



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action
Commissioners Voting by Ballot*

Commissioners Voting: Chairman Inez M. Tenenbaum
 Commissioner Thomas H. Moore
 Commissioner Nancy A. Nord
 Commissioner Anne M. Northup
 Commissioner Robert S. Adler

ITEM:

Accreditation of Laboratory as "Firewalled" Third Party Conformity Assessment Body
(Briefing Package dated July 28m, 2011, OS No. 5684)

DECISION:

The Commission voted unanimously (5-0) to approve accreditation of Rhodia UK Limited to perform tests under 16 CFR part 1615, "Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X (FF 3-71)" and 16 CFR part 1616, "Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14 (FF 5-734)."

The Commission voted unanimously (5-0) to authorize the staff to decide any future requests by this laboratory for changes in the requirements and test methods that the laboratory is approved to evaluate as a third part laboratory.

For the Commission:

A handwritten signature in black ink that reads "Todd A. Stevenson".

Todd A. Stevenson
Secretary

* Ballot vote due August 4, 2011

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of the Application for Accreditation as a Firewalled Third Party Conformity Assessment Body)	
)	
of)	CPSC Docket No. <u>11-F-0003</u>
)	
Rhodia UK Limited)	
FADP Building)	
Trinity Street)	
Oldbury)	
West Midlands)	
United Kingdom)	
B69 4HX)	
)	

ORDER

Having considered the application of Rhodia UK Limited (“the applicant”) to be accredited by the U.S. Consumer Product Safety Commission (“Commission”) as a third party conformity assessment body, as that term is defined in 15 U.S.C. § 2063(f)(2), and having considered the analysis and recommendation of Commission staff, the Commission, by order, finds that:

1. The applicant is owned, managed, or controlled by the manufacturer or private labeler of products that would be assessed by the applicant, if the applicant is accredited as a third party conformity assessment body.
2. The applicant is accredited by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation-Mutual Recognition Arrangement.
3. The applicant has established procedures to ensure that:
 - a. Its test results are protected from undue influence by the manufacturer, private labeler, or other interested party;
 - b. The Commission is notified immediately of any attempt by the manufacturer, private labeler, or other interested party to hide or exert undue influence over test results, and

c. Allegations of undue influence may be reported confidentially to the Commission;

and

4. In view of the findings numbered 2 and 3 above, the accreditation of the applicant will provide equal or greater consumer safety protection than the manufacturer's or private labeler's use of an independent third party conformity assessment body for the requirements and test method(s) for which accreditation is ordered.

Accordingly, it is

ORDERED that the applicant is accredited as a third party conformity assessment body for testing children's products with respect to 16 CFR part 1615, "Standard for the Flammability of Children's Sleepwear: Sizes 0 through 6X (FF 3-71);" and 16 CFR part 1616, "Standard for the Flammability of Children's Sleepwear: Sizes 7 through 14 (FF 5-74)"; and it is

FURTHER ORDERED that the applicant will be placed on the list on the Commission's Internet website of entities that have been accredited to assess conformity with children's product safety rules in accordance with the requirements published by the Commission under 15 U.S.C. § 2063(a); and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant to be accredited for additional requirements or test methods is delegated to Commission staff.

Order issued on the 5th day of August, 2011.

BY ORDER OF THE COMMISSION:



Todd A. Stevenson, Secretary
U.S. Consumer Product Safety Commission