



## **CPSIA STATEMENT**

The Consumer Product Safety Improvement Act (CPSIA) was passed by the United States Congress in August of 2008. The sections of the law applicable to the Promotional Products industry concern items that are classified as Children's Products. While all items featured in the 2011 Hit Promotional Products catalog are designed to meet applicable Federal regulations, they are not designed for, or intended for use by children. We do realize, however, that some of our products may fall under the CPSC's new definition of what a "Children's Product" is

### **Children's Product**

The term "children's product" means a consumer product designed or intended primarily for children 12 years of age or younger. In determining whether a consumer product is primarily intended for a child 12 years of age or younger, the following factors shall be considered:

- (A) A statement by a manufacturer about the intended use of such product, including a label on such product if such statement is reasonable.
- (B) Whether the product is represented in its packaging, display, promotion, or advertising as appropriate for use by children 12 years of age or younger.
- (C) Whether the product is commonly recognized by consumers as being intended for use by a child 12 years of age or younger.
- (D) The Age Determination Guidelines issued by the Commission staff in September 2002, and any successor to such guidelines

### **Third-Party Testing of Children's Products**

The new legislation imposes a third-party testing requirement for all consumer products primarily intended for children twelve years of age or younger. Every manufacturer (including an importer) or private labeler of a children's product must have its product tested by an accredited independent testing lab and, based on the testing, must issue a certificate that the product meets all applicable CPSC requirements.

Items in the 2011 catalog that are earmarked with the "**CPSIA Certified**" logo have been classified by our Product Safety team as Children's Products and have been tested by a CPSC approved 3<sup>rd</sup> Party laboratory for use by Children 3 years of age and up in accordance with ASTM F963-08 guidelines for "Toy Safety".

### **Lead in Paint**

The CPSIA has changed the acceptable levels of Lead in Paint and Surface Coatings for all consumer products from less than 600 ppm to less than 90 ppm effective August 2009. Hit Promotional Products items with painted surfaces have been and will continue to be in compliance with the applicable laws.



### **General Certification (GCC)**

The new legislation also increases the range of products that require testing and certification. Under prior law, certification was generally required only for consumer products subject to standards promulgated by the Commission under the Consumer Product Safety Act. Now, this general certification requirement has been extended to all products subject to bans as well as standards under the CPSA and to products subject to any similar rule, standard, ban, or regulation under any other Act enforced by the Commission. This general certification requirement is sometimes called a "supplier's declaration of conformity." These general conformity certifications do not need to be based on testing done by a third-party laboratory. Certification must be based on a test of the product or a "reasonable testing program." This new general certification requirement goes into effect on November 12, 2008.

Although the CPSC has put a stay on enforcement of the General Certificate of Compliance (GCC) requirement until December 31, 2011 Hit Promotional Products maintains GCC forms for all children's products in our line as well as products requiring general certification. These documents are available for download next to the corresponding product and can be found under the Compliance link in the Distributor Services section on our website, or can be furnished to customers upon request.