



**Vietnam**

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Views expressed in this presentation are those of the staff and do not necessarily represent the views of the Commission



# Today's Agenda

- **CPSC Overview**
- **Office of Compliance and Field Operations Overview**
- **Import Surveillance**
- **Clothing/Textile Guidance**
- **Recalls and Industry Guidance**



# CPSC Overview



CPSC is an independent agency created to protect the public from unreasonable risks of injury associated with consumer products

Three Commissioners appointed by the president for multi-year terms with confirmation by the Senate



# Commissioners

**Inez Tenenbaum  
Chairman**



**Thomas Moore  
Commissioner**



**Nancy A. Nord  
Commissioner**



- The President appoints one Commissioner as the Chairman, who acts as Principal Executive Officer



# Field Investigative Staff Locations



 Eastern Branch  
 Western Branch



## What is a Consumer Product?

- Jurisdiction over some 15,000 different consumer products under the Consumer Product Safety Act
- Excludes some products covered by other federal agencies, such as:
  - Cars and related equipment (NHTSA)
  - Food, drugs, medical devices, cosmetics (FDA)
  - Firearms (BATF)
  - Airplanes (FAA)
  - Boats (Coast Guard)
  - Pesticides (EPA)



# **Office of Compliance and Field Operations Overview**



## Office of Compliance and Field Operations Overview

- Enforce ***mandatory standards*** and ***reporting requirements***
- Investigate product hazards and make ***preliminary determinations***, seeking corrective actions as necessary
- Coordinate enforcement efforts with U.S. Customs and Border Protection and State/local governments
- Develop guidance and ***help firms comply*** with the law



## Office of Compliance and Field Operations





# Compliance Investigation Overview

- Field investigation conducted
- Compliance initiates contact with the firm
- Epidemiology conducts data search
- Engineering performs testing (both failure mode testing and performance testing)
- Preliminary Determination Made (not Fast Track cases)
- Recall negotiated
- Consumers notified



## Violations / Prohibited Acts

- The Consumer Product Safety Act (CPSA) and the Federal Hazardous Substances Act (FHSA) make it unlawful to:
  - Manufacture, distribute or import any product that does not comply with a mandatory standard ( CPSA & FHSA)
  - Fail to report information as required by section 15(b) (CPSA);
    - Fail to report choking incidents (CPSA); and
    - Fail to report under Section 37 of the CPSA



# Import Surveillance



# Import Surveillance Division

- Established in 2008
- Investigators stationed at major ports and airports



## ITDS/ACE



- In 2007, CPSC became a “***participating agency***” in the International Trade Data System Automated Commercial Environment (ACE)
- This tool gives qualified CPSC staff access to much better ***information for targeting*** unsafe consumer products
- ACE grows more sophisticated over time



## Coordination with US Customs and Border Protection

- Joint programs targeting unsafe consumer products by class
- Follow backwards and forwards on specific cases
- Joint audits of importers
- Importer Self Assessment (ISA) Product Safety pilot



# Clothing/Textile Guidance



# Consensus Standards for Drawstrings on Children's Clothing

- CPSC issued guidelines in 1996, and they were adopted by ASTM in 1997 (ASTM F1816-97)
- Apply to upper outerwear such as jackets, sweatshirts, tops
- Sizes 2T-12
- Also specific guidelines for waist/bottom strings for sizes 2T-16





# Mandatory Standards for Textiles

- General Wearing Apparel
- Children's Sleepwear



# Summary of General Wearing Apparel Standards

- The manufacture, manufacture for sale, importation into the United States, and the transportation in commerce of a dangerously flammable textile or product is considered an unfair or deceptive practice
- The Standard determines the relative flammability of textiles used in apparel and classifies them based on their burning characteristics into 3 classes; class 3 being dangerously flammable

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# Fabric Classifications

- Class 1 – fabrics have no unusual burning characteristics and are acceptable for use in clothing
- Class 2 – intermediate flammability- use with caution
- Class 3 – fabrics are dangerously flammable and ***CANNOT be used in wearing apparel***



