



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

This document has been electronically
approved and signed.

BALLOT VOTE SHEET

DATE: April 27, 2016

TO: The Commission
Todd A. Stevenson, Secretary

THROUGH: Patricia H. Adkins, Executive Director
Mary T. Boyle, Acting General Counsel
Patricia M. Pollitzer, Assistant General Counsel

FROM: David M. DiMatteo, General Attorney

SUBJECT: Accreditation of Seven Conformity Assessment Bodies as
“Firewalled” Third Party Laboratories and Related Delegation of
Authority

Ballot Vote Due: Tuesday, May 3, 2016

This vote sheet pertains to staff’s memorandum recommending that the Commission accredit the following seven conformity assessment bodies as firewalled third party laboratories.

- I. Staff recommends that Foshan Nanhai XinHe XinMei Toys Factory Testing Centre, be accredited to perform tests for:
 - *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
 - *Toy Substrate Materials*, 4.3.5.2 (ASTM F963-11);
 - 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
 - Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
 - Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

A. Please indicate your vote below:

1. _____ Approve accreditation and order, as recommended by staff.

(Signature)

(Date)

2. _____ Approve accreditation and order, with changes, as set forth below:

(Signature)

(Date)

3. _____ Do not approve accreditation and order.

(Signature)

(Date)

4. Take other action. (Please specify.)

(Signature)

(Date)

B. Staff also requests that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Foshan Nanhai XinHe XinMei Toys Factory Testing Centre (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance). (If the Commission does not grant this authority to the Deputy Executive Director for Safety Operations, Office of the Executive Director, we will delete the paragraph in the draft order granting such authority.)

Please indicate your vote below:

1. _____ Authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Foshan Nanhai XinHe XinMei Toys Factory Testing Centre (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

2. _____ Do not authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director to grant or deny subsequent applications by Foshan Nanhai XinHe XinMei Toys Factory Testing Centre (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

3. Take other action. (Please specify.)

(Signature)

(Date)

II. Staff recommends that Mamas and Papas Testing Laboratory, be accredited to perform tests for:

- 16 C.F.R. Part 1227, Safety Standard for Carriages and Strollers.

A. Please indicate your vote below:

1. _____ Approve accreditation and order, as recommended by staff.

(Signature)

(Date)

2. _____ Approve accreditation and order, with changes, as set forth below:

(Signature)

(Date)

3. _____ Do not approve accreditation and order.

(Signature)

(Date)

4. Take other action. (Please specify.)

(Signature)

(Date)

B. Staff also requests that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Mamas and Papas Testing Laboratory (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance). (If the Commission does not grant this authority to the Deputy Executive Director for Safety Operations, Office of the Executive Director, we will delete the paragraph in the draft order granting such authority.)

Please indicate your vote below.

1. _____ Authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Mamas and Papas Testing Laboratory (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

2. _____ Do not authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Mamas and Papas Testing Laboratory (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

3. Take other action. (Please specify.)

(Signature)

(Date)

III. Staff recommends that Mira Exim Limited Textile Lab, be accredited to perform tests for:

- 16 C.F.R. Part 1610, Standard for the Flammability of Clothing Textiles.

A. Please indicate your vote below:

1. _____ Approve accreditation and order, as recommended by staff.

(Signature)

(Date)

2. _____ Approve accreditation and order, with changes, as set forth below:

(Signature)

(Date)

3. _____ Do not approve accreditation and order.

(Signature)

(Date)

4. Take other action. (Please specify.)

(Signature)

(Date)

B. Staff also requests that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Mira Exim Limited Textile Lab (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance). (If the Commission does not grant this authority to the Deputy Executive Director for Safety Operations, Office of the Executive Director, we will delete the paragraph in the draft order granting such authority.)

Please indicate your vote below.

1. _____ Authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Mira Exim Limited Textile Lab (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

2. _____ Do not authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Mira Exim Limited Textile Lab (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

3. Take other action. (Please specify.)
- _____
- _____
- _____

(Signature)

(Date)

IV. Staff recommends that Quality Assurance Laboratory Limited, be accredited to perform tests for:

- *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
- 16 C.F.R. Part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- 16 C.F.R. Part 1303 (ASTM F2853-10), Lead Paint Regulation;
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

A. Please indicate your vote below:

1. _____ Approve accreditation and order, as recommended by staff.

(Signature)

(Date)

2. _____ Approve accreditation and order, with changes, as set forth below:

(Signature)

(Date)

3. _____ Do not approve accreditation and order.

(Signature)

(Date)

4. Take other action. (Please specify.)

(Signature)

(Date)

B. Staff also requests that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Quality Assurance Laboratory Limited (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance). (If the Commission does not grant this authority to the Deputy Executive Director for Safety Operations, Office of the Executive Director, we will delete the paragraph in the draft order granting such authority.)

