



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

VOTE SHEET

DATE: OCT - 9 2009

TO: The Commission
 Todd A. Stevenson, Secretary

THROUGH: Maruta Budetti, Executive Director *MB*

FROM: Cheryl A. Falvey, General Counsel *CAF*

SUBJECT: Statement of Policy: Testing and Certification of Lead in Children's Products

Attached is draft statement of policy providing guidance on the testing and certification of children's products for compliance with the lead content limits under section 101(a) of the Consumer Product Safety Improvement Act ("CPSIA").

Please indicate your vote on the following options.

- I. Approve the draft Statement of Policy and the issuance of the draft *Federal Register* Notice of Availability as drafted.

 Signature

 Date

- II. Approve the draft Statement of Policy and the issuance of the draft *Federal Register* Notice of Availability with the following changes (please specify):

 Signature

 Date

CPSA 6(b)(1) CLEARED for PUBLIC

NO MFRS/PRVTBLRS OR PRODUCTS IDENTIFIED *10/9/09*

EXCEPTED BY: PETITION RULEMAKING ADMIN. PRCDG

WITH PORTIONS REMOVED: _____

CPSC Hotline: 1-800-638-CPSC(2772) ★ CPSC's Web Site: <http://www.cpsc.gov>

Note: This document has not been reviewed or accepted by the Commission.
 Initials *RH* Date *10/9/09*

III. Do not approve the draft Statement of Policy or the issuance of the draft *Federal Register* Notice of Availability.

Signature

Date

IV. Take other action. (Please specify.)

Signature

Date

Attachments - Draft Statement of Policy: Testing and Certification of Lead in Children's Products; Draft *Federal Register* Notice of Availability

[Billing Code 6355-01-P]
CONSUMER PRODUCT SAFETY COMMISSION

Notice of Availability of a Statement of Policy: Testing and Certification of Lead in Children's Products

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of Availability.

SUMMARY: The Consumer Product Safety Commission (Commission) is announcing the availability of a document titled, "Statement of Policy: Testing and Certification of Lead in Children's Products." The document provides guidance on complying with the Consumer Product Safety Improvement Act (CPSIA).

ADDRESSES: The Statement of Policy is available from the Commission's website at **[INSERT CITE]**. Copies may also be obtained from the Consumer Product Safety Commission, Office of the Secretary, Room 502, 4330 East-West Highway, Bethesda, Maryland 20814; 301-504-7923.

FOR FURTHER INFORMATION CONTACT: Hyun Sun Kim, Office of the General Counsel, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7632; hkim@cpsc.gov.

SUPPLEMENTARY INFORMATION:

The CPSIA was enacted on August 14, 2008 (Publ. L. 110-314). Section 101(a) of CPSIA provides that products designed or intended primarily for children 12 years old

and younger that contain more than 600 ppm of lead (as of February 10, 2009), 300 ppm of lead (as of August 14, 2009); or 100 ppm after three years (as of August 14, 2011), unless the Commission determines that it is not technologically feasible to have this lower limit, are considered to be banned hazardous substances under the Federal Hazardous Substances Act (FHSA). Unless granted a specific exclusion or determination, products and materials used to make children's products are subject to the lead limits and also to the testing and certification requirements of section 14(a) of the Consumer Product Safety Act (CPSA), as amended by section 102(a) of the CPSIA.

The Commission has prepared a document titled, "Statement of Policy: Testing and Certification of Lead in Children's Products." The document provides guidance on the testing and certification of children's products for compliance with the CPSIA. The Statement of Policy is available on the Commission's website at **[INSERT CITE]** and from the Commission's Office of the Secretary at the location listed in the **ADDRESSES** section of this notice.

Dated: _____

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