

U.S. Consumer Product Safety Commission



Small Batch Manufacturers: Registration with the CPSC and Limited Relief from Third Party Testing

Presentation to the Real Diaper Industry Alliance (RDIA) January 24, 2012
Neal S. Cohen, Small Business Ombudsman

Views expressed in this presentation are those of the staff and do not necessarily represent the views of the Commission.

SMALL BATCH MANUFACTURERS

**Public Law 112-28
(August 12, 2011)**

www.cpsc.gov/smallbatch

Small Batch Manufacturer

- Public Law 112-28 (August 12, 2011)
- Commission must consider alternative testing requirements or provide exemptions for certain children's product safety rules. Small Batch Manufacturers
- October 26, 2011 Public Hearing
- Currently, no third party testing is required in the following circumstances and for the following rules:

Small Batch Manufacturer

Income

Total gross revenues from the prior calendar year (*e.g.*, calendar year 2011 sales to qualify for calendar year 2012) from the sale of all consumer products is \$1 million or less.

“Consumer products” includes both children’s products and non-children’s products even though third party testing requirements apply only to children’s products.

\$1 million or less threshold include revenues from the sale of consumer products by other businesses the registering company controls, is controlled by, or with which it is under common control.

Covered Product

A covered product means a consumer product manufactured by a small batch manufacturer where no more than 7,500 units of the same product were manufactured in the previous calendar year (*i.e.*, calendar year 2011 sales for calendar year 2012 qualification.)

Importers

Both the importer and the manufacturer of the covered product meet the revenue and unit criteria for small batch manufacturers.

Small Batch Manufacturer

Must ALWAYS third party test for the following children's product safety rules (Group A):

- • Lead-in-paint and other surface coatings, 16 CFR ?1303;
- Full-size cribs and non-full-size cribs, 16 CFR ??1219, 1220;
- Pacifiers, 16 CFR ?1511;
- • Small parts for children under 3 years of age, 16 CFR ?1501;
- Children's metal jewelry, Sec. 101(b) of the CPSIA, as amended by P.L. 112-28; 15 USC 1278a(b)(7);
- Baby bouncers, walkers, and jumpers, 16 CFR ?1500.18(a)(6) and 16 CFR ?1500.86(a);
- Infant bath seats, 16 CFR ?1215;
- Infant walkers, 16 CFR ?1216;
- Toddler beds, 16 CFR ?1217; and
- • Other durable infant or toddler products, as additional children's product safety rules are enacted, 15 U.S.C. 2056a(f), Sec. 104 of the CPSIA.

Small Batch Manufacturer

Qualifying small batch manufacturers are NOT required to third party test for the following children's product safety rules (Group B):

- ASTM F963-08 Toy Safety Standard;
- Total Lead Content in Children's Products, Sec. 101 of the CPSIA;
- Ban on certain phthalates in children's toys and certain child care articles, Sec. 108 of the CPSIA;
- Bicycle helmets, [16 CFR ?1203](#);
- Bunk beds, [16 CFR ?1213/ ?1513](#);
- Rattles, [16 CFR ?1510](#);
- Dive sticks, [16 CFR ?1500.86](#);
- Bicycles, [16 CFR ?1512](#);
- Carpets and rugs, [16 CFR ?1630](#) and [?1631](#);
- Vinyl plastic film, [16 CFR ?1611](#);
- Wearing apparel, [16 CFR §1610](#);
- Clacker balls, [16 CFR §1500.86](#);
- Children's sleepwear, [16 CFR §1615](#) and [§1616](#);
- Electronically operated toys, [16 CFR §1505](#);
- ATVs, [16 C.F.R. §1420](#); and
- Mattresses, [16 CFR §1632](#).

SMALL BATCH MANUFACTURERS: REGISTRATION REQUEST

**www.SaferProducts.gov
www.cpsc.gov/smallbatch**

Small Batch Manufacturer Registration Request: SaferProducts.gov

CPSC.gov SaferProducts.gov PoolSafely.gov Recalls.gov ATVsafety.gov

SaferProducts.gov

Report An Unsafe Product

Business Register & Respond

Search Recalls & Reports

About Questions



Welcome Consumers

Report your unsafe product on SaferProducts.gov. Tell CPSC. Then others will know.

