply to any children’s product *manufactured* more than 90 days after the Commission has established and published notice of the requirements for accreditation of third-party conformity assessment bodies . . .”

# Application to Inventory

- **Tracking labels:** “Effective 1 year after the date of enactment . . . the manufacturer of a children’s product shall place permanent distinguishing marks on the product and its packaging . . .”

# Application to Inventory

- **Toy Safety Standard:** “Beginning 180 days after the date of enactment of the Act, the provisions of ASTM International Standard F963-07 Consumer Safety Specifications for Toy Safety (ASTM 963) as it exists on the date of enactment . . . shall be considered to be consumer product safety standards issued by the Commission under section 9 . . .”

# Application to Inventory

- **Toy Safety Standard:**  
“Beginning 180 days after the date of enactment of the Act . . .(ASTM 963) . . . *shall be considered to be consumer product safety standards issued by the Commission* under section 9 . . .”
- **CPSA section 9(g)(1):** “A consumer product safety standard shall be applicable only to consumer products *manufactured after the effective date.*”



# Application to Inventory

- **Four wheeled ATVs:** “. . . Within 90 days after the enactment . . .the Commission shall publish in the Federal Register as a mandatory consumer product safety standard the . . .[American National Standard ANSI/SVIA – 1 – 2007). The standard shall take effect 150 days after it is published.”

**CPSA section 9(g)(1):** “A consumer product safety standard shall be applicable only to consumer products *manufactured after the effective date.*”

## Application to Inventory

- **Three wheeled ATVs:** “Until a mandatory consumer product safety standard applicable to 3-wheeled all-terrain vehicles promulgated pursuant to this Act is in effect, *new* 3-wheeled all-terrain vehicles may not be imported into or distributed in commerce in the United States. Any violation of this subsection shall be considered to be a violation of section 19(a)(1) of this Act . . . .”

# Application to Inventory

- **Lead:** “. . . beginning on the dates provided in paragraph (2), any children’s product . . . that contains more lead than the limit established by paragraph (2) *shall be treated as a banned hazardous substance.*”
- **Phthalates:** “Beginning on the date which is 180 days after the date of enactment of this Act, it shall be unlawful for any person to manufacture for sale, *distribute in commerce*, or import into the United States any children’s toy that contains . . .”

**New section 216 makes it a prohibited act to “offer for sale” a product that does not comply with this limit.**

# Section 15 Reporting Changes

- Now covers all products and substances within CPSC's jurisdiction
- Now covers failure to comply with standards, bans, rules, regulations under other CPSC statutes
- Changes effective on October 13

# Sale of Recalled Products

- For voluntary corrective actions, must be
  - Taken by the manufacturer
  - In consultation with the Commission
  - Where the Commission has notified the public, or
  - Firm knew or should have known of the corrective action
- Prohibition also extends to involuntary recalls, banned hazardous substances
- Effective September 13, 2008