

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES, SOFTLINES

NO. 013/09 JANUARY 2009

CPSIA UPDATES 9: GUIDANCE FOR SELLERS OF USED CHILDREN PRODUCTS

CPSC reveals sellers of used children's products such as thrift and consignment stores are not required to certify such products to meet the new lead limits, phthalates standard or new toy standard.

As the new requirements of the Consumer Product Safety Improvement Act (CPSIA) come into effect, children's products containing more than 600 ppm lead content cannot be lawfully sold in the US from February 10, 2009 even such products were manufactured before that date. The new law requires US manufacturers and importers certify that children's products made on or after November 12, 2008 to meet all consumer products subject to a safety rule, ban, regulation or standard enforced by the CPSC.

In January 2009, the Consumer Product Safety Commission (CPSC) announced in guidance that resellers of children's products, such as thrift and consignment stores, are not required to certify that such products meet the new requirements for lead, phthalates or toy standard¹. They are also not required to test children's products in inventory for compliance with the lead limit before they are sold. Children's products that exceed the lead limit, however, cannot be sold and therefore resellers should avoid products that are likely to have lead content, unless they have testing or other information to indicate the products being sold meet the new limits set in CPSIA. Resellers selling products in violation of the lead limits are liable to legal proceedings. Similarly, the selling of recalled products is unlawful and subject to civil and / or criminal penalties.

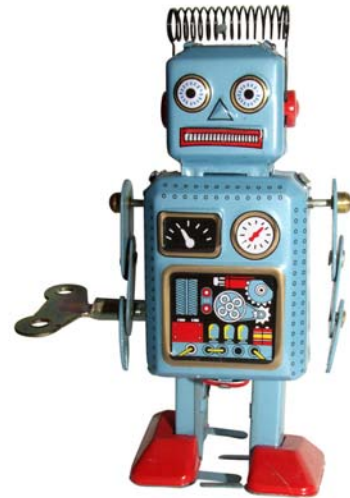


¹ CPSC Clarifies Requirements of New Children Product Safety Laws Taking Effect in February

Guidance Intended for Resellers of Children Products, Thrift and Consignment Stores; Release number 09-086, January 8, 2009; <http://www.cpsc.gov/cpsc/pub/prereel/prhtml09/09086.html>

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Party	Remark
Resellers of children’s products (e.g. thrift and consignment stores)	<ul style="list-style-type: none"> ⇒ No certification required for lead, phthalates or toy standard ⇒ No testing required in inventory for compliance with lead before products are sold ⇒ Prohibited to sell products containing lead not meeting new limit ⇒ Unlawful to sell recalled products



The resellers are advised to refer to CPSC website for guidance on typical children’s products that are often subject to recall for non-compliance with lead content, small parts, and other safety rules. Such product include:

- Cribs and play yards,
- Children’s jewelry,
- Painted wooden or metal toys,
- Toys manufactured that are easily breakable into small parts,
- Toys lacking required age warnings,
- Dolls and stuffed toys that have buttons, eyes, noses or other small parts that are not securely fastened and could represent a choking hazard for young children.

SGS is committed to inform as development on CPSIA and other legislations occurs.

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for lead, phthalates and other heavy metals in a comprehensive range of children’s products and other consumer products for the US and worldwide markets. Please do not hesitate to contact us for further information.



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WHEN YOU NEED TO BE SURE