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[Small Batch Manufacturers: Learn About Testing Relief](#)



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Small Batch Manufacturer Registration Request: SaferProducts.gov

CPSC.gov SaferProducts.gov PoolSafely.gov Recalls.gov ATVsafety.gov

 SaferProducts.gov

[Report](#)
An Unsafe Product

[Business](#)
Register & Respond

[Search](#)
Recalls & Reports

[About](#)

[Questions](#)

Small Batch Manufacturer's Registry Information

Use this registry to identify yourself as a Small Batch Manufacturer. By registering, you get relief from [certain third-party testing requirements](#). To register as a Small Batch Manufacturer, you must satisfy the following two criteria:

1. Your total gross revenue from the previous calendar year from the sales of all consumer products of each entity you control, are controlled by, or are under common control with, is \$1 million or less.
2. You manufactured no more than 7,500 units of the product that qualifies your company for Small Batch Manufacturer registration. You understand that your registration is only effective for those products where no more than 7,500 units of the same product were manufactured in the previous calendar year.

You must register as a Small Batch Manufacturer every year to qualify for this testing relief.

Here are the steps:

1. First, you must register your business on the [Business Portal of SaferProducts.gov](#). If you are already registered, and have set your Business Portal password, skip to step 3.
2. Once you register with the Business Portal, you will receive an e-mail letting you know that CPSC has received your registration. CPSC will then notify you when your registration has been approved. You can then set your Business Portal password.
3. Sign into the [Business Portal on SaferProducts.gov](#).
4. To complete the process and identify yourself as a Small Batch Manufacturer, click on "Small Batch Manufacturers" in the top navigation bar.
5. You must check to affirm all three statements on the Small Batch Manufacturer's registration page to register online.
6. Click Submit. You will receive an e-mail with your Small Batch Manufacturer registration number.

[Register with the Business Portal](#)

[Sign into the Business Portal](#)

Small Batch Manufacturer Registration Request

SaferProducts.gov

CPSC.gov SaferProducts.gov PoolSafely.gov Recalls.gov ATVsafety.gov

SaferProducts.gov Report An Unsafe Product Business Register & Respond Search Recalls & Reports About Questions

CPSC Business Portal

CPSC's Business Portal is the online home for businesses to interact with CPSC. Through the portal, you can review and comment on consumer product safety reports submitted to SaferProducts.gov and report potentially unsafe products to CPSC.

Register with Us

We strongly urge all businesses to register with us online.

★ **Benefits:**

- Maximizes your time to review and respond to Reports before the 10-business day Report publication date.
- Notification of Reports involving your products sent to you quickly and securely through e-mail.
- Convenient and secure online account to provide comments on Reports and to communicate with CPSC.
- Accounts can be set up with multiple users, with different permission settings for each user, to provide maximum flexibility.

[Register Today](#)

[Report a Potentially Unsafe Product](#)

Already Have a Business Account User ID?

[Sign In](#) [Forgot Password?](#)

[Forgot Business Account User ID?](#)

Small Batch Manufacturers
You can get relief from certain third-party testing requirements. [Learn More](#)

How-to Videos

[Business Registration](#) [Business Responses](#)

Frequently Asked Questions

Small Batch Manufacturer Registration Request



The screenshot shows the top navigation bar with links for CPSC.gov, SaferProducts.gov, PoolSafely.gov, Recalls.gov, and ATVsafety.gov. Below this is the SaferProducts.gov logo and a row of buttons: Report (An Unsafe Product), Business (Register & Respond), Search (Recalls & Reports), About, and Questions. The main content area is titled "CPSC Business Portal" and contains the following text:

CPSC's Business Portal is the online home for businesses to interact with CPSC. Through the portal, you can review and comment on consumer product safety reports submitted to SaferProducts.gov and report potentially unsafe products to CPSC.

