



## Child Safety: Summary Information for Small Parts, 16 C.F.R. Part 1501

March 2023

### *Where can I get a copy of the small parts regulation?*

These requirements are published in the Code of Federal Regulations in Title 16, part 1501 and § 1500.18(a)(9), with additional relevant information in 16 C.F.R. §1500.50-.53.

For additional information on the small parts requirements, you can go to CPSC Business Education: <https://www.cpsc.gov/Business--Manufacturing> or email [international@cpsc.gov](mailto:international@cpsc.gov).

### *What is the purpose of a small parts regulation?*

This regulation prevents deaths and injuries to children under three from choking on, inhaling, or swallowing small objects they may “mouth.” It bans toys and other articles that are intended for use by children under three and that are or have small parts, or that produce small parts when broken.

### *Which products must meet this regulation?*

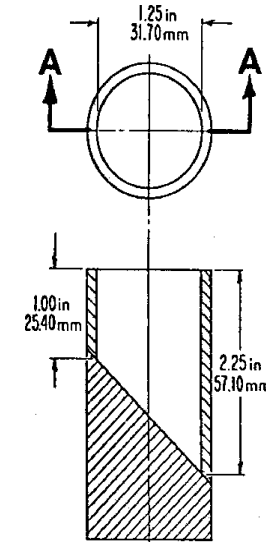
The regulation covers products that are intended for use by children under three. These products include a wide range of articles such as toys, dolls, puzzles, and infant furniture. See **16 C.F.R. Part 1501.2** for a more detailed list. The regulation also covers certain durable infant or toddler products such as play yards, carriages and strollers, infant bouncers. See **16 C.F.R. 1215** through **1239**, and **1241** for a detailed list.

### *What is a small part?*

A small part is any object that fits completely into a specially designed test cylinder 2.25 inches /57.10mm long by 1.25 inches /31.70 mm wide that approximates the size of the fully expanded throat of a child under three years old. (See figure of the Small Parts Test Fixture and **See 16 C.F.R. 1501.4**.) A small part can be:

- (1) A whole toy or article.
- (2) A separate part of a toy, game, or other article.
- (3) A piece of a toy or article that breaks off during testing that simulates use or abuse by children.

If a small part fits completely into the cylinder, and the toy or product from which it came is intended for use by children under three when the analysis described in 16 C.F.R. part 1501 is applied, the toy or product is banned because the small part presents a choking hazard.



**Small Parts Test Fixture**

### *How can manufacturers determine what toys and other products are “intended for” use by children under 3 years?*

- (1) The rule lists general examples of the types of products that are intended for use by children under 3 years old; 16 C.F.R. 1501.2(a).
- (2) The rule uses three factors to determine whether a toy is intended for use by children under three: the manufacturer’s stated intent, such as the age stated on a label; the advertising, promotion, and marketing of the product as being intended for use by children of a certain age; and whether the product or toy is commonly recognized as being intended for use by children under 3 years old; 16 C.F.R. 1501.2(b).
- (3) The rule does not apply to toys or articles which are *solely* intended for use by children 3 years of age or older; 16 C.F.R. § 1501.2(c).

*This document highlights important U.S. product safety information intended to help the reader better understand requirements for introducing consumer products into commerce in the United States. The text is not a comprehensive statement of legal requirements or policy and should not be relied upon for that purpose. Moreover, with the passage of time, the document might not reflect the latest information. Readers should consult official versions of U.S. statutes and regulations when making decisions that could affect the safety and compliance of products. This document was prepared by CPSC Staff. It has not been reviewed or approved by the Commission and may not reflect its views.*

***How does a manufacturer decide whether a toy or other product is commonly recognized as being intended for use by children under 3?***

- (1) The CPSC publication “Manufacturers’ Abbreviated Guide for Age-Labeling Toys: Matching Toy Characteristics to Children’s Ages” can help you to match a product’s characteristics to the age of the children for whose use it is commonly recognized. To obtain a copy, go to CPSC Business Education: <https://www.cpsc.gov/Business--Manufacturing>
- (2) Request an age determination of the product by a lab that tests for compliance with this regulation or by another person or firm with expertise in this area.

***Are any toys and products exempt from the small parts regulations?***

- (1) The rule does not apply to toys or articles which are *solely* intended for use by children 3 years of age or older. 16 C.F.R. § 1501.2(c).
- (2) Additionally, balloons, books, and other articles made of paper, phonograph records, writing materials such as crayons, chalk, pencils and pens, modeling clay and similar products, finger paints, watercolors and other paint sets are exempt because they cannot be manufactured in a way that would prevent them from breaking into small parts when subjected to use and abuse testing. Children’s clothing and accessories such as shoelace holders and buttons, grooming, feeding and hygiene products such as diaper pins and clips, barrettes, toothbrushes, drinking glasses, dishes and eating utensils are also exempt because they need to be small to perform their intended purpose. 16 C.F.R. § 1501.3.
- (3) Rattles and pacifiers are subject to their own small parts requirements. 16 C.F.R. §§ 1510.3 and 1511.4(d).
- (4) A product intended for use by children under three must meet the requirements of the small parts regulation unless the product is one of those items that is specifically exempt from the regulation.

***What testing requirements for small parts must toys and products for children under three meet?***

These toys and products must not release pieces that fit completely into the small parts cylinder after impact, flexure, torque, tension, and compression testing. These tests simulate the forces that toys and products can experience during normal use and abuse by children under 3. If these forces cause parts to break off that fit in the cylinder, those parts present a risk of choking, aspiration, or ingestion to children under 3.

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In addition, 16 C.F.R. § 1500.51 contains test procedures and forces that simulate use and abuse by children 0-18 months of age. 16 C.F.R. § 1500.52 contains test procedures and forces that simulate use and abuse by children 18-36 months of age.

***Are there any other requirements intended to protect children under 3 from choking on small parts?***

Yes. Toys and games that are or contain small parts as manufactured and that are intended for use by children from 3 to 6 years old must be labeled to warn purchasers not to buy them for children under 3 years old because those children could choke on the small parts. Marbles, small balls, and balloons require similar warnings. 16 C.F.R. § 1500.19.

***Does CPSC have any other guidelines or regulations that all products for children under three must meet?***

Yes. Toys and children's products must not have hazardous sharp points (16 C.F.R. § 1500.48) or edges (16 C.F.R. § 1500.49), have paint or any other similar surface coating that contains more than .009% lead (16 C.F.R. part 1303), contain other hazardous chemicals (16 C.F.R. § 1500.3(a)(15)), or exceed flammability limits (16 C.F.R. § 1500.44).

***Which products and toys for children under three must meet additional regulations?***

**Pacifiers** - 16 C.F.R. part 1511

**Rattles** - 16 C.F.R. part 1510

**Small Balls** - 16 C.F.R. § 1500.18(a)(17)

**Infant Pillows and Cushions** - 16 C.F.R. § 1500.18(a)(16)

**Bouncers and Jumpers** - 16 C.F.R. § 1500.18(a)(6)

**Certain Durable Infant or Toddler Products** – 16 C.F.R. parts 1215 through 1239, and 1241

**Electrically Operated Toys** - 16 C.F.R. part 1505

**Dolls, Stuffed Toys, and Other Products** that may cause lacerations or punctures - 16 C.F.R. §§ 1500.18(a)(1), (2), (3)

**Toys** – Standard Consumer Safety Specifications for Toy Safety, The American Society for Testing Materials (ASTM) F963-17; 16 C.F.R. part 1250.