

SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDGOODS, TOYS & JUVENILE PRODUCTS, SOFTLINES

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CPSC PUBLISHES FINAL RULE FOR GUIDANCE ON INACCESSIBLE PARTS FOR PHTHALATES

The US Consumer Product Safety Commission (CPSC) has recently adopted the same guidelines as already established for lead to determine inaccessible components for phthalates but with additional considerations for PVC or other plasticised materials in covering mattresses and sleep surfaces for young children. The Final Rule takes effect on 14 February 2013.

In August 2012, we informed you that the CPSC published a Proposed Rule for guidance on inaccessible component parts for phthalates¹.

On 14 February 2013, the CPSC published the Final Rule on inaccessible parts of toys and childcare articles containing phthalates². The new rule essentially adopted the same guidance approved for lead content including:

- A toy or toy component can be placed in the mouth if one dimension is less than 5 cm
- A component is inaccessible if it is not physically exposed e.g. sealed covering or casing, and through reasonably foreseeable use and abuse of the product.
- The accessibility probes for sharp points or sharp edges (16 CFR 1500.48–1500.49) should be used to determine accessibility.
- Paint, coatings and electroplating are not barriers that would render a component inaccessible.
- Textile covering is not a barrier that would render a component inaccessible if the item can be placed in the mouth.

An additional consideration is that PVC / vinyl or other plasticised material covered mattresses / sleep surfaces intended to facilitate sleep of a child up to the age of 3 should not be considered to be made inaccessible through the use of fabric coverings, including sheets and mattress pads.

The Final Rule takes effect on the date of publication in the Federal Register; 14 February 2013.

Highlights of the Final Rule are summarised in Table 1.



¹ [SGS-SafeguardS 135/13: CPSC Published Proposed Rule for Guidance on Inaccessible Component Parts for Phthalates](#)

² <http://www.gpo.gov/fdsys/pkg/FR-2013-02-14/pdf/2013-03400.pdf>

TABLE 1.

16 CFR PART 1199			
PHthalATE	PARAMETER	HIGHLIGHT	EFFECTIVE DATE
BBP, DBP, DEHP, DIDP, DINP and DNOP	Guidance on inaccessible component parts in a children's toy and childcare article	<ul style="list-style-type: none"> Adopts same approach as established for lead content Additional consideration in that plasticised material covered mattresses / sleep surfaces to facilitate sleep of a child up to the age of 3 are accessible through the use of fabric coverings, including sheets and mattress pads 	14 February 2013

Throughout our global network of laboratories, we are able to provide a range of services, including analytical testing and consultancy for phthalates and other restricted substances in consumer products, including toys and childcare articles, for compliance with the US and worldwide requirements. Please do not hesitate to contact us for further information.



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