
❖SPC&B Safety News❖

A Newsletter for Clients of Sharretts, Paley, Carter & Blauvelt, P.C.

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CPSC to Allow Further Retrospective Test Reports for Children's Products Flammability Testing



As discussed in previous *Safety News* reports, the Consumer Product Safety Commission (CPSC) published a notice of requirements for third party testing for flammability of clothing textiles for children's products, which became effective for goods manufactured after November 16, 2010. At the time of the initial notice, the CPSC also allowed certificates to be based on third party testing conducted prior to the agency's accreditation of the testing facility but only on or after August 18, 2010, under certain specified conditions.

Because of the potential for significant time lapses between fabric testing and the finished garment, the CPSC now has decided to accept children's product certifications based on accredited third party testing conducted prior to acceptance of accreditation and on or after August 18, 2009, under the following conditions:

- The testing was performed by a third party facility that was ISO/IEC 17025 accredited by an accreditation body that is a signatory to the ILAC-MRA;
- The third party testing facility's application for testing using the test methods in 16 CFR Part 1610 was accepted by the CPSC on or before November 16, 2010;
- The accreditation scope in effect for the third party testing facility expressly included testing to 16 CFR Part 1610.
- The test results show compliance with the applicable standards and/or regulations; and
- The third party testing facility's accreditation, including inclusion in its scope of 16 CFR Part 1610, remains in effect through the effective date for mandatory third party testing and certification of conformity with 16 CFR Part 1610.

If you have any questions on the testing and certification requirements for clothing textiles for children's products, please contact Gail Cumins at gcumins@spcblaw.com, Donna Shira at dshira@spcblaw.com, or Alli Baron at abarons@spcblaw.com, or call us at 212-425-0055, for further information.

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