

**Request for Comments and Information\***  
**Mandatory Third-Party Testing for Certain Children’s Products**  
**Section 102 of the Consumer Product Safety Improvement Act**  
**(“CPSIA”)**

The Commission staff invites comments on Section 102 of the CPSIA, Mandatory Third-Party Testing for Certain Children’s Products. The staff requests comments specifically on third-party testing of component parts.

CPSIA section 102(a)(2) imposes testing requirements to support certificates of compliance for “children's products” as defined in section 235(a) of the CPSIA (to be codified at section 3(a)(2) of the Consumer Product Safety Act). Ninety days after the Commission issues those requirements for a given product or category of products on the rolling schedule specified in section 14(a)(3), the certificate for the product or products in question manufactured after that date must be supported by testing performed by a third-party laboratory whose accreditation has been accepted by the Commission absent the Commission's exercise of its authority to extend such a deadline by an additional sixty days in certain instances. Given the schedule for implementation of the third-party testing requirements, the staff is interested in comments and information regarding:

- How the risk of introducing non-compliant product into the marketplace would be affected by permitting third-party testing of the component parts of a consumer product versus third-party testing of the finished consumer product.
- The conditions and or circumstances, if any, that should be considered in allowing third-party testing of component parts.
- The conditions, if any, under which supplier third-party testing of raw materials or components should be acceptable.
- Assuming all component parts are compliant, what manufacturing processes and/or environmental conditions might introduce factors that would increase the risk of allowing non-compliant consumer products into the marketplace.
- Whether and how the use and control of subcontractors would be affected by allowing the third-party testing of component parts.
- What changes in inventory control methods, if any, should be required if third-party testing of component parts were permitted. Address receipt, storage and quality control of incoming materials, management and control of work-in-process, non-conforming material control, control of rework, inventory rotation, and overall identification and control of materials.

*\*This document, which was prepared by CPSC staff, has not been reviewed or approved by and may not necessarily represent the views of the Commission.*

- How a manufacturer would manage lot-to-lot variation of component parts, in a third-party testing of component parts regime, to ensure finished consumer products are compliant.
- Whether consideration of third-party testing of component parts should be given for any particular industry groups or particular component parts and materials. Explain what it is about these industries, component parts, and/or materials that make them uniquely suited to this approach.

Comments must be received by the Office of the Secretary no later than January 30, 2009. Comments may be filed by email to [Sec102ComponentPartsTesting@cpsc.gov](mailto:Sec102ComponentPartsTesting@cpsc.gov). Comments may also be filed by facsimile to (301) 504-0127 or by mail or delivery to the Office of the Secretary, Consumer Product Safety Commission, Room 502, 4330 East-West Highway, Bethesda, Maryland, 20814. Comments should be captioned "Section 102 Mandatory Third-Party Testing of Component Parts." Interested persons will also have additional opportunities to comment following publication of any notices of rulemaking proceedings in the Federal Register which are commenced under this section.