Limitation of Liability, Disclaimer, Statement of Ownership, and Terms of Use for the Publicly Available Consumer Product Safety Information Database

SAFERPRODUCTS.GOV AND THE INFORMATION IT CONTAINS, INCLUDING THE PUBLICLY AVAILABLE CONSUMER PRODUCT SAFETY INFORMATION DATABASE (DATABASE) AND THE BUSINESS PORTAL ON THE DATABASE [COLLECTIVELY REFERRED TO HEREIN AS SAFERPRODUCTS.GOV], IS PROVIDED AS A PUBLIC SERVICE BY THE U.S. CONSUMER PRODUCT SAFETY COMMISSION (CPSC) WITHOUT EXPRESS OR IMPLIED WARRANTIES OF ANY KIND, AND IS SUBJECT TO THE FOLLOWING:

1. Limitation of Liability: SaferProducts.gov is provided as a public service by the CPSC. It is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other similar purposes. Anyone using SaferProducts.gov expressly consents to such monitoring. Unauthorized attempts to modify any information stored on this system, to defeat or circumvent security features, or to utilize this system for other than its intended purposes are prohibited and may result in criminal prosecution.

The CPSC makes no claims, promises, or guarantees about the accuracy, completeness, or adequacy of the contents of SaferProducts.gov. The CPSC expressly disclaims liability for errors and omissions in the contents of SaferProducts.gov. No warranty of any kind, express, implied, or statutory, including but not limited to the warranties of non-infringement of third party rights, title, merchantability, fitness for a particular purpose, and freedom from computer virus, is given with respect to the contents of Saferproducts.gov, or links to other Internet resources contained therein.

Reference to SaferProducts.gov or to any specific commercial product, processes, or services, or the use of any trade, firm, or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, rejection, favoring, or disfavoring by the CPSC.

2. Disclaimer, Accuracy, Changes, and Continuity of Service: SaferProducts.gov users choosing to search, review, print, or download information; enter a report of harm (Report) about a harm or risk of harm relating to the use of a consumer product or other product or substance regulated by the CPSC; submit a comment about a Report; submit a claim that a Report contains materially inaccurate or confidential information; or otherwise utilize information contained on SaferProducts.gov, do so at their own risk.

The CPSC does not have the resources to investigate and verify the accuracy of every Report or comment submitted for inclusion on SaferProducts.gov. The CPSC does not guarantee the accuracy, completeness, or adequacy of the contents of SaferProducts.gov, particularly with respect to information submitted by persons outside of the CPSC.

The CPSC may make changes to SaferProducts.gov, or a related Web page, at any time to update, add, or correct the information made available, consistent with our regulation at [16 CFR 1102](#).

Small Batch Manufacturer Registration Request

CPSC.gov SaferProducts.gov PoolSafely.gov Recalls.gov ATVsafety.gov

SaferProducts.gov Report An Unsafe Product Business Register & Respond Search Recalls & Reports About Questions

Request a Business Account User ID

A Business Account User ID lets CPSC contact your business through e-mail about Reports submitted to SaferProducts.gov.

*** = Required**

Business Information

* Business Name Name must be unique from any other registered business.

* Address Line 1:

Address Line 2: ?

* City:

* Country: Select Country

* State / Province:

* Zip/Postal Code:

* Website Address Enter website address or state "none"

* Phone Number

Business Account User ID

Please provide a valid e-mail address to serve as the Business Account User ID for this business. CPSC recommends using a generic business-related e-mail address, not a personal e-mail address.

- Reports about this business will be sent to this e-mail address;
- Account Management (adding and deleting users) **must** be conducted using the Business Account User ID;
- Business Account User ID does not need to be unique.

Small Batch Manufacturer Registration Request

CPSC.gov SaferProducts.gov PoolSafely.gov Recalls.gov ATVsafety.gov

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*** = Required**

Primary Contact Information

Name a person to serve as the Primary Contact associated with this business. The Primary Contact is your business's official CPSC contact for Reports. CPSC will validate the Primary Contact for each business to ensure that this person is authorized to receive Report notifications and to respond to Reports on behalf of this business.

