

SAFE GUARDS

SGS CONSUMER TESTING SERVICES

SOFTLINES, HARDGOODS, TOYS & JUVENILE PRODUCTS

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CPSC PUBLISHED PROPOSED RULE FOR GUIDANCE ON INACCESSIBLE COMPONENT PARTS FOR PHTHALATES

On July 31, 2012, the Consumer Product Safety Commission (CPSC) proposed guidance on inaccessible component parts in children's toys or child care articles subject to Section 108 of the Consumer Product Safety Improvement Act.¹

The Commission proposed to adopt the same guidance with respect to inaccessibility for phthalates as was adopted by the Commission with regard to inaccessibility for lead

- paint, coatings, and electroplating may not be considered a barrier that would render phthalate-containing component parts of toys and child care articles inaccessible.
- a children's toy or child care article that is or contains a phthalate-containing part that is enclosed, encased, or covered by fabric and passes the appropriate use and abuse tests on such covers, is considered inaccessible to a child, unless the product or part of the product, in one dimension, is smaller than 5 centimeters.

However, vinyl (or other plasticized material) covered mattresses/sleep surfaces which contain phthalates that are designed or intended by the manufacturer to facilitate sleep of children age 3 and younger, are considered "accessible" and would not be considered inaccessible through the use of fabric coverings, including sheets and mattress pads.

The proposed guidance also included the same accessibility rules and indicates using (i) the accessibility probes specified for sharp points or edges under the Commissions' regulation at 16 CFR 1500.48 – 1500.49; and (ii) use and abuse testing defined in 16 CFR 1500.50 – 1500.53 (excluding the bite tests) to assess the accessibility of phthalate-containing component parts of a children's toy or child care article.



¹ [The proposed guidance](#)

TABLE 1. SUMMARY OF THE PROPOSED GUIDANCE

REGULATION	SUBSTANCE	PARAMETER	HIGHLIGHTS	EFFECTIVE DATE
CPSIA	Phthalates	Guidance on inaccessible component parts in a children's toy and childcare article	<ul style="list-style-type: none"> • Adopt same approach as lead content • Plasticized material covered mattress / sleep surface to facilitate sleep of child up to 3, even if covered by fabric, is accessible (5 cm in any one dimension concept not considered) 	Upon publication of final rule in Federal Register

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 for compliance with CPSIA and worldwide requirements. Please do not hesitate to contact us for further information.

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