

**Product Responsibility  
Best Practices**

<b>SUBJECT</b> Balloon Product Responsibility		<b>LAST UPDATE</b> March 1, 2016
<b>APPLIES TO</b> • Suppliers • Distributors	<b>FOCUS ON</b> The federal and state requirements that apply to balloons distributed in the United States	
<b>QUICK LINKS</b> • PPAI Corporate Responsibility: <a href="http://www.ppai.org/inside-ppai/corporate-responsibility/">www.ppai.org/inside-ppai/corporate-responsibility/</a> • UL: <a href="http://industries.ul.com/premiums-promotional-and-licensed-goods">industries.ul.com/premiums-promotional-and-licensed-goods</a> • Consumer Product Safety Commission: <a href="http://www.cpsc.gov">www.cpsc.gov</a>		
Available For Purchase: PPAI Sourcing And Compliance Manual: <a href="http://www.ppai.org/shop/product-safety">www.ppai.org/shop/product-safety</a>		

*Italic grey text indicates a hyperlink listed in the Online Resources section of this document.*

**Background**

While balloons are generally considered toys, they are inappropriate for children younger than 8 years old, according to CPSC’s age determination guidelines. Thus, they should never be given to children under that age.

**Balloon Requirements**

**Mechanical Hazards:** Toys and children’s products cannot have accessible, potentially hazardous sharp points or sharp edges. It is not likely that a balloon will cause a sharp point or edge hazard, but other components that are sold with balloons should meet the requirements.

**Small Part Requirement:** Balloons are exempt from the small parts requirement under **16 CFR 1501**. However, any components sold with the balloon must comply. This pertains to choking, ingestion, or inhalation hazards to children younger than 36 months (three years) that could be created by small parts or objects.



ASTM F963-11 has specific labeling requirements for balloons (ASTM F963, Sec. 5.11.5, 5.11.7 & 5.11.7.2). The requirements state that the package of a

balloon or of a toy or game that contains a balloon shall bear the alert symbol (an exclamation point surrounded by an equilateral triangle) followed by this warning:

**“WARNING: Choking Hazard—**  
**Children under 8 yrs. can choke or suffocate on uninflated or broken balloons. Adult supervision required. Keep uninflated balloons from children. Discard broken balloons at once.”**

The warning is intended to address uninflated and broken balloons which can be a choking hazard. Testing would not include checking for small parts before and after use and abuse as would typically be the case for other children’s products and toys. This requirement is applicable before and after use and abuse testing to determine the accessibility of small objects or pieces that break off or are removed from the product.

**Bite Test:** This is required for mouth-actuated toys, including balloons. Toys intended for the mouth are tested at 100 pounds of force, evenly applied for 5 seconds and maintained for an additional 10 seconds.

**Additional Mandatory Requirements:** Toys must be made from new or reprocessed materials and must be visibly clean and free from infestation. This would apply to all toys, including balloons.

There is specific safety labeling for packages contain latex balloons and toys and games that contain latex balloons. All must comply with the labeling requirements prescribed by 16 CFR 1500.19. *(Note that there is a specific size and format for this labeling requirement and details can also be found in 16 CFR.)*

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**Children under 8 yrs. can choke or suffocate on uninflated or broken balloons. Adult supervision required. Keep uninflated balloons from children. Discard broken balloons at once.”**

**Flammability:** Compliance with the flammability standard is required for toys and children’s products. A manufacturer’s decision on the performance of an item should be based on a minimum of four test samples, which will provide the opportunity for detecting variations in the product.

A product is considered a flammable solid if it ignites and burns along its major axis with a self-sustaining flame at a rate greater than 0.1 inches per second. If the burn rate of all the samples is less than 0.1 inches per second, the result is considered passing and can be accepted by the manufacturer.

**Lead:** All children’s products are regulated by the *Consumer Product Safety Improvement Act (CPSIA)* regulations for lead in paint/ink and substrates. This includes balloons. Lead substrates cannot exceed 100 parts-per-million (ppm) while lead in paint/ink cannot exceed 90 ppm.