* First Name

* Last Name

* Job Title

Same as Business Address Use a Different Address

* Phone Number

Primary Contact User ID

Please provide a valid e-mail address to serve as the Primary Contact User ID for this person. This should be an e-mail address regularly used by the Primary Contact.

- Reports about this business will be sent to the Primary Contact's User ID;
- If the Primary Contact's e-mail address does not match the domain name for the business, CPSC will require additional information to validate the Primary Contact (i.e., certification on company letterhead that you are authorized to receive and respond to Reports on their behalf);
- Account Management (adding and deleting users) **cannot** be conducted using the Primary Contact User ID. This **must** be done by using the Business Account User ID;
- Primary Contact User ID does not need to be unique for each business. The same person can be the Primary Contact for more than one business.

Small Batch Manufacturer Registration Request

The screenshot shows the SaferProducts.gov website interface. At the top, there is a navigation bar with links for CPSC.gov, SaferProducts.gov, PoolSafely.gov, Recalls.gov, and ATVsafety.gov. Below this is the SaferProducts.gov logo and a set of navigation buttons: Report (An Unsafe Product), Business (Register & Respond), Search (Recalls & Reports), About, and Questions. The main content area features a white box with a blue header that reads "Request a Business Account User ID". Inside this box, a red rectangular highlight surrounds the text "Thank you for your request for a Business Account User ID." Below this, the text explains that the account is not yet active and will be reviewed by CPSC. It provides instructions on how to activate the Business Account User ID by clicking a link in an email and creating a password. It also mentions that additional users can be managed through the Business Account User ID once activated. Contact information for CPSC is provided at the bottom of the box, including a phone number (301) 504-7921 and an email address (rmscs@cpsc.gov). A "Close" button is located at the bottom left of the white box. At the bottom of the page, there is a footer with contact information: PHONE: 800-638-2772 | TTY: 301-595-7054 | CONTACT US ONLINE | TERMS OF USE | PRIVACY | NO FEAR | OPEN GOVERNMENT. Below the footer, there is a disclaimer: "CPSC does not guarantee the accuracy, completeness, or adequacy of the contents of the Publicly Available Consumer Product Safety Information Database on SaferProducts.gov, particularly with respect to information submitted by people outside of CPSC."

Small Batch Manufacturer Registration Request

From: donotreply@cpsc.gov Sent: Thu 1/12/2012 9:02 AM
To: Baquero, Tatiana
Cc:
Subject: CPSC Business Portal - Confirm Business Account Activation

NNN Business,

Thank you for requesting a SaferProducts.gov Business Portal account with the U.S. Consumer Product Safety Commission. Your account has been created.

The e-mail address you entered as the Business Account User Name during registration is the user name you will use to access your account. **Before you sign in for the first time, you need to activate your account and create your password.**

[Activating Your Account and Creating a Password](#)

Please use the link below to active your account and create your password:

<http://rmsdevweb2/CPSRMSPublic/Industry/ResetPassword.aspx?pGUID=e71bbaca-40cb-485d-a68b-7e1816ff2f65>

The activation link will work for 5 business days from the date of this e-mail. If you do not access this link within 5 business days, the link will become inactive

Small Batch Manufacturer Registration Request

Additional verification may be required if your business name doesn't match your e-mail domain name.

Provide a signed statement, preferably – but not required – on company letterhead, with your name, job title, address, telephone number, email address; and certifying that (a) your company is a manufacturer, importer, or private labeler of a consumer product or other substance over which the CPSC has jurisdiction, and (b) you are authorized to receive and comment on Reports on behalf of the company.

