



## Consumer Federation of America

### **The Consumer Product Safety Improvement Act**

The Consumer Product Safety Improvement Act (CPSIA)<sup>1</sup> was signed into law on August 14, 2008. This critical new law makes consumer products safer by requiring that toys and infant products be tested to mandatory standards before they are sold, and by practically eliminating lead and banning phthalates in children's products. The law also creates the first comprehensive publicly accessible consumer incident database – [www.saferproducts.gov](http://www.saferproducts.gov), gives the CPSC the resources it needs to protect the public, increase civil penalties that CPSC can assess against violators of CPSC laws, and protects whistleblowers who report product safety defects. The CPSIA includes the most significant improvements of the Consumer Product Safety Commission since the agency was established in the 1970's.

#### **Before the CPSIA was passed:**

- CPSC did not have the resources or authority it needed to adequately protect consumers from unsafe products.
- Millions of toys were recalled because they contained excessive levels of lead.
- Existing lead laws were inadequate.
- Millions of cribs were recalled for failing to provide safe sleep environments for infants.
- Existing voluntary standards for infant and durable products were not protecting children.
- Children's products were not required to be tested before they were sold.
- Consumers did not have access to important safety information about consumer products.
- Our ports were not being adequately monitored to prevent unsafe products from entering the United States.

#### **The Consumer Product Safety Improvement Act of 2008 changes and improves the safety of products sold in the United States:**

- Lead is substantially reduced in toys and children's products.
  - The new lead limits were phased in over three years to allow manufacturers and retailers sufficient time to comply.
  - As of February 2009, products designed or intended primarily for children age 12 years and younger could contain no more than 600 parts per million (ppm) of lead; this standard was then lowered to 300ppm in August 2009; and the standard was again lowered in August of 2011 to 100ppm after the CPSC found that 100 ppm was technologically feasible.
  - Any children's product on the market that does not comply with the new lead standards will be considered a banned hazardous substance.
- Consumers now have access to a publicly-accessible database—[www.saferproducts.gov](http://www.saferproducts.gov)--to report to and research hazards posed by unsafe products.

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<sup>1</sup> Public Law 110-314—AUG. 14, 2008

- Toys and other children's products will be required to be tested for safety before they are sold.
- Mandatory standards for infant and toddler durable products are required to be promulgated.
  - The United States now has the strongest crib safety standards in the world.
  - Standards have also been promulgated for play yards, bath seats, portable bed rails, infant walkers and toddler beds.
  - Standards will be promulgated for high chairs, booster chairs, hook on chairs; gates and other enclosures; stationary activity centers; infant carriers; strollers; walkers; swings; and bassinets and cradles, changing tables, infant bath tubs, and infant slings.
- Toxic phthalates are banned from children's products.
- Mandatory standards for toys have been implemented.
- Cribs used in daycare centers and hotels have to meet strong safety standards.
- Product registration cards and a means to register online are required for certain infant and toddler durable products.
- State Attorneys General have the necessary authority to enforce product safety laws.
- CPSC has the authority to levy more significant civil penalties against violators of its safety regulations, which will help deter wrongdoing.
- Whistleblowers will be granted important protections.
- CPSC received substantial increases in its resources – including its staffing levels, its laboratory and computer resources and its various authorities to conduct recalls and take other actions.
- CPSC has been able to address product safety at U.S. ports.