
❖SPC&B Safety News❖

A Newsletter for Clients of Sharretts, Paley, Carter & Blauvelt, P.C.

February 11, 2011

CPSC Posts Updated Table of GCC Requirements and Stays of Enforcement



Today, the Consumer Product Safety Commission released a new table of updated CPSIA requirements and stays of enforcement, copy attached, which is intended to provide some clarity in the face of numerous recent actions by the agency. The chart details those standards and requirements already in effect, as well as those that will be implemented at later dates. Conspicuously absent from the chart is an indication of whether the lower 100 ppm lead in substrates limit for children's products, scheduled to go into effect on August 14, 2011 (except for products for which it is not technically feasible), will be applicable to goods in inventory. Nevertheless, accredited third party testing and certification will only be required for lead in substrates of children's products manufactured on or after December 31, 2011.

If you still are not certain of when applicable standards will require testing and certification, you should contact Gail Cumins at gcumins@spcblaw.com, Donna Shira at dshira@spcblaw.com, or Alli Baron at abaron@spcblaw.com, or call us at 212-425-0055, for further information.

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February 2011 Update of CPSIA Requirements and Stays of Enforcement

Rule, Standard or Ban		Non Children's Products General Conformity Certificate required?	Children's Products Certificate based on Third Party Testing required?
1	Lead paint on Children's Products (16 CFR part 1303)	Not Applicable	Yes, for products manufactured after December 21, 2008, certification to lower 90 ppm limit required for products manufactured after August 14, 2009
2a	Full-size cribs (16 CFR part 1508) and non full-size cribs (16 CFR part 1509)	Not Applicable	Yes, for products manufactured after January 20, 2009, but before June 28, 2011. See 2b for products manufactured on or after June 28, 2011
2b	Full-size cribs (16 CFR part 1219) and non-full-size cribs (16 CFR part 1220)	Not Applicable	Yes, for products manufactured on or after June 28, 2011
3	Pacifiers (16 CFR part 1511)	Not Applicable	Yes, for products manufactured after January 20, 2009
4	Small parts (16 CFR part 1501)	Not Applicable	Yes, for products manufactured after February 15, 2009
5	Lead in metal components of children's metal jewelry (Section 101 of the CPSIA)	Not Applicable	Yes, for products manufactured after March 23, 2009
6	Bicycle helmets (16 CFR part 1203)	Pre-existing labeling requirements never stayed, GCC required for products manufactured after February 10, 2010	Yes, for products manufactured after February 10, 2010
7	Bunk beds (16 CFR parts 1213 and 1513)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Yes, for products manufactured after February 10, 2010
8	Rattles (16 CFR part 1510)	Not Applicable	Yes, for products manufactured after February 10, 2010
9	Dive sticks (16 CFR 1500.86(a)(7) and (a)(8))	Not Applicable	Yes, for products manufactured after February 10, 2010
10	Bicycles (16 CFR part 1512)	Yes, for products manufactured after August 14, 2010, except that reflector testing stayed until November 14, 2010. Bicycles with non-quill type stems are excluded from the requirement to certify compliance with the handlebar stem insertion mark requirement at 16 CFR 1512.6(a).	Yes, for products manufactured after August 14, 2010, except that reflector testing was stayed until November 14, 2010. Bicycles with non-quill type stems are excluded from the requirement to certify compliance with the handlebar insertion mark requirement at 16 CFR 1512.6(a).
Rule, Standard or Ban		Non Children's Products General Conformity Certificate required?	Children's Products Certificate based on Third Party Testing required?
11	Total lead content in metal children's products and in non-metal children's products (Section 101 of the CPSIA)	Not Applicable	Yes, for products manufactured on or after December 31, 2011
12	Ban on Lead-In-Paint in paint and on furniture (16 CFR part 1303)	Yes, for products manufactured after February 10, 2010	Not Applicable (see "Lead Paint on Children's Products" above)

