

# SAFE GUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES

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## CPSIA UPDATES 22

The Consumer Product Safety Commission (CPSC) voted to deny the request for a stay on enforcement of section 103 of the Consumer Product Safety Improvement Act (CPSIA).

On May 4, 2009, there was a Commission vote addressing a National Association of Manufacturers request for a stay on enforcement of section 103 of the Consumer Product Safety Improvement Act (CPSIA) because of the approaching August 14, 2009 deadline and a lack of guidance from the Consumer Product Safety Commission, that would create difficulties for manufacturers to comply. However, the decision on this matter could not be reached due to the conflicting votes of the only two commissioners.

In order to assure that companies can reasonably exercise the judgment anticipated by the loose language of the statute, Acting CPSC Chairman Nancy Nord indicated that she is working to complete a tracking label guidance that will address the issues that have been raised from public comments. To address the concerns over formatting of labels CPSC Commissioner Thomas H. Moore, mentioned that they would not contemplate mandating specific sizes or type fonts or a standard label that would be uniform for all of the products that fall under this section in the near future. For now, CPSC encourages manufacturers to develop their own format to comply with this law diligently.

The effective date of the section 103 of the CPSIA remains unchanged so it would apply to products manufactured on or after August 14, 2009. In order to comply with the requirement, the manufacturer of a children's product shall place permanent, distinguishing marks on the product and its packaging, to the extent practicable, that will enable:

- the manufacturer to ascertain the location of production of the product
- date of production of the product

- cohort information (including the batch, run number, or other identifying characteristic)
- any other information determined by the manufacturer to facilitate ascertaining the specific source of the product by reference to those marks

SGS is committed to inform as developments on CPSIA and other legislation occur.

Through our global network of laboratories, we are able to provide a range of services, including consultancy for CPSIA, analytical testing and consultancy for lead, phthalates and other restricted substances 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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