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U.S. CPSC APPROVES FINAL RULE ON MAGNET SETS

On 24 September 2014, the U.S. Consumer Product Safety Commission (CPSC) unanimously approved, by a vote of 4-0, a final rule to address the risk of injury associated with sets of high-powered magnets.¹

The rule designated 16 CFR 1240, was published in the Federal Register 3 October 2014, becomes effective 1 April 2015² and is applicable to magnet sets and individual magnets as defined in table 1.

Table 1—Federal Register Definitions:

Magnet set	“Any aggregation of separable magnetic objects that is a consumer product intended, marketed or commonly used as a manipulative or construction item for entertainment, such as puzzle working, sculpture building, mental stimulation, or stress relief. Relevant factors in determining intended uses of a magnet set include, but are not limited to: The manufacturer's stated intent (such as on a label or Web site), if reasonable under the circumstances; the content and nature of advertising, promotion, marketing, packaging, or display relating to the product; and the uses for which the product is commonly recognized by consumers.”
Individual magnet	“An individual magnetic object intended or marketed for use with or as a magnet set as defined in paragraph (b) of this section.” (above).

Under the rule, each magnet in a magnet set, and any individual magnet that fits within the CPSC's small parts cylinder (re: 16 CFR 1501.4), must have a flux index of 50 kg² mm² or less. The test method for determining the flux index is cited as that defined in ASTM F963-11, sections 8.24.1 through 8.24.3.

Background:

Magnet sets marketed for general entertainment began in 2009 and the CPSC reported the first consumer incident in February 2010. Since then, the Commission has determined that an estimated 2,900 cases of ingestion of magnets from magnet sets were treated in emergency departments between 1 January 2009 and 31

December 2013. The first consumer incident reported, involving the surgical removal of magnets that had been part of a magnet set, was in December 2010. In addition, the Commission has received one report of a death involving magnet sets.

This rule addresses the risk of injury resulting in damage to intestinal tissue due to a person swallowing one or more small, powerful magnets from a magnet set (or one magnet and a magnetic object such as a steel ball or similar). Such magnets are attracted to each other, damaging intestinal tissue that becomes trapped between the magnets. Ingestion of magnets and ensuing injuries can be very difficult to diagnose and treat because many doctors are unfamiliar with the risks of magnet ingestion, and due to symptoms often appearing similar to less serious conditions, such as influenza.

¹ [CPSC rulemaking—magnet sets](#)
[Star Networks USA Recalls Magnicubes Due to Ingestion Hazard; Firm Settles Administrative Lawsuit](#)

² [Federal Register—Final Rule: Safety Standard for Magnet Sets](#)



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