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Consumer Product Safety Improvement Act

The Consumer Product Safety Improvement Act of 2008, which was enacted on August 14, 2008, imposes new obligations on manufacturers, importers and private labelers of children's products, defined to include all products intended for children 12 years of age and younger.

The following outlines the requirements of the Consumer Products Safety Improvement Act (CPSIA) as it pertains to footwear and apparel.

General Certification of Conformity (GCC)

A GCC is required on all children's products (shoes and apparel) and on adult apparel (not shoes).

The GCC is a required form and must be submitted with other entry documents at the time of shipment.

The GCC must be based on a test or a reasonable program of testing.

Third-party testing is required for goods manufactured 90 days after the CPSC has designated labs. Only labs designated to date are for lead paint. Third-party testing for lead likely will be in place in late summer 2009. A certificate will be required based on the third-party testing.

The GCC must contain the following:

- A product description sufficient to match the GCC to each product it covers and no others.

- The identification of each applicable standard, rule, ban or regulation.

- Name, full mailing address, telephone number of the importer.

Date and place of manufacture – month and year is sufficient.

Date of any test, identity, address and phone numbers of lab that conducted the test.

Name and full contact details of the individual responsible for maintaining test results.

Date the GCC was prepared.

A signature is not required; however, the certification must be in English.

Children's Footwear

Lead paint – 16 CFR § 1303 – The limit will be reduced to 90 ppm for products imported on and after August 14, 2009. Third-party testing for lead paint is required for children's products manufactured on or after December 21, 2008.

Sharp Edges (metal and glass) - 16 CFR § 1500.48/49 – This will require a third-party test 90 days after the CPSC has designated the accredited labs. Third-party testing will likely be required for children's products manufactured in February 2009.

Lead – The limit will be 600 ppm for products imported on and after February 10, 2009. The limit will be reduced to 300 ppm for products imported on and after August 14, 2009. The limit applies to each part or component. Third-party testing will be required for children's products manufactured in late summer 2009.

Children's Apparel

Lead paint – 16 CFR § 1303 – The limit will be reduced to 90 ppm for products imported on and after August 14, 2009. Third-party testing for lead paint is required for children's products manufactured on or after December 21, 2008.

Flammability – The following fabrics are exempt from testing:

Plain surface fabrics, regardless of fiber content, weighing 2.6 ounces per square yard or more; and

All fabrics, both plain surface and raised fiber surface textiles, regardless of weight, made entirely from any of the following fibers or entirely from combination of the following fibers: acrylic, modacrylic, nylon, olefin, polyester, wool.

Sharp Edges (metal and glass) - 16 CFR § 1500.48/49 – This will require a third-party test 90 days after the CPSC has designated the accredited labs. Third-party testing will likely be required for children's products manufactured in February 2009.

Lead – The limit will be 600 ppm for products imported on and after February 10, 2009. The limit will be reduced to 300 ppm for products imported on and after August 14, 2009. The limit applies to each part or component. Third-party testing will be required for children's products manufactured in late summer 2009.

Adult Apparel

Flammability – The following fabrics are exempt from testing:

Plain surface fabrics, regardless of fiber content, weighing 2.6 ounces per square yard or more; and

All fabrics, both plain surface and raised fiber surface textiles, regardless of weight, made entirely from any of the following fibers or entirely from combination of the following fibers: acrylic, modacrylic, nylon, olefin, polyester, wool.

Copies of the following forms are located in the International forms section of this guide:

GCC – Children's Apparel

GCC – Apparel (not children's products or exempt fabrics

Certificate of Compliance – Children's Footwear

As new requirements are put in place, we will advise of any new requirements.