

Product Safety Compliance Update



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Introduction

Washington will add CHCCs into CPSA

Washington State is considering adding some chemicals to the reporting requirements under the Children's Safe Products Act (CSPA).



Laws and Regulations Updated

CPSC Approved Toys Safety Standard ASTM F963-16

The U.S. Consumer Product Safety Commission (CPSC) has published a Direct Final Rule (16 CFR 1250) to mandate of ASTM F963-16 Standard Consumer Safety Specification for Toy Safety on February 2, 2017.

EU Approves New Restrictions of REACH Regulation

The European Commission has published Commission Regulation (EU) 2017/227 amending Annex XVII to REACH Regulation (EC) No 1907/2006

Washington State is considering adding some chemicals to the reporting requirements under the Children’s Safe Products Act (CSPA). Washington State Department of Ecology and Health have completed a preliminary review and evaluation of considered for addition to or delisting from the list of chemicals of high concern to children (CHCCs) during the CSPA Reporting rulemaking(Adding 18 chemicals and delisting 3 chemicals). Ecology expects to submit the formal rule proposal (the CR102) March 22, 2017.



Washington Considering Adding CHCCs to the Reporting Requirements

CAS Number	Acronym	Chemical Name
ADDITION		
78-33-1	TBPP	Tris(p-tert-butylphenyl) phosphate
80-09-1	BPS	Bisphenol S
84-61-7	DCHP	Dicyclohexyl phthalate
84-69-5	DIBP	Diisobutyl phthalate
115-86-6	TPP	Triphenyl phosphate
126-72-7	TDBPP	Tris (2,3-dibromopropyl) phosphate
126-73-8	TNBP	Tri-n-butyl phosphate
335-67-1	PFOA	Perfluorooctanoic acid
620-92-8	BPF	Bisphenol F
1241-94-7	EHDPP	Ethylhexyl diphenyl phosphate
1330-78-5	TCP	Tricresyl phosphate
13674-84-5	TCPP	Tris (2-chloroisopropyl) phosphate
26040-51-7	TBPH	Bis (2-ethylhexyl) 2,3,4,5-tetra bromophthalate
38051-10-4	V6	V6 - Phosphoric acid, P,P’-[2,2-bis(chloromethyl)-1,3-propanediyl] P,P,P’,P’-tetrakis(2-chloroethyl) ester
68937-41-7	IPTPP	Isopropylated triphenyl phosphate
84852-53-9	DBDPE	Decabromodiphenyl ethane
85535-84-8	SCCP	Short-chain chlorinated paraffins
183658-27-7	TBB	2-ethylhexyl-2,3,4,5-tetrabromobenzoate

DELIST

85-44-9		Phthalic anhydride
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7439-98-7	Mo	Molybdenum
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CPSC Approved 16 CFR 1250 to Mandate Toys Safety Standard ASTM F963-16

The U.S. Consumer Product Safety Commission (CPSC) has published a Direct Final Rule (16 CFR 1250) to mandate of ASTM F963-16 Standard Consumer Safety Specification for Toy Safety on February 2, 2017. This regulation shall become effective on 30 April 2017 and applies to all toys manufactured on or after that date.

According to 16 CFR 1250, toys shall comply with the provisions of ASTM F963-16. However, pursuant to section 106(a) of the Consumer Product Safety Improvement Act (CPSIA) of 2008, section 4.2 (Flammability) and Annex 5 (Flammability Testing Procedure for Solids and Soft Toys) or any provision of ASTM F963 that restates or incorporates an existing mandatory standard or ban promulgated by the Commission or by statute or any provision that restates or incorporates a regulation promulgated by the Food and Drug Administration (FDA) or any statute administered by the FDA are not mandatory.

The CPSC will accept testing to support product certifications for sections in ASTM F963-16 if the laboratory is already CPSC-accepted to those same sections in ASTM F963-11. Testing laboratories that conduct testing to support product certifications to ASTM F963-16 must show in their test reports "ASTM F963-16" and the specific section numbers in the standard to which the product was evaluated.

There are two new sections in ASTM F963-16, section 4.41 for Toy Chests and section 4.4 Expanding Materials. For the section 4.41 Toy Chests, CPSC will accept testing if the laboratory is already CPSC-accepted for ASTM F963-07e1, Section 4.27 for Toy Chests. For the section 4.40 Expanding Materials, CPSC will accept product testing for certification, if the testing laboratory is already CPSC-accepted for ASTM F963-11, section 4.6 for Small Parts and 4.24 for Squeeze Toys.



EU Approves Restrictions on DecaBDE under Annex XVII of REACH Regulation

The European Commission has published Commission Regulation (EU) 2017/227 amending Annex XVII to REACH Regulation (EC) No 1907/2006 by adding entry 67 for decabromodiphenyl ether (decaBDE) on 10 February 2017. This Regulation shall enter into force on 2 March 2017, and the restrictions for decaBDE shall be fulfilled by 2 March 2019.

Substance	Restriction
Bis(pentabromophenyl)ether (decabromodiphenyl ether; decaBDE) CAS No 1163-19-5 EC No 214-604-9	<ol style="list-style-type: none"> 1. Shall not be manufactured or placed on the market as a substance on its own after 2 March 2019. 2. Shall not be used in the production of, or placed on the market in: <ol style="list-style-type: none"> (a) another substance, as a constituent; (b) a mixture; (c) an article, or any part thereof, in a concentration equal to or greater than 0,1 % by weight, after 2 March 2019. 3. Paragraphs 1 and 2 shall not apply to a substance, constituent of another substance or mixture that is to be used, or is used: <ol style="list-style-type: none"> (a) in the production of an aircraft before 2 March 2027. (b) in the production of spare parts for either of the following: <ol style="list-style-type: none"> (i) an aircraft produced before 2 March 2027; (ii) motor vehicles within the scope of Directive 2007/46/EC, agricultural and forestry vehicles within the scope of Regulation (EU) No 167/2013 of the European Parliament and of the Council(*) or machinery within the scope of Directive 2006/42/EC of the European Parliament and of the Council(**), produced before 2 March 2019. 4. Subparagraph 2(c) shall not apply to any of the following: <ol style="list-style-type: none"> (a) articles placed on the market before 2 March 2019; (b) aircraft produced in accordance with subparagraph 3(a); (c) spare parts of aircraft, vehicles or machines produced in accordance with subparagraph 3(b); (d) electrical and electronic equipment within the scope of Directive 2011/65/EU. 5. For the purposes of this entry 'aircraft' means one of the following: <ol style="list-style-type: none"> (a) a civil aircraft produced in accordance with a type certificate issued under Regulation (EU) No 216/2008 of the European Parliament and of the Council(***) or with a design approval issued under the national regulations of a contracting State of the International Civil Aviation Organisation (ICAO), or for which a certificate of airworthiness has been issued by an ICAO contracting State under Annex 8 to the Convention on International Civil Aviation; (b) a military aircraft.