

**U.S. Consumer Product Safety Commission
Office of the General Counsel**

**Required Actions Pursuant to the
Consumer Product Safety Improvement Act of 2008**

September 2008

| # | Section | When | What |
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| 1 | 102(a)(1) (B)(i) | September 2008 | The Commission shall publish notice of requirements for the accreditation of third party conformity assessment bodies to assess conformity with the standard for lead paint. |
| 2 | 102(a)(1) (B)(ii) | October 2008 | The Commission shall publish notice of requirements for the accreditation of third party conformity assessment bodies to assess conformity with the standards for full-size cribs, non full-size cribs and pacifiers. |
| 3 | 102(a)(1) (B)(iii) | November 2008 | The Commission shall publish notice of requirements for the accreditation of third party conformity assessment bodies to assess conformity with the standard for small parts. |
| 4 | 105(c)(3) | November 2008 | The Commission shall promulgate final rules to effectuate provisions regarding printed materials and catalogues, to include clarifying the applicability of these requirements to catalogues and other printed material distributed solely between businesses. The Commission may promulgate regulations concerning the size and placement of the required cautionary statement. |
| 5 | 102(a)(1) (B)(iv) | December 2008 | The Commission shall publish notice of requirements for the accreditation of third party conformity assessment bodies to assess conformity with the standard for children's metal jewelry. |
| 6 | 214(c)(i) | February 2009 | The Commission shall by rule establish guidelines setting a class of uniform information to be included in recall notices. |
| 7 | 108(b)(2) | February | Not earlier than 180 days of enactment the Commission shall begin the process of appointing a |

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| | (A) | 2009 | Chronic Hazard Advisory Panel (CHAP) to study the effects on children's health of all phthalates and phthalates alternatives as used in children's toys and child care articles. The CHAP shall within 18 months after appoint complete an examination of the full range of phthalates that are used in products for children for a wide range of health effects. Within 180 days after completing its examination the CHAP shall report to the Commission the results of the examination and make recommendations to the Commission regarding any phthalates (or combination of phthalates) in addition to those already prohibited or phthalates alternatives that the panel determines should be declared banned hazardous substances. |
| 8 | 102(a)(1) (B)(v) | March 2009 | The Commission shall publish notice of requirements for the accreditation of third party conformity assessment bodies to assess conformity with the standards for baby bouncers, walkers, and jumpers. |
| 9 | 102(a)(1) (B)(vi) | June 2009 | The Commission shall publish notice of requirements for the accreditation of third party conformity assessment bodies to assess conformity with all other children's product safety rules. |
| 10 | 102(d)(1) | June 2009 | The Commission shall by regulation establish requirements for the periodic audit of third party conformity assessment bodies. |
| 11 | 101(f)(1) | August 2009 | The Commission shall modify 16 CFR section 1303.1 of the lead paint ban by substituting "0.009 percent" for "0.06." |
| 12 | 101(b)(2) (B) | August 2009 | The Commission shall promulgate a rule providing guidance with respect to what component, or classes of components of children's products will be considered to inaccessible. |
| 13 | 104(b)(2) | Commence by August 2009 | The Commission shall initiate rulemakings (highest priority first) for the first 2 categories of durable infant or toddler products and 2 more categories every 6 months thereafter until all 12 categories of the defined durable infant or toddler products are completed. |
| 14 | 104(d)(1) | August 2009 | The Commission shall promulgate a final rule for product registration. |
| 15 | 217(b)(2) | August 2009 | The Commission shall promulgate a final rule providing its interpretation of civil penalty factors. |
| 16 | 102(d)(A) | November 2009 | The Commission shall by regulation initiate a program by which a manufacturer or private labeler may label a consumer product as complying with the certification requirements. |
| 17 | 102(d)(2) (B)(i) | November 2009 | The Commission shall by regulation establish protocols and standards for ensuring compliance with children's product safety rules when there has been a change in product's design etc. |

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| 18 | 102(d)(2)(B)(ii) | November 2009 | The Commission shall by regulation establish protocols and standards for testing of random samples. |
| 19 | 102(d)(2)(B)(iii) | November 2009 | The Commission shall by regulation establish protocols and standards for verifying that a product tested by a conformity assessment body complies with children's product safety rule. |
| 20 | 102(d)(2)(B)(iv) | November 2009 | The Commission shall by regulation establish protocols and standards for safeguarding against the exercise of undue influence on a third party conformity assessment body by manufacturer. |
| 21 | 222(a) | August 2010 | The Commission shall develop a risk assessment methodology for the identification of shipment of consumer products intended for import to the US and likely to contain products in violation of law. |
| 22 | 106(b)(2) | @ 2 years | Within 1 year after completion of a CPSC assessment of the effectiveness of ASTM F963-07 requirements specified in § 106(b)(1), in consultation with consumer groups, product manufacturers, and independent child product engineers and experts, if the Commission determines that other children's product safety rules have more stringent standards which would further reduce the risk of injury from such toys the CPSC shall promulgate rules based upon the more stringent standards. |
| 23 | 101(a)(2)(D) | August 2011 | If Commission determines that 100 ppm lead level is not technologically feasible the Commission shall by regulation establish an amount that is the lowest amount feasible below 300 ppm. |
| 24 | 108(b)(3) | @ 3 years after enactment: 80 days after receiving CHAP report | The Commission shall promulgate a final rule determining whether to declare any children's product containing DINP, DIDP, or DnOP to be a banned hazardous product under section 8 of the CPSA. |
| 25 | 101(b)(5) | 5 years after promulgation | The Commission shall periodically review and revise the regulations to make them more stringent and to require the lowest amount of lead technically feasible. |
| 26 | 101(f)(2) | 5 years after promul | The Commission shall periodically review and revise the regulations for the lead paint ban to require the lowest amount of lead technically feasible. |

