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# ❖SPC&B Safety News❖

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

July 14, 2011

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## *CPSC Votes on 100 ppm Lead Content Limit for Children's Products Effective August 14, 2011*



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Yesterday, the Consumer Product Safety Commission (CPSC) approved the staff recommendation that **all children's products sold, offered for sale, manufactured for sale, distributed in commerce, or imported for sale in the United States must meet the 100 ppm lead content limit on and after August 14, 2011**, unless exempted under other sections of the law or regulations. Bicycles and related products and youth motorized recreational vehicles remain subject to a stay of enforcement regarding the lead content in certain parts, including metal components, until December 31, 2011.

As discussed in our *Safety News* of June 23, 2011, **CPSC staff members have indicated that the 100 ppm lead limit would apply to all children's products sold in the United States on and after the effective date, even if such goods were manufactured before the effective date and are on the shelves or in inventory.** However, because the CPSC staff report pointed out that there often can be variable results when testing for lead content in many products, Commissioner Nord proposed an amendment that would ask the staff to develop a flexible enforcement policy that acknowledges this variability. Four of the Commissioners supported the idea, but the majority decided to postpone drafting specific language, pending consultations with the staff. A policy statement should be issued within the week and we will advise.

If you would like more information about the effect of the new lead content limit for children's products, please contact Gail Cumins at [gcumins@spcblaw.com](mailto:gcumins@spcblaw.com), Donna Shira at [dshira@spcblaw.com](mailto:dshira@spcblaw.com), or Alli Baron at [abaron@spcblaw.com](mailto:abaron@spcblaw.com), or call us at 212-425-0055, for further information.

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