Please indicate your vote below:

1. _____ Authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Quality Assurance Laboratory Limited (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

2. _____ Do not authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Quality Assurance Laboratory Limited (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

3. Take other action. (Please specify.)

(Signature)

(Date)

- V. Staff recommends that Shenzhen Wei Lee Fung Plastic Product Co., Ltd. Test Center, be accredited to perform tests for:

- *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
- *Toy Substrate Materials*, 4.3.5.2 (ASTM F963-11);
- *Sound Producing Toys*, 4.5 (ASTM F963-11);
- *Small Objects*, 4.6 (ASTM F963-11);
- *Accessible Edges*, 4.7 (ASTM F963-11);
- *Accessible Points*, 4.9 (ASTM F963-11);

- *Wires or Rods*, 4.10 (ASTM F963-11);
- *Nails and Fasteners*, 4.11 (ASTM F963-11);
- *Plastic Film*, 4.12 (ASTM F963-11);
- *Folding Mechanisms and Hinges*, 4.13 (ASTM F963-11);
- *Cords, Straps, and Elastics*, 4.14 (ASTM F963-11);
- *Wheels, Tires, and Axles*, 4.17 (ASTM F963-11);
- *Holes, Clearances, and Accessibility of Mechanisms*, 4.18 (ASTM F963-11);
- *Simulated Protective Devices*, 4.19 (ASTM F963-11);
- *Projectile Toys*, 4.21 (ASTM F963-11);
- *Rattles with nearly spherical, hemispherical, or circular flared ends*, 4.23.1 (ASTM F963-11);
- *Squeeze Toys*, 4.24 (ASTM F963-11);
- *Toys Intended to Be Attached to a Crib or Playpen*, 4.26 (ASTM F963-11);
- *Stuffed and Beanbag-Type Toys*, 4.27 (ASTM F963-11);
- *Certain Toys with Nearly Spherical Ends*, 4.32 (ASTM F963-11);
- *Pompoms*, 4.35 (ASTM F963-11);
- *Hemispheric-Shaped Objects*, 4.36 (ASTM F963-11);
- *Magnets*, 4.38 (ASTM F963-11);
- *Jaw Entrapment in Handles and Steering Wheels*, 4.39 (ASTM F963-11);
- 16 C.F.R. Part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Jewelry (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

A. Please indicate your vote below:

1. _____ Approve accreditation and order, as recommended by staff.

(Signature)

(Date)

2. _____ Approve accreditation and order, with changes, as set forth below:

(Signature)

(Date)

3. _____ Do not approve accreditation and order.

(Signature)

(Date)

4. Take other action. (Please specify.)

(Signature)

(Date)

B. Staff also requests that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Shenzhen Wei Lee Fung Plastic Product Co., Ltd. Test Center (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance). (If the Commission does not grant this authority to the Deputy Executive Director for Safety Operations, Office of the Executive Director, we will delete the paragraph in the draft order granting such authority.)

Please indicate your vote below:

1. _____ Authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by

Shenzhen Wei Lee Fung Plastic Product Co., Ltd. Test Center (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

2. _____ Do not authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Shenzhen Wei Lee Fung Plastic Product Co., Ltd. Test Center (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

3. Take other action. (Please specify.)

(Signature)

(Date)

VI. Staff recommends that Laboratory of Dongguan Firstunion Toys Co. Ltd, be accredited to perform tests for:

- *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
 - 16 C.F.R. Part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
 - Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
 - Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3);
- and

- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

A. Please indicate your vote below:

1. _____ Approve accreditation and order, as recommended by staff.

(Signature)

(Date)

2. _____ Approve accreditation and order, with changes, as set forth below:

(Signature)

(Date)

3. _____ Do not approve accreditation and order.

(Signature)

(Date)

4. Take other action. (Please specify.)

(Signature)

(Date)

B. Staff also requests that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Dongguan Firstunion Toys Co. Ltd (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance). (If the Commission does not grant this authority to the Deputy Executive Director for Safety Operations, Office of the Executive Director, we will delete the paragraph in the draft order granting such authority.)

Please indicate your vote below.

1. _____ Authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Dongguan Firstunion Toys Co. Ltd (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

2. _____ Do not authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Dongguan Firstunion Toys Co. Ltd (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

3. Take other action. (Please specify.)

(Signature)

(Date)

VII. Staff recommends that Bestway Inflatables & Material Corp. Central Lab No. 3065, be accredited to perform tests for:

- *Toy Substrate Materials*, 4.3.5.2 (ASTM F963-11);
- 16 C.F.R. Part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Children's Metal Jewelry (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

A. Please indicate your vote below:

1. _____ Approve accreditation and order, as recommended by staff.

(Signature)

(Date)

2. _____ Approve accreditation and order, with changes, as set forth below:

(Signature)

(Date)

3. _____ Do not approve accreditation and order.

(Signature)

(Date)

4. Take other action. (Please specify.)

(Signature)

(Date)

B. Staff also requests that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Bestway Inflatables & Material Corp. Central Lab No. 3065 (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance). (If the Commission does not grant this authority to the Deputy Executive Director for Safety Operations, Office of the Executive Director, we will delete the paragraph in the draft order granting such authority.)

Please indicate your vote below.

1. _____ Authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Bestway Inflatables & Material Corp. Central Lab No. 3065 (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

2. _____ Do not authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to grant or deny subsequent applications by Bestway Inflatables & Material Corp. Central Lab No. 3065 (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance).

