



# U.S. Regulation of Toys and Children's Products

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for the GCC Standardization Organization

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**Consumer Product Safety Commission**

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This presentation has not been reviewed or approved by the  
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# Overview

- Requirements for Toys under the Federal Hazardous Substances Act (FHSA)
- New Requirements under the Consumer Product Safety Improvement Act (CPSIA)
- Mandatory Toy Standards  
ASTM F963-2008 with toy chest provision (previously voluntary)

# Key Mandatory Toy Standards

- **Small Parts Requirements** 16 C.F.R. Part 1501.
- **CSPA Labeling Requirements** 16 C.F.R. § 1500.19 and  
16 C.F.R. § 1500.121.
- **Art Material Requirements** 16 C.F.R. § 1500.14(b)(8).
- **Lead-in-Paint** 16 C.F.R. Part 1303.
- **Electrically Operated Toys /  
Children's Products** 16 C.F.R. Part 1505.
- **Sharp Points /  
Edge Requirements** 16 C.F.R. § § 1500.48/49.

# Age Grading of Toys

- Age grading
  - matches the attributes of the toy to the capabilities of the child.
  - is used to determine the appropriate tests to which your product must comply.
- When determining whether the age grade on the product is appropriate the Commission considers;
  - the manufacturer's labeling on the product, if it is reasonable;
  - whether the product is advertised, promoted and marketed for that age child;
  - whether the product is commonly recognized by consumers as being intended for that age child;
  - *Age Determination Guidelines* – September 2002.

# CPSIA Requirements

- **Section 101** Children's Products Containing Lead; Lead Paint Rule
- **Section 102** Mandatory Third Party Testing for Certain Children's Products
- **Section 103** Tracking Labels for Children's Products
- **Section 105** Labeling Requirement for Advertising Toys and Games
- **Section 106** Mandatory Toy Safety Standards (ASTM F963–2008, including toy chests from 2007)
- **Section 108** Phthalate Requirements

# CPSIA Section 102: Certification

- Most consumer products that are subject to mandatory standards or bans must be ***certified*** as in compliance with each applicable requirement.
  - Domestic products: **manufacturer** must certify
  - Imported products: **importer** must certify
- ***Children's products*** must be certified based on testing performed by a CPSC-approved and accredited **third party** testing lab

# Third Party Testing and Certification for Children's Toys Subject to Small Parts

- Toys intended for children under three (3) years of age must meet requirements for small parts (as received and after testing).
- Toy is subject to use and abuse testing based on the intended “age grade” of the product and not produce small parts. Testing is performed by a CPSC-approved and accredited third party testing lab.
- Based on that test, the importer or manufacturer must issue a certificate of conformity that certifies the product complies with small parts requirements.
  - The certificate must accompany each shipment when it enters U.S. commerce and must be furnished to the retailer or distributor.

# CPSIA Section 103: Tracking Labels

- For all children's products manufactured after August 14, 2009
- **Permanent markings** are required on the package and on the product
  - Location and date of production manufacturer
  - Cohort information
  - Batch, run number or other identifying characteristics
  - Identifying mark determined by the manufacturer to facilitate source of the product

# CPSIA Section 106: Mandatory Toy Standards

- Most provisions of **ASTM F963-07** became mandatory for toys made after February 10, 2009
- Commission accepted most provisions and **ASTM F963-08** became mandatory for toys made after August 17, 2009 (did not accept the deletion of toy box provision)

# Partial List of Requirements in ASTM F963-08

- Sound Producing Toys
- Battery-Operated Toys
- Small Objects
- Stuffed and Beanbag-type Toys
- Projections
- Marbles and Balls
- Folding Mechanisms and Hinges
- Hemispheric-Shaped Objects
- Cords and Elastics in Toys
- Yo-Yo Elastic Tether Toys
- Wheels, Tires, and Axles
- Magnets
- Pacifiers
- Balloons
- Projectile Toys
- Certain Toys with Spherical Ends
- Rattles
- Teethers and Teething Toys
- Squeeze Toys

# Summary

- **Know your products** and **know the regulations** for the products that you manufacture or import.
- Requirements for toys are based on the product and its intended age group. Toys for young children must meet the most stringent tests.
- Testing and certification prevents dangerous toys that might injure children from entering U.S. commerce