



### CPSC Issues Final Rule on Materials Exempted from CPSIA Lead Limit Testing Requirements

On August 26, 2009, the Consumer Product Safety Commission (CPSC) issued a final rule regarding materials determined to be exempt from lead testing as specified under section 101(a) of the Consumer Product Safety Improvement Act of 2008 (CPSIA), originally enacted on August 14, 2008. This latest rule is especially significant to manufacturers of any products, such as toys, children's furniture, children's jewelry, and children's clothing marketed for children age 12 or under, as certain materials will no longer require lead testing and certification.

The exempted materials include:

- Precious gemstones such as diamonds;
- Semiprecious gemstones and other minerals, provided that the mineral or material is not based on lead or lead compounds and is not associated in nature with any mineral based on lead or lead compounds;
- Natural or cultured pearls;
- Wood;
- Paper and similar materials made from wood or other cellulosic fiber;
- Cyan, Magenta, Yellow, and Key (CMYK) process printing inks (excluding spot colors, other inks that are not used in CMYK process, inks that do not become part of the substrate under 16 CFR Part 1303, and inks used in after-treatment applications, including screen prints, transfers, decals, or other prints);
- Textiles (excluding after-treatment applications such as screen prints, transfers, or decals) consisting of certain dyed or undyed natural fibers and certain dyed or undyed manufactured fibers (*e.g.*, rayon, acetate, lyocell, spandex, *etc.*);
- Plant-derived and animal-derived materials (*e.g.*, animal glue, bee's wax, seeds, nut shells, flowers, bone, sea shell, coral, amber, feathers, fur, leather); and
- Surgical steel and precious metals (gold, platinum, *etc.*), provided that no lead or lead-containing metal is intentionally added but does not include the non-steel or non-precious metal components of a product, such as solder or base metals in electroplate, clad, or fill applications:

See the Final Rule [here](#) for additional details.

#### How might this affect you?

If you manufacture children's products, the newly defined exemptions may eliminate the need to test certain materials used to manufacture your products. However, it is critical to note that testing and certification requirements for lead in paint and children's jewelry remain in effect ([click here to read more](#)).

Read more about the CPSIA:

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Gradient is a nationally renowned consulting company offering expertise in Toxicology, Risk Assessment, Environmental Chemistry, and Fate and Transport. We have assisted clients in addressing Product Safety and recall issues involving lead and plastics to address the requirements of the CPSIA, as well as scientific defense of toxic tort claims.

[CPSIA Lead Limit Reduction Effective August 14, 2009](#)

[Consumer Product Safety Improvement Act \(CPSIA\) of 2008 – Latest News](#)

[Consumer Product Safety Improvement Act \(CPSIA\) of 2008 – What you should know](#)

Please contact us if you would like more information.

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