(Signature)

(Date)

3. Take other action. (Please specify.)

(Signature)

(Date)



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

This document has been electronically
approved and signed.

Date: April 27, 2016

TO: The Commission
Todd A. Stevenson, Secretary

THROUGH : Mary T. Boyle, Acting General Counsel
Patricia H. Adkins, Executive Director

FROM: George Borlase
Assistant Executive Director
Office of Hazard Identification and Reduction

Scott Heh
Program Manager

SUBJECT: Consideration of Seven Applications for Commission Acceptance
as Accredited Firewalled Conformity Assessment Bodies:
(1) Mira Exim Limited Textile Lab
(2) Mamas and Papas Testing Laboratory
(3) Quality Assurance Laboratory Limited
(4) Shenzhen Wei Lee Fung Plastic Product Co., Ltd. Test Center
(5) Foshan Nanhai XinHe XinMei Toys Factory Testing Centre
(6) Laboratory of Dongguan Firstunion Toys Co. Ltd
(7) Bestway Inflatables & Material Corp. Central Lab

I. Introduction

Through this memorandum, U.S. Consumer Product Safety Commission (“CPSC,” the “Commission”) staff recommends that the Commission accredit seven conformity assessment bodies (also referred to as “testing laboratories”) that have applied for accreditation as “firewalled laboratories” to perform specified product testing required by the Consumer Product Safety Act (“CPSA”). The Commission’s firewalled laboratory application and acceptance procedures are in

16 C.F.R. part 1112. This memorandum describes the process used by CPSC staff to evaluate the applications.¹

II. Background

CPSA: Third Party Laboratory Requirements and Conditions Applicable to Firewalled Laboratories

Section 14 of the CPSA, as amended by the Consumer Product Safety Improvement Act of 2008 (“CPSIA”), requires manufacturers and importers of children’s products subject to applicable children’s product safety rules, to use third party conformity assessment bodies (third party testing laboratories) that have been accredited under CPSC requirements to test children’s products for compliance with those children’s product safety rules. Such testing is to be used by the manufacturer or importer as the basis for a manufacturer’s or importer’s certification of compliance with a “children’s product safety rule,” which is defined as a “consumer product safety rule under the CPSA or similar rule, regulation, standard or ban under any other Act [than the CPSA] enforced by the Commission, including a rule declaring a consumer product to be a banned hazardous product or substance.” *See* section 14(f)(1) of the CPSA. The CPSA also requires the Commission to establish requirements for accreditation of third party testing laboratories.

The CPSA defines a “third party conformity assessment body” as one that is not owned, managed, or controlled by the manufacturer or private labeler of a product assessed by such testing laboratory, except that a laboratory that is owned, managed, or controlled by the manufacturer or private labeler, under certain specified conditions, may be recognized as accredited by the Commission as a third party testing laboratory. Test laboratories that comply with these specified conditions are said to be “firewalled” against the possibility of undue influence.

The Commission may accredit a laboratory under the CPSA’s firewalled provision if the Commission finds, by order, that:

- A) accreditation of the laboratory would provide equal or greater consumer safety protection than the manufacturer or private labeler’s use of an independent third party conformity assessment body; and

¹ The applications and related supporting materials are not attached to this memorandum but are available for review by any Commissioner.

B) the laboratory has established procedures to ensure that –

- i) its test results are protected from undue influence by the manufacturer, private labeler, or other interested party;
- ii) 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
- iii) allegations of undue influence may be reported confidentially to the Commission.

15 U.S.C. § 2063(f)(2)(D). The Commission has issued regulations implementing the statutory provisions concerning CPSC’s accreditation of third party conformity assessment bodies. 16 C.F.R. part 1112 (effective June 10, 2013). These regulations include baseline requirements for independent laboratories and the process for firewalled laboratory application and acceptance procedures. The application and acceptance procedures for independent and firewalled third party conformity assessment bodies (laboratories) are in §1112.13 and §1112.17 (Tab A).

III. Discussion

Under CPSC’s regulation, one of the required elements for CPSC acceptance of a testing laboratory is that the laboratory must be accredited to ISO/IEC Standard 17025:2005(E), “General requirements for the competence of testing and calibration laboratories.” The ISO/IEC 17025: 2005 standard has technical requirements and management requirements on topics such as organization, management systems, document control, audits, and management reviews. Several of these management requirements address impartiality and safeguards against conflicts of interest. If the laboratory is part of an organization that performs activities other than testing, the responsibilities of key personnel in the organization who are involved with, or who influence the testing and/or calibration activities of the laboratory, shall be defined to identify potential conflicts of interest. The laboratory must have arrangements to ensure that its management and personnel are free from any undue internal and external commercial, financial, or other pressures and influences that may affect adversely the quality of their work. Furthermore, the laboratory must have policies and procedures to avoid involvement in any activities that would diminish confidence in its competence, impartiality, judgment, or operational integrity.

To ensure continued compliance, accredited laboratories are reexamined regularly by their accreditation bodies to make certain that they maintain their standards of independence and technical expertise.

