

Consumer Product Safety Improvement Act (CPSIA) 2008

-Frequently Asked Questions (FAQ's) for Suppliers to the Printers/Publishers of Children's Books and Toys-
September 25th, 2009

Q: What is a "component part" as it relates to the CPSIA:

A: The Consumer Product Safety Commission has not defined the meaning of "component part" relative to Sections 101 - Children's products containing lead; lead paint rule. CPSC has provided the following guidance on the meaning of component part related to Section 108 - Prohibition on sale of certain products containing specified phthalates:

"any article, or component part thereof, produced or distributed (i) for sale to a consumer for use in or around a permanent or temporary household or residence, a school, in recreation, or otherwise, or (ii) for the personal use, consumption or enjoyment of a consumer in or around a permanent or temporary household or residence, a school, in recreation, or otherwise . . ."

It is important to note that the specific interpretation of the term component part to mean input raw materials to consumer products covered under CPSIA is currently under review by the CPSC.

[NOTE TO REVIEWERS]

Alternatively, we exclude the last sentence in the above question and replace it with the following: Printing inks and other similar input raw materials (e.g. adhesives, spiral bindings, etc) are not produced or distributed for sale to consumers. Accordingly, the above definition would not apply to these materials.

Q: Does the CPSIA require suppliers of raw materials (e.g. inks, paper, adhesives, etc.) to test their products for compliance with the lead and phthalates requirements or provide certification of compliance with the CPSIA requirements?

A: No. The CPSIA requirements apply only to manufacturers/importers of children's products, toys and childcare articles.

Q: Can my customer use testing data on his raw materials (e.g. printing ink, etc.) to support a product certification of compliance with the CPSIA requirements?

A: As of this date the CPSC has not provided information in the form of guidance or regulations regarding the use of raw material test data to support certification of CPSIA compliance. The responsibility for compliance with the CPSIA requirements rests with the manufacturer or importer of the children's product, toy or childcare article.

Q: If my printer customer requests lead testing data which test method should I use?

A: The Consumer Product Safety Commission (CPSC) has designated the following test method for non-metal children's products: CPSC-CH-E1002 -08 (available on the CPSC website – <http://www.cpsc.gov>). It is important to remember that the specific CPSIA testing and certification requirements apply to your customer. Accordingly, any QA/QC test data, statements of compliance with the CONEG requirements, etc. may also be useful to your customer.

Q: Again, if I provide lead or phthalate test data to my printer customer is it necessary to test my final product or can I use test data on my raw materials?

A: The use of input raw material test data is widely accepted for compliance purposes in many regulated areas. You may want to document your relevant input raw material QA/QC practices and product specifications and absence of use of lead or phthalates in your manufacturing process to

support your use of input raw material testing rather than final product testing. It is important to note that the CPSC has not provided specific guidance on this issue.

Q: Do the CPSIA phthalate requirements apply to “ordinary children’s books”?

A: No. The phthalate requirements apply to children’s toys and childcare articles