

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDLINES, SOFTLINES, ELECTRICAL & ELECTRONIC

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## CPSIA UPDATES: 29 STATEMENT OF POLICY ON LEAD CONTENT IN CHILDREN'S PRODUCTS

In October 2009, the Consumer Product Safety Commission (CPSC) issued a Statement of Policy to provide guidance on the testing and certification of children's products for compliance with the lead content limits established in the Consumer Product Safety Improvement Act of 2008 (CPSIA)<sup>1</sup>. Highlights of the Statement of Policy are summarised below.

- The Commission intends to address component part testing and establish protocols and standards for testing for compliance in a forthcoming rulemaking. This future rule will be referred to as the 'testing rule'. Until a final rule is issued, certification of component parts is accepted on an interim basis, provided the component for testing is identical to the component used on the product.
- The Commission does not require separate tests of the parts of the product that are made entirely of items that have been determined not to exceed the lead limit<sup>2</sup>.
- The Commission does not require testing for lead content of those parts of a children's product that are inaccessible<sup>3</sup>.
- The Commission does not require lead content testing of certain components of electronic devices designed and intended primarily for children up to the age of 12<sup>4</sup>.
- An ordinary ball point pen is not designed or intended primarily for children. The Commission may provide further guidance on this issue in the future by rule.

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<sup>1</sup> Statement of Policy: [Testing and Certification of Lead Content in Children's Products](#);

<sup>2</sup> Children's Products Containing Lead; Determinations Regarding Lead Content Limits on Certain Materials or Products; [Final Rule, Vol 74, No. 164, Rules and Regulations, Federal Register, August 26, 2009](#); 'CPSIA Updates 28: CPSC Publishes Final Rule on Materials not Exceeding Lead Limits', [Safe guards 154/09](#), September 09

<sup>3</sup> [Public Law 110-314 \(Consumer Product Improvement Act of 2008\)](#), 100<sup>th</sup> Congress, 14 August 2008, [CPSIA Update 26: CPSC Interpretative Rule on Inaccessibility for Lead Content, Safeguards 140/09](#), August 2009

<sup>4</sup> Children's Products Containing Lead; Exemptions for Certain Electronic Devices; Withdrawal of Proposed Rule; Children's Products Containing Lead; exemptions for Certain Electronic Devices; Interim Final Rule, [Ballot Vote Sheet](#), US CPSC, February 5, 2009; [CPSIA Updates 18 'Interim Rule on lead Exemption in Certain Electronic Devices'](#), [Safeguards 44/09](#), September 2009



metal spiral bindings would need to be third party tested and the product needs to be certified. If the metal spiral binding was painted, in addition to testing for metal spiral binding, the paint would also need to be tested to assure that it complies with the 90 ppm limit and certified as complying with that standard as well.

SGS will follow up and inform interested parties as developments on CPSIA and other legislation occur.

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for lead and other restricted substances in children's products and other consumer products for the US and worldwide markets. You can check our list of [CPSIA accredited laboratories](#) and visit our [CPSIA webpage](#). Please do not hesitate to contact us for further information.

- The CPSC has determined that natural fibres, such as cotton, do not contain lead in excess of the lead content limits. This means that cotton blankets or T-shirts (without buttons or appliqués) do not need to be tested by a third party laboratory for lead content. It also means that a third party lab would not need to test the cotton shirt to show that it is, indeed, made out of cotton.

To assist companies test for lead content, the Commission has provided examples of materials in certain products to be tested for lead; an example of which is below.

A book made with cardboard cover glued to pages made with paper and printed with CMYK process printing inks does not need to be tested for lead content and no certification is required. The paper, cardboard, and CMYK ink are all on the list of materials that have been determined not to contain lead above the 100 ppm limit, and the glues used for binding is inaccessible. If the book, however, was bound with metal spiral binding rather than inaccessible glue, the

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