



**FOR IMMEDIATE RELEASE**

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**CPSC ISSUES STATEMENT REGARDING ENFORCEMENT OF  
LEAD CONTENT STANDARD UNDER CPSIA  
PPAI Supports Statement; Appeals To Congress To  
Understand Complexity Of Compliance**

**Irving, Texas, (February 9, 2009)** The U.S. Consumer Product Safety Commission (CPSC) has issued a statement on how it will enforce the lead content standard set by the Consumer Product Safety Improvement Act (CPSIA) until various regulatory projects are finished or until the stay of enforcement regarding third-party testing and certification for most children's products is reviewed on February 10, 2010. The one-year stay on third-party testing and certification was issued on February 2, 2009.

**Inaccessible Parts**

Under the law, the lead content standard does not apply to components that the CPSC determines are inaccessible. According to the CPSC's enforcement guidance statement "until the inaccessibility guidance is finalized, the Commission staff will accept a manufacturer's determination that a part is inaccessible if it is based on a reasonable interpretation of section of the law."

**Electronic Components**

Separately, the CPSC also issued an "interim" final rule on electronic components and lead content in children's products. The law directed the CPSC to formulate a rule to exclude certain electronic components when it was technologically infeasible to eliminate the lead. The final rule includes several exclusions. One that might be of particular interest to our industry states: "Components of electronic devices that are removable or replaceable such as battery packs and light bulbs that are inaccessible when the product is assembled in functional form or are otherwise granted an exemption are not subject to the lead limits."

**Certain Items Excluded From Lead Content Standard**

The CPSC also has a pending rulemaking to exclude certain items from the lead content standard. The guidance says, "The Commission staff has begun to identify materials whose lead content is consistently below the limit of 300 ppm (the limit that becomes applicable in August 2009). These include certain natural materials such as wood, cotton and wool, as well as certain metals and alloys."

The guidance goes on to say, "Until the Commission promulgates a final rule announcing its determinations on these materials, the Commission's Office of Compliance shall not prosecute any person for manufacturing, importing, distributing, selling or offering for sale a children's product on the basis that it contains more than 600 ppm lead in any material as to which the

Commission has made a preliminary determination in the January 15, 2009 proposed rulemaking.”

Regarding the application of the lead standard to ordinary books and certain textiles, the guidance states that “Commission staff has begun to identify classes of children’s products whose lead content appears to fall consistently below the prescribed limits. The staff is not aware of a single documented case in which a product falling within one of the following classes contained total lead above 300 ppm: Ordinary children’s books printed after 1985, dyed or undyed textiles (not including leather, vinyl or PVC) and non-metallic thread and trim used in children’s apparel and other children’s fabric products such as baby blankets. This latter class does not include such products if: (1) they have undergone further treatment that may impart lead (2) they are ornamented with metal, rhinestones or other objects; or (3) they have plastic or metal fasteners with possible lead content (such as snaps, grommets, zippers or buttons).”

Upon completion of the staff’s investigation of these product classes “the Commission intends to issue guidance addressing them in greater detail. In the meantime, the Commission’s Office of Compliance shall not prosecute any person for manufacturing, importing, distributing, selling or offering for sale a children’s product (or part thereof) that falls within the two classes described above on the basis that it contains more than 600 ppm lead.”

**Promotional Products Association International (PPAI)** applauds the reasonable approach the CPSC is bringing to its enforcement policy, however, the Association continues to emphasize that the testing requirements and implementation schedules for the promotional products industry are ill-defined and far more complex than is realized by most lawmakers.

“We are heartened by the fact the CPSC continues to make every effort to provide us with some breathing room while we try to comply with the law,” said Steve Slagle, CAE, PPAI President and CEO. “Nevertheless, the constant stream of information and changes in policy over the last week or two illustrate how complex compliance with this law really is. It is impossible to expect the business community to know about everything that is going on with this law. We hope Congress realizes it needs to step in and help restore some common sense to the implementation process.”

For full details of the CPSC action, go to [www.cpsc.gov](http://www.cpsc.gov).

**To take action and urge Congress to step in and help restore some common sense to the implementation process, follow these five steps:**

1. *Learn:*

- Familiarize yourself with the issue by visiting PPAI LAW. A sample message that can be used for any type of communication is included.
- Identify your Representative and Senators. Visit [www.house.gov](http://www.house.gov) and [www.senate.gov](http://www.senate.gov). The House site allows you to type in your zip code to find your Representative. These sites will provide you with all the information you need about your Senators and Representative to communicate with them.

2. *Call:*

- Your local congressional office, explain that you are a constituent and tell them that you oppose this law.
- Call the Washington office, again explain you are a constituent and voice your opposition.

3. *Fax:*

- Send a fax to both the local congressional office and the Washington office. (You may have to call the office to get a fax number.) Modify the sample letter and be sure to clearly identify yourself as a constituent in the fax.

4. *E-mail:*

- E-mail your representatives. Include either your zip code or the name of your town in the subject line and clearly identify yourself as a constituent. *You can send an e-mail from the PPAI LAW site or from [www.house.gov](http://www.house.gov) and [www.senate.gov](http://www.senate.gov)*

5. *Do not send a letter.* Mail is not delivered on a timely basis.

The material related to the CPSIA, including a sample letter, the [guide to the CPSIA](#) and links to archived webinars addressing this law are available on the [Product Safety page](#) of the PPAI website.

Promotional products are an essential element in the marketing mix. Adding your message to a tangible product turns an ordinary message into a marketing experience your audience can see, touch, hear, smell and even taste. Promotional products are the only way to make a sensible—and memorable—impression.

For more information about Promotional Products Association International (PPAI) or to learn more about the proven power of promotional products (including research and case studies), visit the PPAI website at [www.ppai.org](http://www.ppai.org) or contact PPAI at 972-258-3041 or [PR@ppai.org](mailto:PR@ppai.org). PPAI—the promotional products industry’s only international not-for-profit trade association—offers education, publications, tradeshow, business products and services, mentoring, technology and legislative support to its more than 7,500 global members. Promotional products are more than a \$19.4 billion industry and include wearables, writing instruments, calendars, drinkware and many other items, usually imprinted with a company’s name, logo or message. PPAI created and maintains the UPIC (Universal Promotional Identification Code), the industry’s only free identification system and universal company database.

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