

**Frequently Asked Questions (FAQs) Regarding
the US Consumer Product Safety Improvement Act of 2008 (CPSIA) –
Textiles and Clothing Products**

**(I) General Conformity Certification Requirement/
General Conformity Certificate (GCC)**

Q1. When does the general conformity certification requirement take effect and who must issue the GCC?

A1. GCC is required for all consumer products manufactured on or after 12 November 2008 which are subject to consumer product safety rule under the US Consumer Product Safety Act (CPSA) and any similar rule, ban, standard or regulation under any other Act enforced by the US Consumer Product Safety Commission (CPSC). For products manufactured outside the US, the GCC must be issued by the US importer. Neither a non-US manufacturer nor a private labeler is required to issue a certificate or be identified on the GCC.

Q2. What kind of information is required on the GCC?

A2. A GCC must contain the following information:

- (i) Identification of the product covered by the GCC.
- (ii) Identification of the consumer product safety rule under the CPSA and any similar rule, ban, standard or regulation under any other Act enforced by the CPSC that is applicable to the product.
- (iii) Identification of the importer (i.e., name, full mailing address, and telephone number) who is certifying compliance of the product on the GCC.
- (iv) Contact information (i.e., name, email address, full mailing address, and telephone number) for the individual who is maintaining records of test results. *(In this connection, CPSC suggests that test records supporting the certification should be maintained for at least three years as is currently required by certain consumer product specific CPSC standards.)*
- (v) Date (month and year at a minimum) and place (including city and state, country, or administrative region) where the product was manufactured. If the same manufacturer operates more than one location in the same city, the street address of the factory in question should be provided.
- (vi) Date and place (including city and state, country or administrative region) where the product was tested for compliance with the regulation(s) cited above in (ii).
- (vii) Identification of any third party laboratory (i.e., name, full mailing address and telephone number) on whose testing the GCC depends.

Q3. On what does a GCC have to be based?

A3. The GCC must be issued based on a test of each product or a reasonable testing program.

Q4. Where must a GCC be filed? Must each shipment be “accompanied” by a certificate? Can electronic certificates be used to meet the requirements?

A4. A GCC does not have to be filed with the government. However, the CPSIA requires that each import shipment be “accompanied” by the required GCC. Electronic submission is allowed. Under the rule issued by the CPSC, an electronic GCC is “accompanying” a shipment if the GCC is identified by a unique identifier and can be accessed via a World Wide Web URL or other electronic means, provided the URL or other electronic means and the unique identifier are created in advance and available with the shipment. GCCs can also be transmitted electronically to a broker with other customs entry documents before a shipment arrives so long as they are available to the CPSC or the US Customs and Border Protection (CBP) staff if the product or shipment is inspected.

Q5. What are the CPSC’s consumer product safety rule(s), ban(s), standard(s) or regulation(s) applicable to textiles and clothing (T&C) products?

A5. Standards and rules such as those under the Flammable Fabrics Act (FFA) and the Federal Hazardous Substance Act are applicable to T&C products. The following are examples of flammability standards for T&C products:

- Standard for the flammability of clothing textiles (16 CFR¹ Part 1610)
- Standard for the flammability of vinyl plastic film (16 CFR part 1611)
- Standard for the flammability of children’s sleepwear: Sizes 0 through 6X (16 CFR part 1615)
- Standard for the flammability of children’s sleepwear: Sizes 7 through 14 (16 CFR part 1616)
- Standard for the surface flammability of carpets and rugs (16 CFR part 1630)
- Standard for the surface flammability of small carpets and rugs (16 CFR part 1631)
- Standard for the flammability of mattresses and mattress pads (16 CFR part 1632)
- Standard for the flammability (open flame) of mattress sets (16 CFR part 1633)

Certain T&C products are subject to a standard but exempt from the relevant testing. However, they are still subject to the GCC requirement. For example, a GCC is required for certain plain surface fabrics and raised surface fabrics made of acrylic, modacrylic, nylon, etc. which are exempt from testing under the Standard for the flammability of clothing textiles. On the other hand, hats, veils with hats, gloves, footwear, and handkerchiefs, etc. are exempt from the Standard for the flammability of clothing textiles. As such, GCC to this standard is therefore not required for these products.

Details of the abovementioned flammability standards can be accessed at:

<http://www.access.gpo.gov/nara/cfr/cfr-table-search.html#page1>

CPSC’s product safety standards and guidance can be browsed at:

<http://www.cpsc.gov/cgi-bin/regs.aspx>

¹ Title 16, Code of Federal Regulations

Q6. Does GCC apply to adult's T&C products?

A6. GCC is not confined to children's products only. If not exempt, both adult's and children's T&C products are generally subject to at least the standards and rules under the Flammable Fabrics Act (FFA) [i.e., one of the CPSC's consumer product safety rule(s), ban(s), standard(s) or regulation(s)]. Therefore, if manufactured on or after 12 November 2008, adult's T&C products are also subject to the GCC requirement.

(II) Third Party Testing Requirement

Q1. What is third party testing requirement?

A1. Products subject to the third party testing requirement must be:
(a) tested by an accredited third party testing laboratory; and
(b) accompanied by a certificate to certify that the products concerned have complied with the applicable CPSC's consumer product safety rule(s), ban(s), standard(s) or regulation(s).

Q2. What kinds of products are subject to the third party testing requirement? When will the requirement be effective?

A2. The third party testing requirement is applicable for all children's products (i.e., consumer products designed or intended primarily for children 12 years of age or younger) which are subject to CPSC's consumer product safety rule(s), ban(s), standard(s) or regulation(s). Since CPSC will phase in the requirement, different categories of children's products will have different effective dates.

So far, CPSC has announced the schedule for the following 3 types of products:

Products	Effective Date for Mandatory Third Party Testing Requirement
Products with lead paint	22 Dec 2008
Cribs and pacifiers	21 Jan 2009
Products with small parts	16 Feb 2009

CPSC is expected to release further details for the remaining types of children's products with a schedule as follows:

Products	Expected Date for CPSC's Further Announcement
Children's metal jewellery	Dec 2008
Baby bouncers, walkers and jumpers	Mar 2009
Products subject to other CPSC's products safety rules	Jun 2009

By September 2009, the third party testing requirement will become mandatory for all the children's products concerned.

Q3. Does the third party testing requirement apply to adult's T&C products?

A3. No, the requirement is for children's products only.

Q4. When will children's wearing apparel be subject to the third party testing requirement? What kinds of testing will be needed?

A4. If lead paint (e.g., with painted buttons, buckles, zippers, ornaments, etc.) is present, the children's wearing apparel concerned will be under the first batch subject to the third party testing requirement starting from 22 December 2008. *[In this connection, traders must note that the current lead paint limit (i.e., maximum of 0.06% lead by weight) will be lowered to 0.009% lead by weight on 14 August 2009.]* Otherwise, children's wearing apparel are generally believed to fall under the last batch (i.e., products subject to other CPSC's products safety rules). Hence, the third party testing requirement is expected to become mandatory by September 2009. For the implementation details, including the kinds of testing needed, it is necessary to await CPSC's further announcements.

Q5. Where can I find the list of accredited laboratories?

A5. The CPSC has established an electronic accreditation acceptance and registration system. The list of accredited laboratories can be accessed via the CPSC's website at <http://www.cpsc.gov/businfo/labaccred.html>.

Note: The above FAQs are unofficial interpretations of various features of CPSIA and do not replace or supersede the statutory requirements of the US legislation. While every effort is made to ensure the accuracy of the above information, the Department cannot guarantee this to be so and will not be held liable for any reliance placed on the same.