



United States
Consumer Product Safety Commission
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December 20, 2021

Poison Prevention Packaging Act (PPPA) Enforcement Discretion Third Extension Letter

Dear Sir or Madam:

This letter updates my letters of June 25, 2020, November 15, 2020, and April 22, 2021, concerning enforcement discretion for packages subject to the testing requirements of the PPPA and its implementing regulations under 16 CFR part 1700. Due to the COVID-19 pandemic, we recognize that there are continued challenges to performing package testing with young children under the age of 5. Accordingly, we are extending enforcement discretion through June 30, 2022. In doing so, we note that this will likely be the final extension absent specific, clear and convincing evidence to support any additional extension.

Testing to an acceptable alternative method must be initiated by June 30, 2022, to use this temporary enforcement discretion. We decline to specify a date or time frame by which such alternative testing must be completed, due to the fluidity of the pandemic, and the constraints it presents. Nevertheless, we remind you that prompt completion of testing is encouraged and expected.

Thank you for your attention and continued cooperation during this challenging time. Please direct any questions to: RegulatedCMT@cpsc.gov.

Sincerely,

Robert S. Kaye

Robert S. Kaye
Director
Office of Compliance and Field Operations