



**NOTICE TO ILAC FULL MEMBERS**  
**27 October 2008**

On September 4, 2008, the U.S. Consumer Product Safety Commission (CPSC) presented its plan for implementation of the "Consumer Product Safety Improvement Act (CPSIA) of 2008". The CPSIA will affect nearly all children's products entering the US market.

Implementation of third party laboratory testing procedures for lead in paint under the new legislation requires that testing labs, in order to receive recognition by the CPSC, shall receive their accreditation from an accreditation body who is a signatory to the ILAC Mutual Recognition Arrangement (MRA), and so we feel that it is important to inform you about this new legislation.

Starting with lead in paint, and progressing forward to cribs, pacifiers, small parts, children's metal jewelry, baby bouncers, walkers, jumpers, and eventually to nearly all children's products, the CPSC must publish a list of laboratories to test these products and will be providing guidance on the testing requirements for each individual children's product for which there is a CPSC regulation. According to the new law, which phases in these requirements over the next 10 months, all products currently subject to the lead in paint regulation at 16 CFR Part 1303, all cribs subject either to 16 CFR Part 1508 or Part 1509, and all pacifiers, subject to 16 CFR Part 1511, must be tested by a laboratory accredited to ISO/IEC 17025 by an accreditation body who is a signatory to the ILAC MRA. The Commission will vote on accreditation requirements for other children's products regulations in the coming months.

The new act sets very ambitious deadlines for enactment of these testing requirements. The first of these is lead in paint, which will be a mandatory test for children's products, starting 90 days after the commission posts its requirement in the Federal Register. This posting took place on September 22, 2008 (see attached). Thus, any children's product manufactured after December 21, 2008 will be subject to the lead in paint testing requirements. The legislation also lays out a time table for implementation of the remaining products over the course of the upcoming year.

We therefore foresee a large demand for testing from the toy and children's products industries in the upcoming months. In order for a laboratory to be accepted under this first phase of implementation by the CPSC, the scope of accreditation must make reference to the US Code of Federal Regulations, 16 C.F.R. Part 1303.

More detailed testing requirements for the other products listed above, along with instructions on registering as a third party testing laboratory with the CPSC, can be found on the CPSC website, [www.cpsc.gov](http://www.cpsc.gov). There is a tab at the top of the homepage which links to "Information on the Consumer Product Safety Improvement Act (CPSIA)". This link will allow you to read the actual CPSIA legislation as enacted by Congress on August 14, 2008. Requirements for testing deadlines of several different children's products can be found in Section 102. The CPSC also has formatted an automated email system that will provide updates of the CPSIA to any individual who signs up.

ILAC has provided comments (see attached) to the CPSC officials on the listing of specified test methods and the difficulties that may be faced in the implementation phase, as a result of the short timeframes that have been imposed for achieving accreditation, for the appropriate test methods, to meet the CFR specification.