Small Batch Manufacturer Registration Request

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SaferProducts.gov

Report An Unsafe Product Business Register & Respond Search Recalls & Reports About Questions

CPSC Business Portal

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Report a Potentially Unsafe Product

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Sign In [Forgot Password?](#)

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Small Batch Manufacturers
You can get relief from certain third-party testing requirements. [Learn More](#)

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[Business Registration](#) [Business Responses](#)

Frequently Asked Questions

Small Batch Manufacturer Registration Request



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Small Batch Manufacturer Registration Request

Welcome Tatiana Baquero [Sign Out](#)

CPSC Business Portal

[Reports](#)

[Business](#)

[Account Management](#)

[Preferences](#)

[Edit My Account](#)

[Section 15](#)

[Brand Identification](#)

[Small Batch Manufacturers](#)

Small Batch Manufacturers

Register as a Small Batch Manufacturer

If you would like to register with CPSC as a Small Batch Manufacturer, please respond to the following:

- For purposes of classification as a Small Batch Manufacturer for calendar year 2012, I attest under penalty of law that, in calendar year 2011, I made no more than \$1 million in total gross revenue from sales of all consumer products of each entity that I control, am controlled by, or am under common control with.
- For purposes of classification as a Small Batch Manufacturer for calendar year 2012, I attest under penalty of law that, in calendar year 2011, I manufactured no more than 7,500 units of the [covered product](#) that qualifies my company for Small Batch Manufacturer registration. I understand that my registration is only effective for those products where no more than 7,500 units of the same product were manufactured in the previous calendar year.
- NOTICE: By checking this box, I acknowledge that my business name, city, and state (or country/province) will be made available to the public as part of CPSC's Small Batch Manufacturers' Registry unless, within fifteen calendar days of my registration, I provide CPSC written notification pursuant to [section 6](#) of the Consumer Product Safety Act to Todd Stevenson, 4330 East West Highway, Bethesda, Maryland, 20814-4408, or by email to tstevenson@cpsc.gov. For more information on what this written notification must contain, please click [here](#).

[Small Batch Manufacturer Factsheet](#)

Submit

Cancel

Small Batch Manufacturer Registration Request

Welcome Tatiana Baquero [Sign Out](#)

CPSC Business Portal

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[Business](#)

[Account Management](#)

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[Edit My Account](#)

[Section 15](#)

[Brand Identification](#)

[Small Batch Manufacturers](#)

Small Batch Manufacturers

Register as a Small Batch Manufacturer

If you are unable at this time to attest to the revenue and/or unit volume requirements, you cannot seek registration as a Small Batch Manufacturer.

Applicants who decline to check the NOTICE box will not be able to register electronically. You may register by submitting a paper registration through the Office of the Secretary. Regardless of the method of registration, the business name, city, and state (or country/province) of registrants will be made available to the public as part of the CPSC's Small Batch Manufacturers' Registry unless, within 15 calendar days of your registration, you provide CPSC written notification pursuant to [section 6](#) of the Consumer Product Safety Act to Todd Stevenson, 4330 East West Highway, Bethesda, Maryland 20814-4408, or by email to tstevenson@cpsc.gov. For more information regarding this process, click [here](#).

[Back](#)

[OK](#)

Note: This message is displayed if none of three the checkboxes from the previous screen are checked.

Small Batch Manufacturer Registration Request

Welcome Tatiana Baquero [Sign Out](#)

CPSC Business Portal Reports Business Account Management Preferences Edit My Account Section 15 Brand Identification **Small Batch Manufacturers**

Small Batch Manufacturers

Registration Request Submitted

Thank you for registering as a Small Batch Manufacturer. You will receive an email notification of your Small Batch Manufacturer Registration Number.

OK

The screenshot shows the CPSC Business Portal interface. At the top, there is a navigation bar with the user's name and a 'Sign Out' link. Below that, a menu contains various options: 'CPSC Business Portal', 'Reports', 'Business', 'Account Management', 'Preferences', 'Edit My Account', 'Section 15', 'Brand Identification', and 'Small Batch Manufacturers'. The 'Small Batch Manufacturers' option is highlighted with a red box. The main content area displays a message titled 'Small Batch Manufacturers' with a sub-header 'Registration Request Submitted' also highlighted in red. Below the message, there is a thank-you note and an 'OK' button.

Note: This message is displayed if all three checkboxes from the previous screen are checked.

