

# Softlines E-ssentials

Technical & industry e-news updates essential to your operations.

Choose certainty.  
Add value.

## CONTENTS

- ▶ U.S. Tightens Laws Governing the Labeling of Fur Products 1
- ▶ Health Canada Announces Phthalates Regulations 2
- ▶ CPSC Clarifies Lifting of Stay of Enforcement of GCC for Non-Children's Products 2

## Your TÜV SÜD softlines contacts worldwide

### Asia Pacific

|           |             |                         |
|-----------|-------------|-------------------------|
| Cambodia  | Indonesia   | +65 6773 9751           |
| Malaysia  | Philippines | softlines@tuev-sued.com |
| Singapore | Thailand    |                         |
| Vietnam   |             |                         |

|           |          |                      |
|-----------|----------|----------------------|
| Hong Kong | Mainland | +86 21 6141 0123     |
| Taiwan    | China    | softlines@tuv-sud.cn |

|            |       |                      |
|------------|-------|----------------------|
| Bangladesh | India | +91 22 3082 9797     |
| Sri Lanka  |       | softlines@tuv-sud.in |

|       |  |                    |
|-------|--|--------------------|
| Korea |  | +82 2 3215 1100    |
|       |  | sun.ahn@tuv-sud.kr |

|                     |  |                             |
|---------------------|--|-----------------------------|
| <b>NAFTA region</b> |  | +1 734 455 4841 (ext. 7492) |
|                     |  | softlines@tuev-sued.com     |

### Europe, Middle East & Africa

|         |  |                         |
|---------|--|-------------------------|
| Germany |  | +49 151 5843 0950       |
|         |  | softlines@tuev-sued.com |

|       |  |                   |
|-------|--|-------------------|
| Italy |  | +39 051 2987 411  |
|       |  | ps.teesile@tuv.it |

|          |  |                           |
|----------|--|---------------------------|
| Spain    |  | +34 93 281 0695           |
| Portugal |  | florian.hilt@tuev-sued.es |

|        |  |                            |
|--------|--|----------------------------|
| Turkey |  | +90 212 347 9810           |
|        |  | frat.capkin@tuv-sud.com.tr |

|    |  |                   |
|----|--|-------------------|
| UK |  | +44 20 8363 8002  |
|    |  | theva@tuvps.co.uk |

|                          |  |                         |
|--------------------------|--|-------------------------|
| <b>Rest of the world</b> |  | +65 6773 9751           |
|                          |  | softlines@tuev-sued.com |

For more information, visit us at  
[www.tuev-sued.com/softlines](http://www.tuev-sued.com/softlines)



## U.S. Tightens Laws Governing the Labeling of Fur Products



The United States has enacted a new Act titled the *Truth in Fur Labeling Act of 2010* that tightens the country's regulations for the labeling of fur products. The Act goes into effect on 18 March 2011.

The *Truth in Fur Labeling Act of 2010* eliminates labeling exemptions for products containing small quantities or values of fur by revising the definition of a fur product in Section 2(d) of the Fur Products Labeling Act<sup>2</sup> (15 U.S.C. § 69). According to the new Act, a fur product sold in the U.S. shall henceforth be interpreted as "any article of wearing apparel made in whole or in part of fur or used fur".

The new Act also amends Section 3 of the Fur Products Labeling Act by providing an exemption for fur products sold by hobbyists such as leisure hunters or collectors. The exemption applies as long as the products are sold in non-retail environments such as residences or crafts fairs "by the person who trapped or hunted the animal" and "where the revenue from the sale of apparel or fur

<sup>1</sup> Download the new Act from <http://origin.www.gpo.gov/fdsys/pkg/BILLS-111hr2480enr/pdf/BILLS-111hr2480enr.pdf>

<sup>2</sup> Read the full Fur Products Labeling Act at <http://www.ftc.gov/os/statutes/textile/furact.htm>

products is not the primary source of income of such person."

### NEXT STEPS FOR THE INDUSTRY

With the enactment of the new Act, the Federal Trade Commission (FTC) will soon begin the process of reviewing the Fur Products Name Guide<sup>3</sup> (16 CFR 301.0) with the aim to reflect the requirements of the new law. The FTC is expected to publish a notice of the review in the Federal Register by 18 March 2011 and will invite comments from the public on the intended amendments.

In the meantime, manufacturers of products that contain small amounts of fur should prepare to either comply with the U.S.'s new labeling requirement or eliminate the use of fur in their products completely. TÜV SÜD experts can help businesses explore their options in detail and decide on the best way forward. We can also conduct random testing on up-stream suppliers' materials for fur content to help ensure that products manufactured downstream remain compliant to the new law. ■

<sup>3</sup> View the current Guide at [http://edocket.access.gpo.gov/cfr\\_2001/jantr/pdf/16cfr301.0.pdf](http://edocket.access.gpo.gov/cfr_2001/jantr/pdf/16cfr301.0.pdf)

# Health Canada Announces Phthalates Regulations

Canada has further strengthened its Consumer Product Safety Act by announcing new regulations<sup>1</sup> governing the phthalates content in PVC components used in children's products.

According to Health Canada<sup>2</sup>, domestic manufacturers and retailers voluntarily stopped using phthalates in soft vinyl buccal products in 1998. Subsequent surveys have shown that the majority of these products have remained in compliance ever since. Despite the local industry's voluntary compliance, there has been an increase in the use of DEHP and DINP in other soft vinyl children's products such as baby bibs, squeeze toys and inflatable toys. While such products are not intended to be mouthed by young children, they are typically mouthed nonetheless.

