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Toys & Children Products

CPSC publishes accredited testing requirements for ASTM F963 and phthalates



The CPSC has just published its accreditation requirements for third party testing laboratories to test for ASTM F963¹ and for phthalates² in toys and child care articles.

When the CPSIA was launched in 2008, it required all toys and child care articles to fulfill ASTM F963 (toys only) and its phthalates requirements. The CPSC later voted to allow additional time for manufacturers to put a third party testing program into place while complying with these requirements.

With the newly published notices, toys and child care articles manufactured on or after 1 January 2012 are required to be tested by a CPSC accredited third party testing lab according to ASTM F963 (for toys) and to the following methods for phthalates:

¹ See "Third Party Testing for Certain Children's Products; Toys: Requirements for Accreditation of Third Party Conformity Assessment Bodies" at <http://www.gpo.gov/fdsys/pkg/FR-2011-08-03/pdf/2011-18962.pdf>
² See "Third Party Testing for Certain Children's Products; Notice of Requirements for Accreditation of Third Party Conformity Assessment Bodies To Assess Conformity With the Limits on Phthalates in Children's Toys and Child Care Articles" at <http://www.gpo.gov/fdsys/pkg/FR-2011-08-10/pdf/2011-19678.pdf>

- CPSC-CH-C1001-09.3, Standard Operating Procedure for Determination of Phthalates, and/or
- GB/T 22048-2008, Toys and Children's Products – Determination of Phthalate Plasticizers in Polyvinyl Chloride Plastic.

Manufacturers/importers of toys and child care articles are to issue a certificate of conformity based on the third party testing results. Product certifications based on previous third party testing will be accepted if:

For ASTM F963:

1. The third party testing for ASTM F963-08 was conducted on or after May 13, 2009, and for ASTM F963-07 on or after August 14 2008.
2. The test results show compliance with the applicable current standards, and
3. The third party testing lab is accredited by the CPSC on or before 3 October 2011 on one or more sections of ASTM F963.

For Phthalates:

1. The third party testing was conducted after 27 July 2009 according to CPSC-CH-C1001-09.2 or CPSC-CH-C1001-09.3, or after 18 June 2008 according to the GB/T 22048-2008,
2. The test results show compliance with the applicable current standards, and
3. The third party testing lab is accredited by the CPSC before 31 December 2011 on one or both of the acceptable test methods.

Table A summarises the CPSIA's current phthalates requirements. ■

Table A: CPSIA's current phthalates requirements

Product	Requirement
Toys (Age 12 and under) and Child Care Articles (Age 3 and under)	DEHP, DBP, BBP: < 0.1% each
Toys that can be placed in a child's mouth	DIDP, DINP, DnOP: < 0.1% each

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European Union harmonises EN 71-2: 2011 on flammability of toys

As of 20 July 2011, the New Toy Safety Directive 2009/48/EC is in force to fulfill stricter toy safety requirements (with the exception of chemical requirements until 20 July 2013). EN 71-2: 2011 is now harmonised in the Official Journal of the European Union as published on 21 July 2011¹ and the current EN 71-2: 2006+A1: 2007 no longer provides compliance to the directive.

EN 71-2: 2011 revises and adds some definitions such as flammable liquid and gas which is extracted from regulation EC No. 1272/2008. The shape and material of all soft-filled toys should not be applied to piled surface and textile only. Toys intended for children under three years old must meet the flammability requirements even after cleaning and washing in accordance with Toy Directive. Table B highlights some of the key changes in EN 71-2: 2011. ■



¹ See the Official journal of harmonized standards of Directive 2009/48/EC at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2011:215:0029:0030:EN:PDF>

Table B: Key changes in EN 71-2: 2011 Safety of Toys - Part 2: Flammability

Clause	Key Changes
3	Added note: Definitions for flammable liquid, highly flammable liquid, extremely flammable liquid and flammable gas have been extracted from Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006
3.7	Flammable liquid: Liquid having a flash point ≥ 23 °C and ≤ 60 °C
3.8	Highly flammable liquid: Liquid having a flash point < 23 °C and initial boiling point > 35 °C
3.9	Extremely flammable liquid: Liquid having a flash point < 23 °C and initial boiling point ≤ 35 °C
3.10	Flammable gas: Gas or gas mixture having a flammable range with air at 20 °C and a standard pressure of 101.3 kPa
3.11	Chemical toy: Toys intended for the direct handling of chemical substances and mixtures and which is used in a manner appropriate to a given age-group and under the supervision of an adult
3.12	Material with similar features: Material having the ability to flow like hair, to hang closely to the head and continue to move on its own after the head is rotated then stopped
3.13	Moulded head mask: Mask that is moulded to the contours of the head or face
4.2.3	Wigs etc. made from hair, pile or material with similar features which protrude 5 mm or less from the surface of the toy are regarded as head-dresses
4.5	The requirements of this subclause do not apply to all soft-filled toys or soft-filled parts of a toy that cannot be cuddled or hugged by a child during play
5.4.1	For toys intended for use by children under 36 months, which regard cleaning and washing requirements
5.4.4	If the test flame application point for the most flammable material is located at a distance less than 150 mm from the top surface of the toy, the next most flammable material located 150 mm or more from the top surface of the toy shall be chosen for the application of the test flame.

