

Children are potentially being put at risk by the Consumer Product Safety Improvement Act

The Consumer Product Safety Improvement Act (CPSIA) is a law that is designed to keep potentially unsafe children's products from reaching the marketplace. Yet a loophole exists in the testing rules of the CPSIA that can allow these products to be sold or re-sold legally.

The CPSIA defines the maximum amount of lead permitted in a consumer product designed and marked to children 12 years of age or younger as follows: "600 parts per million total lead content by weight for any part of the product." The CPSIA mandates that manufacturers of children's products are required to receive a general certificate of conformity (GCC) from an approved third party accredited laboratory which utilizes standard ASTM F963. The ASTM F963 standard uses a weak acid test that mimics ingestion; it provides information on the soluble or leachable quantity of lead in the product, **NOT** the total lead content. Manufacturers following the rules are receiving information about the leachable/soluble amount of lead **NOT** the total lead content, as stated in the law.

The CPSIA is looking for total lead content; however the declared standard testing procedure tests do not test total lead content.

In a recent study, ESSCO Safety-Check studied PVC toys and their ability to leach lead and other metals during normal use. In a comparison between the *soluble/leachable* lead content and total lead content in toys, they used two different testing methods – for soluble lead content they used the ASTM F963 standard, for total lead, they used a combination of strong mineral acids called a "bomb", a testing method for acquiring total lead content.

In one particular test of a PVC toy, the results of the soluble content were 50 parts per million (PPM). The total lead content was 7000 PPM, 140 times higher than the results of the soluble lead content. By using the current standard for CPSIA testing (ASTM F963) this particular product, which contained more than ten times the legal standard, passed inspection and could receive a GCC and be sold or re-sold in the market.

Due to this disparity between the specific goals of the law and the applicable testing standards, products can possibly get to market with illegally high amounts of total lead content. The rules of the CPSIA need to change and mandate total content testing instead of soluble content testing.

The CPSIA's intent is to protect children. By using the proper testing method to screen for total lead content, the CPSIA will protect our children while enforcing the written language and goals of the law.

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