Under ISO 17025: 2005 accreditation, not only commercial laboratories, but also manufacturers' laboratories and government laboratories must have arrangements to ensure that their management and personnel are free from any undue internal and external commercial, financial, or other pressures and influences that may affect adversely the quality of their work.

ISO 17025:2005 accreditation of a laboratory includes an assessment to confirm the technical competence of the laboratory for a given scope of test methods and standards, as well as an assessment of a laboratory's management and organization to ensure that there are safeguards against undue influence. Given these requirements, staff recommended that the Commission recognize ISO 17025: 2005 accreditation by an ILAC-MRA signatory accreditation body as a significant component that must be met for firewalled laboratories to be considered for approval under the CPSA firewalled provisions.

In addition, 16 C.F.R. part 1112 requires laboratory applicants for firewalled status to submit additional documentation that is satisfactory to the Commission to demonstrate compliance with criteria on protections from undue influence.

The preamble to the proposed rule for 16 C.F.R. part 1112 states: "If the Commission determines that the firewalled-specific documents indicate that the laboratory has sufficient safeguards against and procedures concerning undue influence in place, and the laboratory satisfies the baseline criteria, including ISO/IEC 17025:2005 accreditation by an ILAC-MRA signatory body, then the Commission will consider that the applicant laboratory would provide equal consumer safety protection than the manufacturer's or private labeler's use of an independent laboratory."²

Staff Review of Firewalled Laboratory Applications

²Federal Register/ Vol. 77, No. 101/ May 24, 2012 - <http://www.gpo.gov/fdsys/pkg/FR-2012-05-24/pdf/2012-10923.pdf>.

CPSC staff completed a review of the laboratory applications that seek Commission approval as CPSC-accepted firewalled laboratories. A summary of the application and review process is below:

1. The laboratories applied for firewalled acceptance via the CPSC online registration form. The applicants submitted training materials and other information to show conformance with the criteria for acceptance for firewalled laboratories.
2. The Firewalled Laboratory Review Committee (Review Committee), comprised of four senior CPSC staff members³, reviewed the applications. The Review Committee members individually examined the application materials according to the criteria for firewalled laboratories, as described in the CPSA and in 16 C.F.R. part 1112. After individual members conducted their assessments, the Review Committee met as a group to discuss each Review Committee member's assessment regarding whether the laboratories met the baseline requirements for CPSC acceptance and satisfied the additional firewalled laboratory criteria. The Review Committee examined documentation from each laboratory and concluded that each of the seven applicants discussed in this memorandum satisfied the baseline requirements for CPSC acceptance and the criteria for firewalled laboratories set forth in the CPSA and accompanying regulations at 16 C.F. R. part 1112. Specifically, the Review Committee determined:
 - i) Each applicant provided valid and current copies of ISO 17025 accreditation certificates and accreditation by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation-Mutual Recognition Arrangement (ILAC-MRA). Each applicant also submitted a statement of scope that clearly identified each CPSC rule and/or test method for which CPSC acceptance was being sought. These documents satisfy the baseline criteria required for all CPSC-accepted laboratories.
 - ii) Each applicant submitted documentation that explain how the applicant will protect its test results from undue influence by the manufacturer, private labeler, or other interested party.
 - iii) Each applicant provided documentation evidencing laboratory operating procedures or quality manuals with clear policies stating that attempts to

³ At least three of the four committee members must participate in the application reviews and provide an opinion on whether the application materials meet the criteria for firewalled approval.

- exert undue influence must be immediately reported to the CPSC and that allegations of undue influence may be reported confidentially to the CPSC. CPSC contact information is included in each of these documents.
- iv) Each applicant provided training documents, including a description of the training program content, demonstrating how the applicant provided training, at least annually, for the laboratory staff on procedures for addressing undue influence and CPSC reporting policies. The records included training dates, location, and the name and title of the individual providing the training. Each applicant also provided records, including a list and corresponding signatures, of the staff members who received such training.
 - v) Each applicant submitted organizational charts for the laboratory and for the broader organization showing the reporting relationship of the laboratory within the broader organization.

3. Based on the information supplied by each of the applicants, the Review Committee agreed that the documentation demonstrated that the laboratories had established procedures that satisfy the statutory criteria for acceptance of a firewalled laboratory. Specifically, the Review Committee concluded that the applicants would provide equal or greater consumer protection than the use of an independent third party assessment body and that the applicants had established procedures to ensure that its test results are protected from undue influence by the manufacturer, private labeler or other interested party; the Commission is notified immediately of any attempt to hide or exert undue influence over test results, and that allegations of undue influence may be reported confidentially to the Commission.