13	Requirements for child-resistance on portable gas containers (Section 2 of the Children's Gasoline Burn Prevention Act)	Yes, for products manufactured after February 10, 2010	Not Applicable
14	Regulations for special packaging required under the Poison Prevention Packaging Act (16 CFR part 1700)	Yes, for products manufactured after February 10, 2010	Not Applicable
15	Ban on extremely flammable contact adhesives (16 CFR part 1302)	Yes, for products manufactured after February 10, 2010	Not Applicable
16	Ban of unstable refuse bins (16 CFR part 1301)	Yes, for products manufactured after February 10, 2010	Not Applicable
17	Standard for refrigerator door latches (16 CFR part 1750)	Yes, for products manufactured after February 10, 2010	Not Applicable
18	Carpets and rugs (16 CFR parts 1630 and 1631)	Yes, for products manufactured after January 26, 2011	Yes, for products manufactured after October 19, 2010
19	Vinyl plastic film (16 CFR part 1611)	Yes, for products manufactured after January 26, 2011	Yes, for products manufactured after October 19, 2010
20	Wearing apparel (16 CFR part 1610)	Yes, for products manufactured after January 26, 2011	Yes, for products manufactured after November 16, 2010
21	Caps and toy guns (16 CFR 1500.18(a)(5))	Not Applicable	Stayed, until 90 days after the Commission issues a notice of requirements of laboratories for testing
22	Phthalates (section 108 of the CPSIA)	Not Applicable	Stayed, until 90 days after the Commission issues a notice of requirements of laboratories for testing
23	ASTM F963 (Consumer Safety Specifications for Toy Safety) (section 106 of the CPSIA)	Stayed	Stayed, until 90 days after the Commission issues a notice of requirements of laboratories for testing
24	Clacker balls (16 CFR 1500.86(a)(5))	Not Applicable	Yes, for products manufactured after July 29, 2010
25	Infant walkers (16 CFR part 1216) (75 Fed. Reg. 35266 (June 21, 2010))	Not Applicable	Yes, for products manufactured on or after December 21, 2010
26	Bath seats (16 CFR part 1215) (75 Fed. Reg. 31691 (June 4, 2010))	Not Applicable	Yes, for products manufactured on or after December 7, 2010
	Rule, Standard or Ban	Non Children's Products General Conformity Certificate required?	Children's Products Certificate based on Third Party Testing required?
27	Children's sleepwear (16 CFR parts 1615 and 1616)	Not Applicable	Yes, for products manufactured after February 17, 2011
28	Electronically Operated Toys (16 CFR part 1505)	Not Applicable	Yes, for products manufactured after July 29, 2010
29	Durable infant products (Section 104 of the	Not Applicable	Stayed, until 90 days after the Commission issues notices of requirements relevant to the durable infant

	CPSIA)		product
30	ATVs	Certification requirements never stayed for products manufactured after April 13, 2009, GCC required for products manufactured after February 10, 2010	Stayed until November 27, 2011, provided that the manufacturer meets certain conditions. (For details on the conditions, see 76 Fed. Reg. 5565 (February 1, 2011) or http://www.gpo.gov/fdsys/pkg/FR-2011-02-01/pdf/2011-2166.pdf .)
31	Mattresses (16 CFR parts 1632 and 1633)	Pre-existing certification requirements never stayed, GCC required for products manufactured after February 10, 2010	Yes, for products manufactured after November 16, 2010
32	Architectural glazing (16 CFR part 1201)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
33	Matchbooks (16 CFR part 1202)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
34	CB antennas (16 CFR part 1204)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
35	Lawnmowers (16 CFR part 1205)	Pre-existing labeling requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
36	Swimming pool slides (16 CFR part 1207)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
37	Candles with metal wicks and metal wicks (16 CFR 1500.12(a)(2) and 1500.17(a)(13(i)-(ii))	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
38	Cellulose insulation (16 CFR part 1209)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
39	Garage door openers (16 CFR part 1211)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
40	Cigarette lighters (16 CFR part 1210)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
41	Multi-purpose lighters (16 CFR part 1212)	Pre-existing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
	Rule, Standard or Ban	Non Children's Products General Conformity Certificate required?	Children's Products Certificate based on Third Party Testing required?
42	Fireworks (16 CFR 1500.14(b)(7), 1500.17(a)(3), 1500.17(a)(8-9), 1500.17(a)(11-12), 1500.83(a)27, 1500.85(a)(2) and part 1507	Pre-existing testing requirements never stayed, GCC required for products manufactured after February 10, 2010	Not Applicable
43	FHSA labeling	Not required	Not required

The information in this chart is current as of February 4, 2011.