

By Tina Berres Filipski

TurboTest:



A PRODUCT SAFETY ROADMAP

NAVIGATING YOUR WAY THROUGH the product safety minefield can be tricky at best. One misstep can cost you—and your clients—in lost business, fines, product recalls or worse. To make the process easier and help eliminate any guesswork, PPAI has developed an intuitive on-line roadmap, PPAI Promotional Products TurboTest™, to help you more

easily determine which rules, regulations and tests apply to your product. It also includes web links for additional details at the various steps.

Introduced in August 2011, this comprehensive, yet simple-to-use tool is available only to PPAI members. Take a quick tour of how it works here—then try it yourself at www.ppai.org/turbotest.



What is it?



START



1. The first step is to define the product.

What is it? Where and how is it distributed? Who is the target audience? What does it look like? What does it do?

“With TurboTest, PPAI has created a unique and powerful solution to help every industry practitioner understand the myriad product safety rules we all face. We need a place to turn when confronted with customer questions and internal decisions.”
—Gene Geiger, MAS, Geiger





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Is It A Children's Product?

THE CONSUMER PRODUCT SAFETY IMPROVEMENT ACT (CPSIA) defines a children's product as a consumer product designed or intended primarily for use by children ages 12 years or younger. The CPSIA provided four factors to consider in order to make the determination. First is a statement by the manufacturer about the intended use of the product. This is typically an age grade or similar wording indicating the target audience of the item. The graphics used on the product packaging, its display case and other promotional or advertising media is important. How old are the models shown using the product? If they are children, you may have a children's product. One also needs to consider whether the product is commonly recognized by consumers as being intended for use by a child 12 years of age or younger. An example is a Slinky, Lego-like building bricks or stuffed animals. Even if distributed to adults, these items are commonly recognized as children's items. The fourth factor is CPSC's Age Determination Guidelines – Relating Children's Ages to Toy Characteristics and Play Behavior. This 300-plus-page document is available at www.cpsc.gov/businfo/adg.pdf. In addition, the Consumer Product Safety Commission (CPSC) has provided additional guidance and factors to consider: Size and shape of the item, materials used (soft plastic versus metal or glass), the number of parts and motor skills required to properly use the item and other factors.

If the item is a children's product, TurboTest will display numerous requirements including third-party testing by a CPSC-recognized lab. The CPSC website includes a list of labs and the tests currently requiring third-party testing. Find it at www.cpsc.gov/cgi-bin/labsearch.



2. Next, determine whether the item is a children's product or a general-use item.

Answer a series of questions starting with: Is the product intended primarily for children under age 12? If you don't know, the program prompts you with a list of determining factors (size, shape, materials, colors, number of parts, etc.) and references full resources on the website. If you're still not sure, it's recommended you continue on as if it's a children's product. If the item is not a children's product, there are still regulatory considerations but third-party testing may not be required.

“TurboTest is easy to use and provides sensible guidance in determining whether to test or not to test. Ultimately, the decision is up to the supplier and/or distributor, but provided with all the pertinent details, TurboTest makes the decision process much easier. Additionally, it reduces the fear and uncertainty surrounding the topic of product safety.”

—Tim Brown, MAS, Cintas



“When Congress passed the Consumer Product Safety Improvement Act in 2008, they created a confusing set of regulations that can be difficult for a lay person to wade through. PPAI’s TurboTest product safety roadmap is a great, simple-to-use tool to guide users on the standards a product must meet.”
 —Larry Whitney, Leed’s

3. It’s important to remember that even if third-party testing is not currently required, compliance to CPSC regulations is still mandatory. Children’s products require compliance to lead in paint and lead content, and to the small-parts regulation if intended for children under three years. Children’s products are subject to a series of use and abuse tests intended to simulate real-life-use scenarios, and evaluation of hazards such as sharp points and sharp edges before and after this testing. Children’s products must not be highly flammable. If they are toys—children’s products with play value—there are additional requirements in the ASTM F963 toy safety standard, and product materials must not contain phthalates. And all children’s products manufactured after August 14, 2009, require tracking label information.



Does Your Product Need A Design Review?

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4. If the product is not a children’s product, there still may be applicable regulations and testing requirements. TurboTest reminds you to consider all consumer product safety rules. The Flammable Fabrics Act has requirements for all wearable apparel as well as carpets and rugs. The Federal Hazardous Substances Act, while much is focused on children’s products, includes toxicity requirements for essentially all consumer products. The Consumer Product Safety Act regulates numerous adult items, including matchbooks and cigarette lighters. The FDA regulates food contact items such as drinking vessels and other tableware. It also regulates medical devices such as thermometers, toothbrushes and medicine droppers. The Poison Prevention Packaging Act deals with child-resistant medicine containers. Then there are FCC regulations for digital electronics, FTC requirements for labeling and more. So just because you don’t have a children’s product does not mean that there are not mandatory safety requirements for your product.