IV. Firewalled Laboratory Review Committee Conclusions

The Review Committee recommended that the Commission accredit the following laboratory applicants as firewalled laboratories:

- 1) Mira Exim Limited Textile Lab
F-26, Sector 11
Noida
UP
India
201301

The Review Committee recommended accreditation of the laboratory for the following scope:

- 16 C.F.R. Part 1610, Standard for the Flammability of Clothing Textiles

(2) Mamas and Papas Testing Laboratory
Colne Bridge Road
Huddersfield
West Yorkshire
United Kingdom
HD50RH

The Review Committee recommended accreditation of the laboratory for the following scope:

- 16 C.F.R. Part 1227, Safety Standard for Carriages and Strollers

(3) Quality Assurance Laboratory Limited
Unit 1509-1512 Corporation Square
8 Lam Lok Street
Kowloon Bay, Kowloon
Hong Kong

The Review Committee recommended accreditation of the laboratory for the following scope:

- 4.3.5.1(2) (ASTM F963-11), Surface Coating Materials - Soluble Test for Metals;
- 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- 16 C.F.R. Part 1303 (ASTM F2853-10), Lead Paint Regulation
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and

- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

(4) Shenzhen Wei Lee Fung Plastic Product Co., Ltd. Test Center
 Fenghuang Industrial Park, Xinnan, Pinghu, Longgang District
 The Second Industrial Section, Jintang Development Area, Longnan
 Shenzhen/ Pinghu
 Guangdong
 China
 518111

The Review Committee recommended accreditation of the laboratory for the following scope:

- 4.3.5.1(2) (ASTM F963-11), Surface Coating Materials - Soluble Test for Metals;
- 4.3.5.2 (ASTM F963-11), Toy Substrate Materials;
- 4.5 (ASTM F963-11), Sound Producing Toys
- 4.6 (ASTM F963-11), Small Objects;
- 4.7 (ASTM F963-11), Accessible Edges;
- 4.9 (ASTM F963-11), Accessible Points;
- 4.10 (ASTM F963-11), Wires or Rods;
- 4.11 (ASTM F963-11), Nails and Fasteners
- 4.12 (ASTM F963-11), Plastic Film;
- 4.13 (ASTM F963-11), Folding Mechanisms and Hinges;
- 4.14 (ASTM F963-11), Cords, Straps, and Elastics;
- 4.17 (ASTM F963-11), Wheels, Tires, and Axles;
- 4.18 (ASTM F963-11), Holes, Clearances, and Accessibility of Mechanisms;
- 4.19 (ASTM F963-11), Simulated Protective Devices;
- 4.21 (ASTM F963-11), Projectile Toys;
- 4.23.1 (ASTM F963-11), Rattles with nearly spherical, hemispherical, or circular flared ends;
- 4.24 (ASTM F963-11), Squeeze Toys;
- 4.26 (ASTM F963-11), Toys Intended to Be Attached to a Crib or Playpen;
- 4.27 (ASTM F963-11), Stuffed and Beanbag-Type Toys
- 4.32 (ASTM F963-11), Certain Toys with Nearly Spherical Ends

- 4.35 (ASTM F963-11), Pompoms
- 4.36 (ASTM F963-11), Hemispheric-Shaped Objects;
- 4.38 (ASTM F963-11), Magnets;
- 4.39 (ASTM F963-11), Jaw Entrapment in Handles and Steering Wheels;
- 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Jewelry (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

(5) Foshan Nanhai XinHe XinMei Toys Factory Testing Centre
 YongAn Industrial Zone, GuanYao, NanHai District, Fuyong Town
 Foshan
 Guangdong
 China
 528237

The Review Committee recommended accreditation of the laboratory for the following scope:

- 4.3.5.1(2) (ASTM F963-11), Surface Coating Materials - Soluble Test for Metals;
- 4.3.5.2 (ASTM F963-11), Toy Substrate Materials;
- 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);

- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

(6) Laboratory of Dongguan Firstunion Toys Co. Ltd
 Xincun Village
 Wanjiang District
 Dongguan
 Guangdong
 China
 523758

The Review Committee recommended accreditation of the laboratory for the following scope:

- 4.3.5.1(2) (ASTM F963-11), Surface Coating Materials - Soluble Test for Metals;
- 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

(7) Bestway Inflatables & Material Corp. Central Lab
 No. 3065, Cao An Road
 Shanghai
 China
 201812

The Review Committee recommended accreditation of the laboratory for the following scope:

- 4.3.5.2 (ASTM F963-11), Toy Substrate Materials;

- 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Children's Metal Jewelry (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008).

V. Recommendations

Staff recommends that the Commission accredit the seven laboratories listed in Section IV, in accordance with the firewalled procedures described in 16 C.F.R. part 1112. This recommendation is based on the assessments of the CPSC Firewalled Laboratory Review Committee that examined the application materials and agreed that the documentation supplied by the applicants supported the conditions for accreditation as firewalled laboratories.

Delegation Approval Requested

If the Commission accredits these firewalled laboratories by order, staff recommends that the Commission authorize the Deputy Executive Director for Safety Operations, Office of the Executive Director, to approve any future applications by these laboratories.

Such applications would include, for example, applications to conduct testing for additional CPSC children's product safety requirements, or applications to renew their accreditation information and CPSC acceptance as a firewalled laboratory. Future applications by these laboratories normally would involve CPSC staff review of technical scope competency and accreditation status by its ILAC-MRA accreditation body and would involve review of any changes in undue influence policies. (In the past, the Commission has granted the Deputy Executive Director for Safety Operations, Office of the Executive Director this authority for the laboratories that the Commission previously accredited as firewalled laboratories.)