Small Batch Manufacturer Registration Request

From: donotreply@cpsc.gov Sent: Thu 1/12/2012 9:51 AM
To: Baquero, Tatiana
Cc:
Subject: Small Batch Manufacturer Registration Acceptance from CPSC

NNN Business,

The U.S. Consumer Product Safety Commission (CPSC) has accepted the following Small Batch Manufacturer Registration Request for your company. This registration is valid until December 31, 2012.

Small Batch Manufacturer Registration Number: 016389-012012

This number should be used in your certificate of compliance to identify those products that are considered covered products. [Click here](#) for more information.

If you have questions, please e-mail clearinghouse@cpsc.gov, or call (301) 504-7921.

Thank you,
U.S. Consumer Product Safety Commission

This is an automated message. Do not reply to this e-mail address.

Small Batch Manufacturer Registration Request

Welcome Tatiana Baquero [Sign Out](#)

CPSC Business Portal

[Reports](#)

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[Section 15](#)

[Brand Identification](#)

[Small Batch Manufacturers](#)

Small Batch Manufacturers

Your Company's SBM Registration Number for 2012 is 016389-012012

Confirmation/Attestation

For purposes of classification as a Small Batch Manufacturer for calendar year 2012, I attest under penalty of law that, in calendar year 2011, I made no more than \$1 million in total gross revenue from sales of all consumer products of each entity that I control, am controlled by, or am under common control with. – Yes

For purposes of classification as a Small Batch Manufacturer for calendar year 2012, I attest under penalty of law that, in calendar year 2011, I manufactured no more than 7,500 units of the [covered product](#) that qualifies my company for Small Batch Manufacturer registration. I understand that my registration is only effective for those products where no more than 7,500 units of the same product were manufactured in the previous calendar year. – Yes

NOTICE: By checking this box, I acknowledge that my business name, city, and state (or country/province) will be made available to the public as part of CPSC's Small Batch Manufacturers' Registry unless, within fifteen calendar days of my registration, I provide CPSC written notification pursuant to [section 6](#) of the Consumer Product Safety Act to Todd Stevenson, 4330 East West Highway, Bethesda, Maryland, 20814-4408, or by email to tstevenson@cpsc.gov. For more information on what this written notification must contain, please click [here](#). – Yes

Click [here](#) if you want to change the answers to these questions.

Small Batch Manufacturer Registration Request

CPSC.gov SaferProducts.gov PoolSafely.gov Recalls.gov ATVsafety.gov [Log In](#)

SaferProducts.gov [Report An Unsafe Product](#) [Business Register & Respond](#) [Search Recalls & Reports](#) [About](#) [Questions](#)

Small Batch Manufacturers Registered with CPSC for 2012

The companies in the Small Batch Manufacturers' Registry have attested that:

- 1) in calendar year 2011, they made no more than \$1 million in total gross revenue from sales of all consumer products of each entity they control, are controlled by, or are under common control with, and
- 2) in calendar year 2011, they manufactured no more than 7,500 units of the [covered product](#) that qualifies their company for Small Batch Manufacturer registration, understanding that their registration is only effective for those products where no more than 7,500 units of the same product were manufactured in the previous calendar year.

Registration in the Small Batch Manufacturers' Registry means that only covered products manufactured by the registered firm do not have to be third party tested. Registration does not mean that ALL children's products manufactured by a registered company have not been third party tested. Regardless of whether a company is registered in the Small Batch Manufacturers' Registry, all manufacturers still must comply with the underlying requirements of all applicable children's product safety rules.

CPSC maintains a public list of registered Small Batch Manufacturers which can be accessed by clicking on the link below.

[Small Batch Manufacturers Registered with CPSC for 2012](#)

PHONE: 800-638-2772 | TTY: 301-595-7054 | [CONTACT US ONLINE](#) | [TERMS OF USE](#) | [PRIVACY](#) | [NO FEAR](#) | [OPEN GOVERNMENT](#)

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Resources

- www.cpsc.gov/smallbatch
- www.SaferProducts.gov
- www.cpsc.gov/3PT
- www.cpsc.gov/labsearch

- Additional resources (e.g., lead, phthalates, small parts) may be found at: www.cpsc.gov/sbo

For More Information:

Neal S. Cohen

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