THIS ARTICLE HAS MENTIONED, in general terms, the various test requirements applicable to children’s products. The regulations themselves are minimum requirements, and there have been recalls and injuries associated with products that meet all of the regulations. The 2007 recalls of the magnetic toys are good examples of products that met all regulations but still presented a hazard and were recalled. If you are producing a children’s product, particularly if it is a unique type of product or one with which you are not familiar, a design evaluation or risk assessment of the item is recommended. While not a mandatory U.S. requirement, the CPSC strongly encourages a design review for any consumer product as noted in its 2006 Handbook for Manufacturing Safer Consumer Products. Risk assessments are a requirement of the recently updated European Toy Safety Directive, which requires that manufacturers use a risk assessment process to identify and resolve potential hazards before putting a toy on the market. There are numerous resources that are used in evaluating a product design, including injury and incident data, child development guidelines, anthropometry using the sizing tables in CHILDATA and behavioral observations of children with product.

5. General Conformity Certificates (GCCs) are currently required for these adult consumer products and must be based on a test of each item, or upon a reasonable testing program. While third-party testing may not be mandatory for non-children's products, some type of testing is required to demonstrate compliance. Keep clicking on the appropriate answer in TurboTest to see regulations by product category.



Is it flammable?

6. Apparel requires compliance under the Flammable Fabrics Act, for both adult and children's clothing textiles. And there are other regulatory requirements and quality-related issues for clothing. From a quality standpoint, tests can include seam strength (the force required to rupture a garment's seam), bursting or tensile strength (the force required to rupture the fabric) and others. While the quality tests may not be federally mandated, they may be required by some of your customers, or recommended if, for instance, you are considering a new supplier or have had customer complaints.



7. If you have a garment that is a children's product—intended primarily for use by a child age 12 or younger—the blank garment itself must comply with applicable CPSIA and other federal regulations. And the decorations must also comply. If decorative paint is used, it must comply with the lead-in-paint ban, and embellishments on the shirt, such as rhinestones or glitter, must comply with the lead-in-substrate requirement.



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8. For housewares and drinkware items, there are mandatory FDA regulations for food contact items, and all ingredients used in these items must be FDA approved. If the product is intended for children, compliance to the children's product regulations is also required.



“When in doubt about the compliance requirements for a product, TurboTest serves as a nice confirmation. I'm glad PPAI created this tool—it works great and the questions flow really well.”

—Cindy Lamson, 4imprint

What's My Role?

If You Are A Supplier:

You must ensure that product is in compliance with all mandatory regulations and that appropriate testing was performed to determine this compliance. If the item is a children's product, it must include tracking label information. As a domestic manufacturer or importer of record, the supplier should issue the Children's Product Certificate (CPC) or GCC for each CPSC-regulated product, and obtain the associated test reports to back-up that certification.

If You Are A Distributor:

Ask your supplier for compliance certifications. You do not want to place non-compliant products on the market and potentially damage your reputation. If you are directly sourcing a product without going through a supplier, you essentially become the importer of record and are responsible for the CPC and associated testing. Also, have a conversation with your client to ask, "Who is the intended audience of this campaign? Will this item be distributed to children?" If the item will be distributed to children, the supplier should be made aware. The distributor is the only link in the supply chain with access to this information and, therefore, must communicate it.

9. Pens are considered general-use items, as likely to be used by adults as by children—this includes even back-to-school pens or those with characters painted on them. If the pen has play value, or is decorated in a way that would make it unsuitable for an adult, then it could be considered a children's product or even a toy, and the applicable requirements would apply. Pens with suction cups or bobble heads may be considered children's products. There are also federal requirements for art materials, and writing instruments such as colored pencils, crayons or colored markers fall into the art material category.



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10. Luggage and bags should first be determined if they are children's products—based on size, decorations, theme or other features of the product. If a children's product, the standard children's product testing would apply: Lead in paint, lead in substrates, small parts if for children under three years, sharp points and edges, along with the use and abuse tests, and the tracking label requirement. If the bag has a cord, it not suitable for young children due to potential strangulation hazard. If they are intended to hold food, they must comply with applicable FDA requirements for food contact items. In addition, the State of California restricts lead in PVC food bags regardless of whether it is a children's product or not. Connecticut considers lunch bags to be packaging and has additional heavy metals restrictions.



11. Jewelry is a regulated product, for both adults and children. If considered children's jewelry, the standard children's product testing applies. There are also various state regulations that restrict lead in both adult and children's jewelry, and apply to both metal and non-metal components.

12. At the last step, TurboTest compiles the results of your answers and provides a handy summary of the requirements for the product in question, including links to GCC's and CPC's.



END

TurboTest is just one of the many product safety tools available through PPAI. Visit the PPAI website at www.ppai.org/productsafety for product guides, live and on-demand product safety webinars, links to CPSIA resources, FAQ's, tracking labels, international standards and more. 

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