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| | | gation | |
| 27 | 101(f)(5) | 5 years after promulgation | Five years after the completion of the study of x-ray fluorescence technology and alternative methods of measuring lead in paint, the Commission shall review and revise any methods of detecting lead in paint or any regulations promulgated for that purpose to ensure that such methods are the most effective methods available in protecting children's health. |
| 28 | 102(a)(4) | Periodic review | The Commission shall periodically review and revise the accreditation requirements for children's product safety rules to ensure that such rules provide the highest level of safety for such products that is feasible. |
| 29 | 106(c) | Periodic review | The Commission shall conduct periodic review of and revise the mandatory toy safety standards to provide the highest level of safety for such products that is feasible. |
| 30 | 101(f)(4)(B) | When necessary | If the Commission determines based on the results of a study of x-ray fluorescence technology and alternative methods of measuring lead in paint, that such technology is effective, it may promulgate regulations governing the use of such technology. |
| 31 | 3 | When necessary | The Commission may issue regulations, as necessary, to implement this Act and the amendments made by this Act. |
| 32 | 101(b)(4) | When necessary | If the Commission determines that it is not technologically feasible for certain electronic devices to meet the lead limit the Commission shall by rule issue requirements to eliminate the potential for exposure and establish a schedule for full compliance with the limits. |
| 33 | 104(e)(2) | When necessary | If the Commission determines by rule that a particular recall notification technology is likely to be as effective or more effective in facilitating recalls of infant or toddler durable goods it shall permit a manufacturer to use such technology in lieu of registration forms. |
| 34 | 106(h) | When necessary | Upon application of a state or political subdivision of a state, the Commission shall consider a rulemaking to exempt from the preemption provision of the CPSA any state safety provision designed to protect against a risk of injury associated with a children's product subject to the CPSA mandatory toy standards. |
| 35 | 106(d) | No deadline set | After promulgating any rules required by § 106(b)(2) for identified ASTM F963 requirements (see item 22), the CPSC in consultation with consumer groups, product manufacturers, and independent child product engineers and experts shall examine and assess the effectiveness of the remaining ASTM F963 provisions and assess the adequacy of such standards in protecting children from hazards. If the CPSC determines that other children's product safety rules have |

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| | | | more stringent standards which would further reduce the risk of injury from such toys the CPSC shall promulgate rules based upon the more stringent standards. |
| 36 | 223(a)(1) | No deadline set | The Commission may specify, by rule, for any consumer product or class of consumer products, characteristics whose existence or absence shall be deemed a substantial product hazard. |
| 37 | 223(c)(2) | No deadline set | The Commission shall by rule condition the manufacturing, sale, or importation of a consumer product or other product on the manufacturer's compliance with the inspection and recordkeeping requirements of this Act and the Commission's rules with respect to such requirements. |
| 38 | 232(d) | No deadline set | The Commission shall issue a final rule in rulemaking "Standards for All Terrain Vehicles and Ban of Three-Wheeled All Terrain Vehicles. |
| 39 | 232(b)(3) | No deadline set | The Commission may amend the product safety standard for ATVs to include any additional provision that the Commission determines is reasonably necessary to reduce an unreasonable risk of injury associated with the performance of ATVs. |
| 40 | 102(g)(4) | No deadline set | In consultation with the Commissioner of Customs, the Commission may by rule provide for the electronic filing of certificates under this section up to 24 hours before the arrival of an imported product. |
| 41 | 106(g) | Contingent on revision of standard | If ASTM proposes revision of any rule or its successor standard under this section it shall notify the Commission of the proposed revision. The Commission shall incorporate the revision into the consumer product safety rule, effective 180 days after receipt by the Commission, unless within 90 days after receiving that notice, the Commission notifies ASTM that it has determined the proposed revision does not improve the safety of consumer product. |
| 42 | 232(b) | Contingent on revision of standard | If ANSI/SVIA 2007 is revised after the date on which the product safety standard is published in the FR, ANSI shall notify the Commission. Within 120 days of receiving the notice of revisions from ANSI the Commission shall issue an NPR to amend the product safety standard for ATVs to include any revision that the Commission determines is reasonably related to the safe performance of ATVs and notify ANSI of any provision determined not to be so related. The Commission shall promulgate an amendment to the standard for ATVs within 180 days after the date of publication in the FR. |