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Hardlines and Toys &amp; Children's Products

## CPSC publishes mandatory safety standard for toddler beds

The Consumer Product Safety Commission (CPSC) has issued a new safety standard<sup>1</sup> for toddler beds that addresses entrapment in bed end structures, entrapment between the guardrail and side rail, entrapment in the mattress support system, and component failures of the bed support system and guardrails. The standard also addresses corner post extensions that can catch items worn by a child.

Based on the voluntary ASTM F 1821-09 standard (Consumer Safety Specification for Toddler Beds), the CPSC's mandatory standard contains several modifications that strengthen the ASTM's voluntary standard [see 16 CFR §1217.2(c)]. These modifications are expected to make the requirements more stringent and further reduce the risk of injury to toddlers.

<sup>1</sup> Download the Safety Standard for Toddler Beds (16 CFR Part 1217) in full at <http://edocket.access.gpo.gov/2011/pdf/2011-9421.pdf>

The CPSC has also published its accreditation requirements<sup>2</sup> for third party testing bodies to test toddler beds according to the new 16 CFR 1217. These publications require manufacturers, importers or private labelers of toddler beds manufactured on or after 20 October 2011 to have those products tested by an accredited third party testing laboratory and to issue a certificate of compliance with 16 CFR 1217 based on the test results.

### How TÜV SÜD can help

Manufacturers are urged to review their current test processes to ensure that they are aligned with the CPSC's requirements given the modifications that have been made to the current ASTM F 1821-09 standard. Businesses may also contact TÜV SÜD to see how third-party testing can help ensure their products' compliance with the new safety standard. ■

<sup>2</sup> See the full accreditation requirements at <http://edocket.access.gpo.gov/2011/pdf/2011-9422.pdf>

Toys &amp; Children's Products

## France extends formamide ban in puzzle mats

The Government of France has extended its ban on foam puzzle mats<sup>1</sup> that contain formamide (CAS: 75-12-7) to 15 July 2011 inclusive.

The initial 3-month ban<sup>2</sup> in France, which began on 16 December 2010, followed a similar measure taken by the Belgian government after test results showed that almost all foam puzzle mats sold on the Belgian market emitted excessive levels of harmful substances including formamide. Formamide is classified as a category 2 reprotoxin in the European Union.

Based on this ban, the French authorities have sought the expert opinions of the National Agency for Food Safety, Environment and Labour (ANSES) on formamide. In March 2011, ANSES submitted a preliminary report<sup>3</sup> on the hazards of formamide to the government that paid particular attention to the substance's effects on children and pregnant women, and exposure pathways and conditions. ANSES is scheduled to submit another report in early June 2011 that examines the effects of formamide exposure from foam

<sup>1</sup> See the official Gazette of the extension (in French) at <http://www.legifrance.gouv.fr/affichTexte.do?sessionId=?cidTexte=JORFTEXT000023708355&dateTexte=&oldAction=rechJO&categorieLien=id>

<sup>2</sup> Read about the original ban (in French) at <http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000023233609&dateTexte=&categorieLien=id>

<sup>3</sup> Download the report in full (in French) from <http://www.anses.fr/Documents/CHIM2010sa0302Ra.pdf>

puzzle mats and ageing products specifically as well as the exposure to children at varying growing stages of mobility and behaviour. The report will also include recommendations for risk management measures on formamide in toys including a maximum content of formamide in foam puzzle mats.

Until further details are available, the current temporary ban applies only to foam puzzle mats that are classified as toys intended for play by children under 14 years. Some of these 'carpet-puzzle' products may not be intended for use by children, such as when they are used as a protective flooring in an adult gym. Nonetheless, the French authorities have indicated that the nature and characteristics of such products are unlikely to lead them to be classified as anything other than toys.

### Next steps for manufacturers

TÜV SÜD will continue to monitor developments in both Belgium and France as well as the larger European Union area to inform manufacturers of how they will be impacted by new legislations concerning formamide and puzzle mats. In the meantime, TÜV SÜD encourages manufacturers to send their products for testing to confirm the presence or absence of formamide. ■

## Hardlines

# EU extends prohibition on novelty and non-child-resistant lighters

The European Union (EU) has extended its ban on novelty and non-child-resistant lighters to 11 May 2012, the fifth consecutive year it has done so since the ban was first announced in 2006<sup>1</sup>.

At the time the ban was first announced it was estimated that between 1,500 to 1,900 injuries and 34 to 40 fatalities per year in the EU were due to fire-related accidents caused by children playing with lighters. In the US, mandatory child-resistance requirements on such products were introduced 10 years earlier and resulted in a 60% reduction in the number of such accidents. Similar bans had long been established in Canada, Australia and New Zealand. It is hoped that the EU's ban on novelty<sup>2</sup> and non-child-resistant<sup>3</sup> lighters will have a similar effect in the EU.

## Cheap lighters to go

All cigarette lighters sold in the EU must comply with the general safety requirements of the *EN ISO 9994 Lighters – Safety Specification* standard. With the ban, however, disposable plastic lighters and low-cost metal lighters must also conform to the child-resistance requirements and test methods of the *EN 13869:2002 Lighters – Child Resistance for Lighters* standard. Roughly 98% of all lighters sold in the EU each year fall into this product category and are thus subject to the ban.

The ban explicitly prohibits the sale of cigarette lighters that resemble objects that are especially appealing to children (so-called “novelty lighters”) and therefore present a high risk of misuse. This includes lighters that resemble toys, mobile phones, comic characters, guns and food.

<sup>1</sup> Read the original announcement at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ.L:2006:198:0041:0045:EN:PDF>

<sup>2</sup> For examples of novelty lighters, see [http://ec.europa.eu/consumers/safety/prod\\_legis/inventory\\_novelty\\_lighters\\_nov\\_2008.pdf](http://ec.europa.eu/consumers/safety/prod_legis/inventory_novelty_lighters_nov_2008.pdf)

<sup>3</sup> For examples of non-novelty lighters, see [http://ec.europa.eu/consumers/safety/prod\\_legis/inventory\\_non-novelty\\_lighters\\_nov\\_2008.pdf](http://ec.europa.eu/consumers/safety/prod_legis/inventory_non-novelty_lighters_nov_2008.pdf)

Nonetheless, a cigarette lighter that is marketed as a luxury or semi-luxury product may not need to meet the child-resistance requirements if the manufacturer concerned can show that the product is intended for adult use only. Such lighters must be refillable, have a written guarantee of at least 2 years and have an expected lifetime of at least 5 years. These lighters must also have parts that can be replaced or repaired at service centres within the EU.

## What businesses can do

Given the success of similar bans in other countries, it is becoming increasingly likely that the EU ban on unsafe lighters will be made permanent. Manufacturers and importers of cigarette lighters must have their products tested according to the EN 13869:2002 standard and submit their test reports on child-resistance to enforcement authorities on request. These test reports must have been issued by accredited or recognised testing bodies such as TÜV SÜD. In addition to these obligations on manufacturers and importers, distributors are required to document and trace the origin of the lighters they place on the EU market so that the information may be provided to Member States' competent authorities on request.

The EU will also accept foreign test reports issued by accredited testing bodies whose reports of a child-resistant test are accepted by a country (such as the US<sup>4</sup>) where the child-resistance requirements are equivalent to those established by Decision 2006/502/EC. TÜV SÜD offers our customers such accredited testing services at over 600 locations across the world. Businesses are encouraged to contact us to find out how we can help ensure that their products meet the EU's child-resistance requirements.

<sup>4</sup> Read the full US regulation at [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title16/16cfr1210\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title16/16cfr1210_main_02.tpl)

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