## Common Non-Complying Articles

- Sheer 100% rayon skirts and scarves
- Sheer 100% silk scarves
- 100% rayon chenille sweaters
- Rayon/nylon chenille and long hair sweaters
- Polyester/cotton and 100% cotton fleece garments
- 100% cotton terry cloth robes



## Children's Sleepwear

- The children's sleepwear standards (16 CFR 1615/1616) were developed in the early 1970's to address the ignition of children's sleepwear such as nightgowns, pajamas and robes.
- All fabrics and garments must self-extinguish when removed from a small, open-flame ignition source.
- The standard is designed to protect children' from small open flame sources such as matches, fireplace embers and space heaters
- It is not intended to protect children from large fires or fires stated by flammable liquids such as gasoline



## Sleepwear: 1996 Amendments

- Infant sleepwear size 9 months and under exempt from the sleepwear standard
- Tight fitting garments (as defined by the standard) are also exempt.
- Although these items are exempt from the sleepwear standard, they must comply with the general wearing apparel standard – 16 CFR 1610



## Bathrobes and Loungewear

- Bathrobes are covered by the sleepwear standard
- Loungewear is also covered by the sleepwear standards. See the “Loungewear Letter” on our website as well as an Update to the Letter



## Tight Fitting Garments

- In 2000, a mandatory labeling requirement was developed for garments
- Permanent neck label that reads: “Wear snug-fitting, Not Flame resistant”
- A hangtag that gives point-of-purchase safety information (yellow tag) or a smaller version of the hang-tag can be used on pre-packaged garments



## CPSIA Lead Requirements and Children's Clothing

- Lead poisoning in children is associated with behavioral problems, learning disabilities, and growth retardation.
- 16 CFR §1303 protects consumers, especially children, from being poisoned from excessive lead in surface coatings on certain products. Includes surface coatings on toys or other articles intended for use by children, ***including clothing accessories.***
- The ban covers paint or any other similar surface coating that contain more than 0.06% lead (lead containing paint)
  - The CPSIA reduces this level over time
  - Requires 3rd party testing and certification



# Recalls and Industry Guidance



# What Exactly is a Recall?

***Recall*** is a generic term, and can involve requirement for firm to:

- repair product
- replace product
- refund purchase price of product



# Avoiding Product Recalls

- Know and Comply with Federal Standards
- Know and Comply with Industry Consensus Standards
- Over Design Products
- **Test, Test, Test**
- Monitor Product Use
- Evaluate Complaints, Inquiries, Injuries, Customer Feedback
- Respond to Retailer Notifications
- Report Safety Issues



## **Keep abreast of CPSC activities by:**

- **Monitoring CPSC Web Site**
- **Recall Announcement Subscriptions**
- **Public Calendar Subscriptions**
- **CPSC Electronic Reading Room Inquiries**
- **Seminar Attendance (Trade Shows/ICPHSO)**



# U.S. Consumer Product Safety Commission



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### [Recalls and Product Safety News](#)

Help keep your family safe by checking product recalls and safety news from CPSC.

### [Report an Unsafe Product](#)

Report an incident with a product that caused an injury. Medical Professionals and Fire/Police Investigators: file MECAP, incident reports.

### [Sign Up for Email Announcements \(Español\)](#)

Get free recall and safety news by email as part of CPSC's "Drive for 1 Million" campaign.

### [Neighborhood Safety Network \(Español\)](#)

Help all Americans become aware of lifesaving safety information.

### [Product Safety Standards](#)

Find a [product safety standard](#). View product safety [voluntary standards activities](#) and [research reports](#) for selected consumer products.

### [CPSC Publications](#)

View and order CPSC publications on a wide variety of consumer safety issues.

## Recent Recalls

- [Boys' Hooded Sweatshirts](#)
- [Plush Rocker Toys](#)
- [Water Bottles](#)
- [Toy Penguins](#)
- [Easter Egg Containers and Spinning Egg Tops](#)
- [Outdoor Light Fixtures](#)
- [Electric Toasters](#)



## What's Hot

- [Midwest Residents: Deadly Hazards May Arise After Flood Waters Recede](#)
- [CPSC Chairman Hosts "Town Hall Meeting" at the Mall of America](#)

ATVSAFETY.GOV

www.Recalls.gov



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