By introducing the new phthalates regulations, the Canadian Government is aligning its own laws to those of the United States and the European Union, both of which have identified the six phthalates as substances that may be hazardous to human health. In her

<sup>1</sup> See the full text of the regulations at <http://www.gazette.gc.ca/rp-pr/p2/2010/2010-12-22/html/sor-dors298-eng.html>

<sup>2</sup> Read the Regulatory Impact Analysis Statement at <http://www.gazette.gc.ca/rp-pr/p2/2010/2010-12-22/html/sor-dors297-eng.html>

**TABLE A: PHTHALATES LIMITS IN CHILDREN'S PRODUCTS**

| Phthalate                         | CAS Number                | Limits  |
|-----------------------------------|---------------------------|---|
| Di(2-ethylhexyl) Phthalate (DEHP) | 117-81-7                  | No more than 1,000mg/kg of each DEHP, DBP and BBP may be present in the vinyl used in all children's toys <sup>4</sup> and childcare articles <sup>5</sup> .                                |
| Dibutyl Phthalate (DBP)           | 84-74-2                   |   |
| Benzyl Butyl Phthalate (BBP)      | 85-68-7                   |   |
| Diisononyl Phthalate (DINP)       | 28553-12-0 and 68515-48-0 | No more than 1,000mg/kg of each DINP, DIDP and DNOP may be present in the vinyl of children's toys and childcare articles which can be placed in the mouth of a child under 4 years of age. |
| Diisodecyl Phthalate (DIDP)       | 26761-40-0 and 68515-49-1 |   |
| Di-n-octyl Phthalate (DNOP)       | 117-84-0                  |   |

<sup>4</sup> "Toy" means a product that is intended for use by a child under 14 years of age in learning or play

<sup>5</sup> "Childcare article" means a product intended to facilitate the relaxation, sleep, hygiene, feeding, sucking or teething of a child under 4 years of age

statement<sup>3</sup>, Canada's Minister of Health Leona Aglukkaq said that the new regulations "will ensure products that are imported, sold or advertised in Canada do not present a risk of phthalate exposure to children and infants."

## WHAT TÜV SÜD CAN DO

Health Canada believes that the increased use of DEHP and DINP in children's products is likely the result of an increased preference for offshore product manufacturing, where Canadian authorities have little influence on manufacturing practices. Canadian

<sup>3</sup> Read the Minister's full statement [http://www.hc-sc.gc.ca/ahc-asc/media/nr-cp/\\_2011/2011\\_07-eng.php](http://www.hc-sc.gc.ca/ahc-asc/media/nr-cp/_2011/2011_07-eng.php)

importers may be asked to prove their products' compliance to the government's new phthalates content limits, while manufacturers who export products into Canada may be expected to furnish evidence of the same.

TÜV SÜD's worldwide network of test laboratories offers comprehensive testing solutions to international and national toy standards. We can provide businesses with the test reports and assurances they need to demonstrate their products' compliance to the Canadian government's new regulations and those of other countries. ■

# CPSC Clarifies Lifting of Stay of Enforcement of GCC for Non-Children's Products

In mid-2010, the Consumer Product Safety Commission (CPSC) made several announcements that lifted the stay of enforcement for third party testing General Conformity Certificate (GCC) requirements for Clothing Textiles, Vinyl Plastic Film, and Carpets and Rugs. Since then, there has been confusion over whether the lifting of stay of enforcement also applies to non-children's products. Therefore, the CPSC published a notice on 27 December 2010<sup>1</sup> to clarify that the

<sup>1</sup> Read the CPSC's notice at <http://edocket.access.gpo.gov/2010/pdf/2010-32181.pdf>

## DISCLAIMER

All reasonable measures have been taken to ensure the quality, reliability, and accuracy of the information in this newsletter. However, TÜV SÜD is not responsible for the third party content contained in this newsletter. TÜV SÜD makes no warranties or representations, expressed or implied, as to the accuracy or completeness of information contained in this newsletter.

This newsletter is intended to provide general information on a particular subject or subjects and is not an exhaustive treatment of such subject (s). Accordingly, the information in this newsletter is not intended to constitute consulting or professional advice or services. If you are seeking advice on any matters relating to information in this newsletter, you should – where appropriate – contact us directly with your specific query or seek advice from qualified professional people.

The information contained in this newsletter may not be copied, quoted or referred to in any other publication or materials without the prior written consent of TÜV SÜD. All rights reserved © 2011 TÜV SÜD Asia Pacific Pte Ltd.

lifting also applies to non-children's products. The requirement was effected on 26 January 2011, after which manufacturers and importers now need to provide a GCC for non children's products subject to:

- Carpets and rugs (16 CFR parts 1630 and 1631, Surface Flammability of Carpets and Rugs),
- Vinyl plastic film (16 CFR part 1611, Flammability of Vinyl Plastic Film), or

- Wearing apparel (16 CFR part 1610, Flammability of Clothing Textiles)

According to the CPSC, these products do not need to undergo third party testing unless they are specifically designed for children, in which case they should be tested by an accredited third-party testing laboratory like TÜV SÜD. Manufacturers are thus advised to consult a TÜV SÜD expert to determine whether their products need to be tested to avoid possible non-compliance. ■