**Phthalates:** Phthalates are a type of plasticizer, and there are six (6) phthalates currently under either a permanent or interim ban. The ban applies to toys and child-care articles – not to all children’s products. Since balloons are generally considered toys, it is important to meet the requirements for phthalates. Phthalates may be found in the following materials:

- Soft or flexible plastics, except polyolefins
- Soft or flexible rubber, except silicone rubber and

natural latex

- Foam rubber or foam plastic such as PU foam
- Surface coatings, non-slip coatings, finishes, decals, printed designs
- Elastic materials on apparel, such as sleepwear
- Adhesives and sealants

**Tracking Labels:** *Section 103 of the CPSIA*, requires manufacturers to place a tracking label or other distinguishing, permanent mark on all children’s products, the purpose of which is to enhance recall effectiveness. Tracking labels are required regardless of whether they are domestically produced or imported products and the label information must be permanent.

*Tracking labels* on the product itself are required “to the extent practicable.” It may not be practical for permanent distinguishing marks to be printed on small items or those made of materials that are difficult to permanently mark. Along with the permanent distinguishing marks on the product, the packaging of children’s products must also be marked with tracking label information.

For a balloon, including the tracking label information as part of the logo or decoration is one way to meet this requirement. The tracking label information should also be printed on the balloon’s packaging.

**Illinois Lead Poisoning Prevention Act:** This state has set a limit of 40 ppm for lead in the surface coatings, the painted decoration used on toys, children’s jewelry, and in child-care articles. If the balloon contains more than 40 ppm of lead but less than 90 ppm (which is the federal limit) in any painted decoration, you must use the warning label.

**“WARNING: CONTAINS LEAD. MAY BE HARMFUL IF EATEN OR CHEWED. COMPLIES WITH FEDERAL STANDARDS.”**

**General Labeling Requirements:** Every article of foreign origin entering the United States must be legibly marked with the English name of the country of origin. The purpose

of the marking is to inform the ultimate purchaser in the United States of the country in which the imported article was made. The marking must be legible and conspicuous.

It is acceptable to put the country of origin marking on the product's packaging, as long as the marking, unless deliberately removed, will remain on the article until it reaches the ultimate purchaser.

**Toy Labeling:** Product markings are a requirement in the *ASTM F963*, toy safety standard, which is mandatory under the *CPSIA*. The principal component of the toy or the toy's packaging must be marked with the name and address of the producer or distributor. City, state, and ZIP code are acceptable.

**Plastic Bag Suffocation Warning:** Balloons are typically packaged in plastic bags. Some states such as California, Massachusetts, New York, Rhode Island, and Virginia require labeling and warning requirements for certain plastic bags. If the warning is required, based on the thickness and opening size, the warning here should be used:

**“WARNING: To avoid danger of suffocation, keep this plastic bag away from babies and children. Do not use this bag in cribs, beds, carriages or play pens. This bag is not a toy.”**

More information regarding plastic bag warnings can be found on the PPAI website under *Product Responsibility Best Practices*.

### Online Resources:

**16 CFR 1501:**

[www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title16/16cfr1501\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title16/16cfr1501_main_02.tpl)

**Consumer Product Safety Improvement Act (CPSIA):**

[www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/The-Consumer-Product-Safety-Improvement-Act/](http://www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/The-Consumer-Product-Safety-Improvement-Act/)

**Section 103 of the CPSIA:**

[www.cpsc.gov/PageFiles/113865/cpsia.pdf](http://www.cpsc.gov/PageFiles/113865/cpsia.pdf)

**Tracking labels:**

[www.ppai.org/inside-ppai/corporate-responsibility/product-responsibility/tracking-labels](http://www.ppai.org/inside-ppai/corporate-responsibility/product-responsibility/tracking-labels)

**ASTM F963:**

[www.astm.org/Standards/F963.htm](http://www.astm.org/Standards/F963.htm)

**CPSIA:**

[www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/The-Consumer-Product-Safety-Improvement-Act/](http://www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/The-Consumer-Product-Safety-Improvement-Act/)

**Product Responsibility Best Practices:**

[www.ppai.org/inside-ppai/corporate-responsibility/product-responsibility/bestpractices](http://www.ppai.org/inside-ppai/corporate-responsibility/product-responsibility/bestpractices)

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