



## CPSIA UPDATE

January 11, 2012

As you are aware, with the expiration of the stay on third party testing and certification requirements at the end of 2011, the Consumer Product Safety Improvement Act (CPSIA) became fully operational on January 1, 2012. Since our last communication there have been developments providing relief under CPSIA from what was originally proposed. Specifically, Congress amended CPSIA exempting “ordinary” children’s books and other printed materials bound and finished in a conventional manner intended for children over the age of 3 from the third party testing and certification requirements. Third party testing and certification is required for books intended for children age 3 or under and for books “with play value” intended for children age 12 or under.

Previously, the Consumer Product Safety Commission (CPSC) issued a Statement of Policy that exempted paper, CMYK inks, and animal glue from testing. These changes and the CPSC rules regarding “inaccessible parts” mean that many books are exempt from the third party testing and certification requirement of CPSIA.

We believe that our publishing customers are in the best position to know the primary intended audience for their book products and, accordingly, effective immediately, we will ask that you indicate on your purchase order whether the cover component or book to be produced by Lehigh Phoenix will be used for:

A book/printed material intended for children age 12. If yes, indicate if it is

- A. Intended for children age 3 or under, or
- B. Intended for children age 12 or under with “play value”.

Specific guidance has not been provided to date on the interpretation of “play value” or determining whether a book is intended for a child age 3 or under; however we trust the publishers will establish guidance within their own organizations that will dictate their classifications, taking into account the existing guidance provided by CPSIA and the CPSC.

When you indicate that the cover component/book is intended for a child age 3 or under or that a book is intended for a child 12 or under and has “play value”, then Lehigh Phoenix will be required to send sample copies of the material produced by it to an independent lab for third party testing. The cost for the testing, which in our experience would indicate a single test to be in the \$400 range, will be separately stated on your invoice. Our experience has also been that the testing on average takes 2-3 weeks depending on the lab. It may be possible to expedite the testing for an additional cost. Please understand that if third party testing is required we cannot ship the final product to you until the testing has been completed. Once conformity is confirmed by the testing a certificate will be issued with the shipment. We will only be issuing certificates for books/printed material that are classified under the A or B categories above.

Please also recall that all books/printed material intended for children 12 and under must allow purchasers to obtain certain information regarding the manufacturer, location, and date of manufacture, and accordingly, the previously established process whereby you provide the requisite information to be printed on the book or component that will allow the purchaser to ascertain the location and date of production and cohort information (including a code, number or other identifying characteristic) must continue to be followed for all books intended for children age 12 and under.

As has been the case since CPSIA was initiated, we will work with you to address the requirements of CPSIA.

If you have any questions regarding the process, please e-mail Brian McGonigle at: [bmcgonigle@lehighphoenix.com](mailto:bmcgonigle@lehighphoenix.com).

Thank you for your consideration.