

# Gradient Corporation



## NEWS ALERT

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

The Consumer Product Safety Improvement Act, or CPSIA (H. R. 4040), was enacted on August 14, 2008, and is especially significant to manufacturers of children's toys and products. On January 30, 2009, The Consumer Product Safety Commission (CPSC) voted to grant a one-year stay for specific testing requirements until February 10, 2010.

#### How might the CPSIA affect you?

While a stay has been granted for select testing, testing and certification requirements for lead in paint and children's jewelry remain in effect. CPSC has also made it clear that all children's products must still comply with all applicable safety rules, including the upcoming revised limits on total lead in substrates and phthalates. Thus, it is still important to evaluate your inventories to ensure your products are in compliance. Products affected include toys and any products manufactured and marketed for children age 12 or under, such as children's furniture, children's jewelry, and children's clothing.

#### What can you do now?

Appropriate actions could include the following:

- Review the requirements of the act and CPSC's timeline for promulgation.
- Carefully examine your supply chain.
- Evaluate your current safety testing procedures to determine compliance with the act and modify your procedures accordingly.
- Identify accredited testing laboratories or assessment bodies.

#### Mandatory Third-Party Testing

It is critical to note that the stay does not affect certain CPSIA requirements. For example, the CPSIA requires third-party testing for lead in paint in all children's products manufactured after December 21, 2008. Metal components of children's jewelry manufactured after March 23, 2009 will also require third-party testing. Testing must be performed by accredited, independent assessment bodies before commercial distribution or importation. Children's products must also comply with the ASTM F963 toy safety standard, although third-party testing and general conformity certification are not required at this time.

Please contact us if you would like more information.

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Gradient Corporation 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.



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