VI. Commission Options

(1) The Commission can vote to accredit one or more of the applicant laboratories for recognition as a firewalled laboratory for the specified testing scope. In this event, the Commission is required to issue an order finding that the additional requirements for firewalled laboratories exist for the laboratory.

(2) The Commission can vote not to accredit one or more of the applicant laboratories for recognition as a firewalled laboratory for the specified testing scope, if the Commission decides that the documentation submitted by the applicant is not sufficient to support a Commission finding to accredit the applicant laboratory under the firewalled provisions. Under this option, the Commission also could decide to direct staff to obtain additional information relevant to whether the Commission should accredit the laboratory.

(3) If one or more of the applicants is accredited as a firewalled laboratory for the specified testing scope, the Commission could accept or reject the staff recommendation that the Commission delegate to the Deputy Executive Director for Safety Operations, Office of the Executive Director the power to approve subsequent applications by the same firewalled laboratory.

(4) Other options, as directed by the Commission.

The Office of the General Counsel has prepared ballot vote sheets presenting these options and has provided draft orders for the seven applicant laboratories for the Commission's consideration if one or more laboratories are accredited.

TAB A

§1112.13⁴ How does a third party conformity assessment body apply for CPSC acceptance?

(a) Baseline Requirements. Each third party conformity assessment body seeking CPSC acceptance must:

(1) Submit a completed Consumer Product Conformity Assessment Body Registration Form (CPSC Form 223 or Application). In submitting a CPSC Form 223, the third party conformity assessment body must attest to facts and characteristics about its business that will determine whether the third party conformity assessment body is independent, firewalled, or governmental. The third party conformity assessment body also must attest that it has read, understood, and agrees to the regulations in this part. The third party conformity assessment body must update its CPSC Form 223 whenever any information previously supplied on the form changes.

(2) Submit the following documentation:

(i) Accreditation certificate.

(A) The third party conformity assessment body must be accredited to the ISO/IEC Standard 17025:2005(E), “General requirements for the competence of testing and calibration laboratories.”

(B) The accreditation must be by an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation-Mutual Recognition Arrangement (ILAC-MRA).

(ii) Statement of scope. The third party conformity assessment body’s accreditation must include a statement of scope that clearly identifies each CPSC rule and/or test method for which CPSC acceptance is sought. Although a third party conformity assessment body may include more than one CPSC rule and/or test method in its scope in one application, it must submit a new application if the CPSC has already accepted the third party conformity assessment body for a particular scope, and the third party conformity assessment body wishes to expand its acceptance to include additional CPSC rules and/or test methods.

⁴ The complete rule is linked at: www.ecfr.gov. Browse Title 16 - Commercial Practices. Go to part 1112, “REQUIREMENTS PERTAINING TO THIRD PARTY CONFORMITY ASSESSMENT BODIES.”

(b) Additional Requirements for Firewalled Third Party Conformity Assessment Bodies.

(1) A third party conformity assessment body may be accepted as a firewalled third party conformity assessment body if the Commission, by order, makes the findings described in §1112.17(b).

(2) For the Commission to evaluate whether an applicant firewalled third party conformity assessment body satisfies the criteria listed in §1112.17(b), and in addition to the baseline accreditation requirements in paragraph (a) of this section, a firewalled third party conformity assessment body applying for acceptance of its accreditation must submit copies of:

(i) The third party conformity assessment body's established policies and procedures that explain:

(A) How the third party conformity assessment body will protect its test results from undue influence by the manufacturer, private labeler, or other interested party;

(B) That the CPSC will be notified immediately of any attempt by the manufacturer, private labeler, or other interested party to hide or exert undue influence over the third party conformity assessment body's test results; and

(C) That allegations of undue influence may be reported confidentially to the CPSC;

(ii) Training documents, including a description of the training program content, showing how employees are trained annually on the policies and procedures described in paragraph (b)(2)(i) of this section;

(iii) Training records, including a list and corresponding signatures, of the staff members who received the training identified in paragraph (b)(2)(ii) of this section. The records must include training dates, location, and the name and title of the individual providing the training;

(iv) An organizational chart(s) of the third party conformity assessment body that includes the names of all third party conformity assessment body personnel, both temporary and permanent, and their reporting relationship within the third party conformity assessment body;

(v) An organizational chart(s) of the broader organization that identifies the reporting relationships of the third party conformity assessment body within the broader organization (using both position titles and staff names); and

(vi) A list of all third party conformity assessment body personnel with reporting relationships outside of the third party conformity assessment body. The list must identify the name and title of the relevant third party conformity assessment body employee(s) and the names, titles, and employer(s) of all individuals outside of the third party conformity assessment body to whom they report;

§1112.17 How will the CPSC respond to each application?

(a) The CPSC staff will review each application and may contact the third party conformity assessment body with questions or to request submission of missing information.