Hardlines

U.S. CPSC Pool Safety Act incorporates new ANSI/APSP standard

Under the Virginia Graeme Baker Pool and Spa Safety Act (VGB Act, listed in 16 CFR 1450)¹, the Consumer Product Safety Commission (CPSC) requires each swimming pool or spa drain cover manufactured, distributed, or entered into commerce in the US to conform to entrapment protection standards of ANSI/ASME A112.19.8-2007.

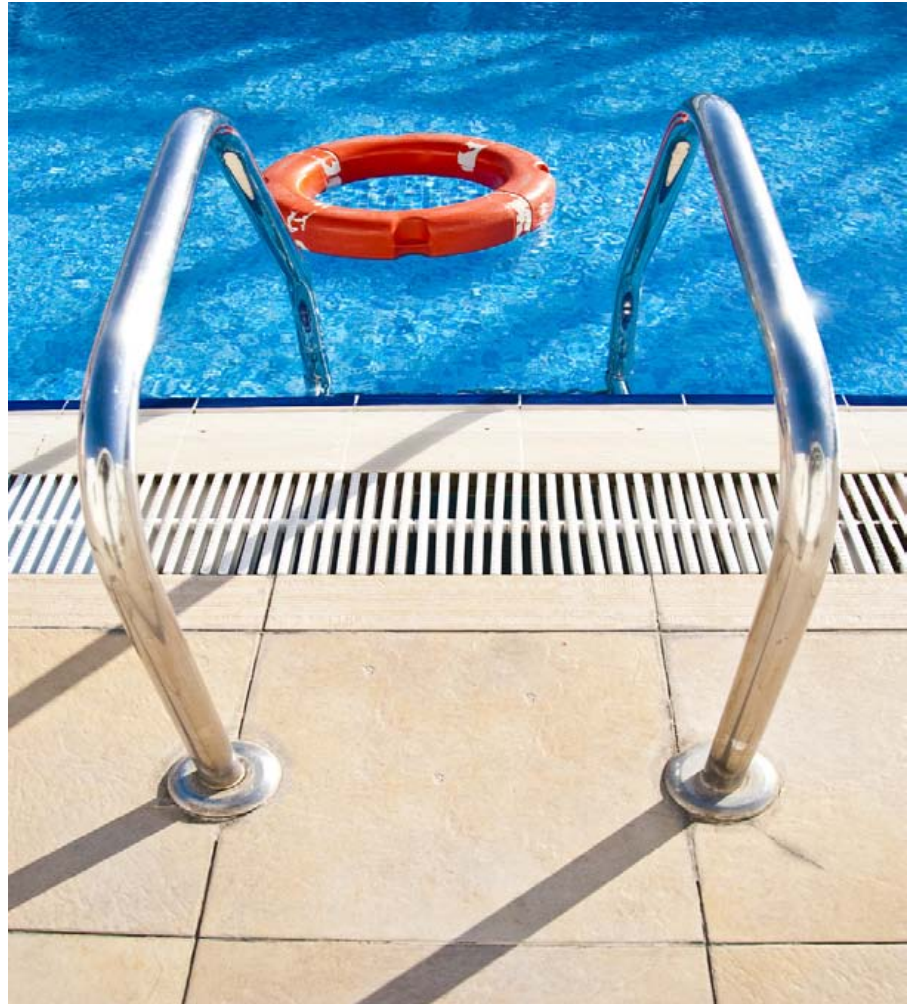
However, ANSI/ASME is in the process of withdrawing ANSI/ASME A112.19.8-2007. The CPSC has therefore published a final rule incorporating by reference the successor standard (ANSI/APSP-16-2011) for the VGB Act by adding a new section 1450.3 to 16 CFR 1450².

The incorporation by reference of ANSI/APSP-16-2011 "Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs" is substantially identical to ANSI/ASME A112.19.8-2007 and its two addenda in 2008 and 2009.

The rule has been approved and will take effect on 6 September 2011. ■

¹ See the current Virginia Graeme Baker Pool and Spa Safety Act (16 CFR 1450) at <http://www.gpo.gov/fdsys/pkg/CFR-2011-title16-vol2/pdf/CFR-2011-title16-vol2-part1450.pdf>

² See the Incorporation by Reference of Successor Standard in full at <http://www.gpo.gov/fdsys/pkg/FR-2011-08-05/pdf/2011-19861.pdf>



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