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CPSC UPDATE

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The next round of changes to the consumer product safety laws will take effect on August 14, 2009 as required by the Consumer Product Safety Improvement Act of 2008 (“CPSIA”). Pursuant to the CPSIA, the current allowable lead limits will be significantly reduced. In addition, the tracking label requirements will take effect along with increased civil penalties, as summarized below:

1. Reductions to Lead Limits

Ban	Current Lead Limit	New Limit (as of 8/14/09)	Scope
Lead Paint Ban	600 ppm	90 ppm	Applies to paint for consumer use as well as children’s articles and furniture (for both adult & children) that bear paint and similar surface coatings. Merchandise which does not meet this lower standard cannot be sold on or after August 14, 2009.
Lead Substrate Ban	600 ppm	300 ppm	Applies to any accessible part of children’s products. Merchandise which does not meet this lower standard cannot be sold on or after August 14, 2009.

- 2. Tracking Labels:** All children’s products manufactured on or after August 14, 2009 are required to comply with the new tracking label requirements.
- 3. Penalties:** Section 217 of the CPSIA increases the maximum civil penalty amounts effective one year from the date of enactment (i.e., 8/14/09) or the date on which final regulations are issued by the CPSC. Therefore, unless regulations are issued earlier, as of August 14, 2009 civil penalties will increase to \$100,000 for each violation (up from \$8,000), with a maximum of \$15,000,000 in total violations (up from \$1,825,000).

Please feel free to contact this office for additional information.