(b) The application of a firewalled third party conformity assessment body will be accepted by order of the Commission, if the Commission finds that:

(1) Acceptance of the accreditation of the third party conformity assessment body would provide equal or greater consumer safety protection than the manufacturer's or private labeler's use of an independent third party third party conformity assessment body; and

(2) The third party conformity assessment body has established procedures to ensure that:

(i) Its test results are protected from undue influence by the manufacturer, private labeler, or other interested party;

(ii) The CPSC 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

(iii) Allegations of undue influence may be reported confidentially to the CPSC.

(c) The CPSC will communicate its decision on each application in writing to the applicant, which may be by electronic mail.

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 for:

- *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
 - *Toy Substrate Materials*, 4.3.5.2 (ASTM F963-11);
 - 16 C.F.R. Part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
 - Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
 - Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3);
- and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008); and it is

FURTHER ORDERED that the applicant will be placed on the list of entities on the Commission's Internet website that have been accredited to assess conformity with children's product safety rules in accordance with the requirements in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that if the applicant does not continue to meet the requirements of 16 C.F.R. part 1112, the applicant would be subject to suspension or withdrawal in accordance with the procedures provided in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance) is delegated to the Deputy Executive Director for Safety Operations, Office of the Executive Director.

Order issued on the ____ day of _____, 2016.

BY ORDER OF THE COMMISSION:

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

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

<hr/>)	
In the Matter of the Application for)	
Accreditation as a Firewalled Third)	
Party Conformity Assessment Body)	
)	
of)	CPSC Docket No. _____
)	
Mamas and Papas Testing Laboratory)	
Colne Bridge Road)	
Huddersfield)	
West Yorkshire)	
United Kingdom)	
HD50RH)	
<hr/>)	

ORDER

Having considered the application of Mamas and Papas Testing Laboratory (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)(D), 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 for:

- 16 C.F.R. Part 1227, Safety Standard for Carriages and Strollers; and it is

FURTHER ORDERED that the applicant will be placed on the list of entities on the Commission's Internet website that have been accredited to assess conformity with children's product safety rules in accordance with the requirements in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that if the applicant does not continue to meet the requirements of 16 C.F.R. part 1112, the applicant would be subject to suspension or withdrawal in accordance with the procedures provided in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance) is delegated to the Deputy Executive Director for Safety Operations, Office of the Executive Director.

Order issued on the ____ day of _____, 2016.

BY ORDER OF THE COMMISSION:

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

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. _____
)	
Mira Exim Limited Textile Lab)	
F-26, Sector 11)	
Noida)	
UP)	
India)	
201301)	
)	

ORDER

Having considered the application of Mira Exim Limited Textile Lab (“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)(D), 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 for:

- 16 C.F.R. Part 1610, Standard for the Flammability of Clothing Textiles; and it is

FURTHER ORDERED that the applicant will be placed on the list of entities on the Commission's Internet website that have been accredited to assess conformity with children's product safety rules in accordance with the requirements in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that if the applicant does not continue to meet the requirements of 16 C.F.R. part 1112, the applicant would be subject to suspension or withdrawal in accordance with the procedures provided in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance) is delegated to the Deputy Executive Director for Safety Operations, Office of the Executive Director.

Order issued on the ____ day of _____, 2016.

BY ORDER OF THE COMMISSION:

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

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. _____
)	
Quality Assurance Laboratory Limited)	
Unit 1509-1512 Corporation Square)	
8 Lam Lok Street)	
Kowloon Bay, Kowloon)	
Hong Kong)	
)	

ORDER

Having considered the application of Quality Assurance Laboratory 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)(D), 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 for:

- *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
- 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- 16 C.F.R. Part 1303 (ASTM F2853-10), Lead Paint Regulation;
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008); and it is

FURTHER ORDERED that the applicant will be placed on the list of entities on the Commission's Internet website that have been accredited to assess conformity with children's product safety rules in accordance with the requirements in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that if the applicant does not continue to meet the requirements of 16 C.F.R. part 1112, the applicant would be subject to suspension or withdrawal in accordance with the procedures provided in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance) is delegated to the Deputy Executive Director for Safety Operations, Office of the Executive Director.

Order issued on the ____ day of _____, 2016.

BY ORDER OF THE COMMISSION:

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

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. _____
)	
Shenzhen Wei Lee Fung)	
Plastic Product Co. Ltd. Test Center)	
Fenghuang Industrial Park)	
Xinnan, Pinghu, Longgang District)	
The Second Industrial Section)	
Jintang Development Area)	
Longnan Shenzhen/Pinghu)	
Guangdong)	
China)	
518111)	
)	

ORDER

Having considered the application of Shenzhen Wei Lee Fung Plastic Product Co., Ltd. Test Center (“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)(D), 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 for:

- *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
- *Toy Substrate Materials*, 4.3.5.2 (ASTM F963-11);
- *Sound Producing Toys*, 4.5 (ASTM F963-11);
- *Small Objects*, 4.6 (ASTM F963-11);
- *Accessible Edges*, 4.7 (ASTM F963-11);
- *Accessible Points*, 4.9 (ASTM F963-11);
- *Wires or Rods*, 4.10 (ASTM F963-11);
- *Nails and Fasteners*, 4.11 (ASTM F963-11);
- *Plastic Film*, 4.12 (ASTM F963-11);
- *Folding Mechanisms and Hinges*, 4.13 (ASTM F963-11);
- *Cords, Straps, and Elastics*, 4.14 (ASTM F963-11);
- *Wheels, Tires, and Axles*, 4.17 (ASTM F963-11);
- *Holes, Clearances, and Accessibility of Mechanisms*, 4.18 (ASTM F963-11);
- *Simulated Protective Devices*, 4.19 (ASTM F963-11);
- *Projectile Toys*, 4.21 (ASTM F963-11);
- *Rattles with nearly spherical, hemispherical, or circular flared ends*, 4.23.1 (ASTM F963-11);
- *Squeeze Toys*, 4.24 (ASTM F963-11);
- *Toys Intended to Be Attached to a Crib or Playpen*, 4.26 (ASTM F963-11);
- *Stuffed and Beanbag-Type Toys*, 4.27 (ASTM F963-11);
- *Certain Toys with Nearly Spherical Ends*, 4.32 (ASTM F963-11);
- *Pompoms*, 4.35 (ASTM F963-11);
- *Hemispheric-Shaped Objects*, 4.36 (ASTM F963-11);
- *Magnets*, 4.38 (ASTM F963-11);
- *Jaw Entrapment in Handles and Steering Wheels*, 4.39 (ASTM F963-11);

- 16 C.F.R. part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Jewelry (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008); and it is

FURTHER ORDERED that the applicant will be placed on the list of entities on the Commission's Internet website that have been accredited to assess conformity with children's product safety rules in accordance with the requirements in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that if the applicant does not continue to meet the requirements of 16 C.F.R. part 1112, the applicant would be subject to suspension or withdrawal in accordance with the procedures provided in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance) is delegated to the Deputy Executive Director for Safety Operations, Office of the Executive Director.

Order issued on the ____ day of _____, 2016.

BY ORDER OF THE COMMISSION:

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

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

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In the Matter of the Application for)	
Accreditation as a Firewalled Third)	
Party Conformity Assessment Body)	
)	
of)	CPSC Docket No. _____
)	
Laboratory of)	
Dongguan Firstunion Toys Co. Ltd)	
Xincun Village)	
Wanjiang District)	
Dongguan)	
Guangdong)	
China)	
523758)	
<hr/>)	

ORDER

Having considered the application of Laboratory of Dongguan Firstunion Toys Co. Ltd (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)(D), 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 for:

- *Surface Coating Materials - Soluble Test for Metals*, 4.3.5.1(2) (ASTM F963-11);
- 16 C.F.R. Part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
- Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
- Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3); and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008); and it is

FURTHER ORDERED that the applicant will be placed on the list of entities on the Commission's Internet website that have been accredited to assess conformity with children's product safety rules in accordance with the requirements in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that if the applicant does not continue to meet the requirements of 16 C.F.R. part 1112, the applicant would be subject to suspension or withdrawal in accordance with the procedures provided in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance) is delegated to the Deputy Executive Director for Safety Operations, Office of the Executive Director.

Order issued on the ____ day of _____, 2016.

BY ORDER OF THE COMMISSION:

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

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. _____
)	
Bestway Inflatables & Material Corp.)	
Central Lab No. 3065)	
Cao An Road)	
Shanghai)	
China)	
201812)	
)	

ORDER

Having considered the application of Bestway Inflatables & Material Corp. Central Lab No. 3065 (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)(D), 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 for:

- *Toy Substrate Materials*, 4.3.5.2 (ASTM F963-11);
 - 16 C.F.R. Part 1303 (CPSC-CH-E1003-09 or CPSC-CH-E1003-09.1), Lead Paint Regulation;
 - Lead in Children's Metal Products (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
 - Lead in Children's Metal Jewelry (test method CPSC-CH-E1001-08 and/or CPSC-CH-E1001-08.1 and/or CPSC-CH-E1001-08.2 and/or CPSC-CH-E1001-08.3);
 - Lead in Non-Metal Children's Products (test method CPSC-CH-E1002-08 and/or CPSC-CH-E1002-08.1 and/or CPSC-CH-E1002-08.2 and/or CPSC-CH-E1002-08.3);
- and
- Determination of Phthalates (test method CPSC-CH-C1001-09.3 and/or GB/T 22048-2008); and it is

FURTHER ORDERED that the applicant will be placed on the list of entities on the Commission's Internet website that have been accredited to assess conformity with children's product safety rules in accordance with the requirements in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that if the applicant does not continue to meet the requirements of 16 C.F.R. part 1112, the applicant would be subject to suspension or withdrawal in accordance with the procedures provided in 16 C.F.R. part 1112; and it is

FURTHER ORDERED that the authority to grant or deny subsequent applications by this applicant (*e.g.*, to be accredited for additional requirements or test methods or to renew their accreditation information and CPSC acceptance) is delegated to the Deputy Executive Director for Safety Operations, Office of the Executive Director.

Order issued on the ____ day of _____, 2016.

BY ORDER OF THE COMMISSION:

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