

**No. 08-19**

**DATE:** November 6, 2008  
**TO:** Representatives – Ink & TAM  
**FROM:** George Fuchs

**Consumer Product Safety Improvement Act of 2008**

On August 14, 2008 President Bush signed H.R. 4040 the “Consumer Product Safety Improvement Act” (CPSIA) – Public Law 110-34. This law bans the use of certain phthalates\* on any children’s product or child care article (effective February 10, 2009).

In addition, the CPSIA mandates that lead content in children’s products and toys be reduced to:

- no more than 600 parts per million by February 10, 2009;
- no more than 300 parts per million by August 14, 2009; and
- no more than 100 parts per million by August 14, 2011 (if technically feasible).

The CPSIA also sets a schedule for implementing third party testing and certification requirements for children’s products for compliance with safety standards.

It is important to note that the Consumer Product Safety Commission is reviewing the applicability of these requirements to packaging used on children’s products or child care articles. NAPIM is following this issue and will notify the membership as appropriate.

A copy of the CPSIA legislation is available in the members’ area of the NAPIM website (<http://www.napim.org>).

\*Permanent ban – 180 days after enactment (Feb. 10, 2009), prohibits toys or child care articles that contain concentrations of more than 0.1 percent of di-(2-ethylhexyl) phthalate (DEHP), dibutyl phthalate (DBP), or benzyl phthalate (BBP).

Interim Ban – 180 days after enactment (Feb. 10, 2009) and until a final rule is promulgated, an interim ban on any children’s toys or child care article that contains more than 0.1 percent diisononyl phthalate (DINP), diisodecyl phthalate (DIDP), or di-n-octyl phthalate (DnOP).