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**CPSC DETERMINES THAT TEXTILES DO NOT EXCEED LEAD CONTENT LIMITS**

By: David J. Evan ([devan@gdlsk.com](mailto:devan@gdlsk.com))

The Consumer Product Safety Commission (“CPSC”) has issued a final rule in today’s Federal Register stating that textiles and certain other products and materials which are used to make children’s products inherently do not exceed the lead content limits as set forth in Section 101(a) of the CPSIA. The result of this finding is that such materials will no longer be subject to the testing requirements as set forth in Section 102(a) of the CPSIA.

The text of the final rule states that the following materials do not exceed the lead content limits provided that these materials have neither been treated or adulterated with the addition of materials that could result in the addition of lead into the product or material:

1. Textiles (excluding after-treatment applications, including screen prints, transfers, decals, or other prints) consisting of:
  - a. Natural fibers (dyed or undyed) including, but not limited to, cotton, kapok, flax, linen, jute, ramie, hemp, kenaf, bamboo, coir, sisal, silk, wool (sheep), alpaca, llama, goat (mohair, cashmere), rabbit (angora), camel, horse, yak, vicuna, qiviut, guanaco;
  - b. Manufactured fibers (dyed or undyed) including, but not limited to, rayon, azlon, lyocell, acetate, triacetate, rubber, polyester, olefin, nylon, acrylic, modacrylic, aramid, spandex.
2. In addition to textiles, CMYK<sup>1</sup> process printing inks do not exceed the lead limits (however this excludes spot colors, other inks that are not used in CMYK process, inks that do not become part of the substrate under 16 CFR part 1303, and inks used in after-treatment applications, including screen prints, transfers, decals, or other prints).

With regard to wearing apparel, it is important to note that this finding only applies to the textile portion of the product. It does not include any surface applications on the fabric (e.g., screen prints, decals, etc.) which would still be subject to the lead paint ban. Moreover, non-textile components such as zippers, buttons, plastic trim, etc., continue to be subject to the lead content and lead paint limits as well as the testing and certification requirements.

Please feel free to contact this office for additional information.

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<sup>1</sup> CMYK refers to the four inks used in most color printing: cyan, magenta, yellow, and key (black).