Product Responsibility
Best Practices by Category

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Product Categories

• Apparel
• Toys
• Writing Instruments
• Electronics
• Luggage and Bags
• Health and Beauty
• Drinkware
Apparel
Consider...

- Size
- Imprint
- Children’s Product Certificate (CPC)
- Secondary tracking labels
- Drawstrings
Size...
<table>
<thead>
<tr>
<th>PORT AUTHORITY</th>
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### ADULT SIZES

<table>
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<tr>
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<th>L</th>
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### YOUTH SIZES

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For the garment...

In general, exercise due care.

- Flammability of Wearing Apparel, 16 CFR 1610
- Fiber Identification Act
- Care Labeling Act
Imprint...

• Ask yourself – are you now the manufacturer? Are you making a material change to the product?
CPSIA, Section 101 - Lead Paint Rule

- Applicable if the ink can be scraped off the garment
- 90ppm limit
- TESTING REQUIRED
What about bling?

Any hard attachments?
  • Both lead limits apply to the decoration
  • Use and abuse testing for attachments is recommended (small parts, sharp points, sharp edges)

Ask yourself – are you now the manufacturer? Are you making a material change to the product?
Not just lead, phthalates too

But not for everything...for apparel, think apparel intended for ages three and under, sleepwear, baby blankets, sleep mats, bibs and more
Specific Examples

Likely to be found in decoration or attachments such as Velcro, vinyl, zippers, buttons, clasps, and rhinestones.
What can you do?

- No need to change how you handle adult garment decorations
- Work with a screen printer who has tested all inks for children’s garments
- Rely on ink suppliers’ tests and component testing rule to create the secondary CPC
- Perform third-party tests on finished product to support the secondary CPC
- Make sure a secondary tracking label is affixed to the product
- Look for PPAI best practices
Children’s Product Certificate (CPC)

• **Importer or Domestic manufacturer** is responsible for testing and certification

• **All testing must be reflected** in Children’s Product Certificate (CPC) or General Conformity Certificate (GCC)

• Must be produced and made available for **every youth order**

• Sample certificates on the CPSC website
Secondary Tracking Label

When a distributor sources from an apparel distributor, contracts with a third-party decorator to apply ink or thread to a garment, and sells the product, the garment has been altered and requires a second tracking label for the same purpose as the first...

• A secondary tracking label is still required for embroidered items even though most embroidery threads are exempt from testing.
Secondary Tracking Label

Required Information:
• Distributor’s (Decorator’s) name
• Month & year decoration was applied
• City & state where decoration was applied
• Decorator’s batch or internal order number
• Distributor’s contact information
Secondary Tracking Label
Best Practices

Label Location:

- Bottom hemline
- Inside back neck
- Sewn in as a label behind the original care/tracking label
Secondary Tracking Label Best Practices

- Permanent Tracking Labels
  - Mandatory for all children’s products
  - Can be incorporated into the decoration if done at different time or by a different vendor
Tracking Labels

Tracking labels are required for all children’s products manufactured one year after enactment of the CPSIA (August 14, 2009) regardless of whether they are domestic or imported products.

Below are links to helpful tracking label information.

REGISTRATION

Register Single Tracking Label
The PPAI Tracking Label System complies with CPSIA requirements and is designed to enable the ultimate recipient of a product to identify and contact the manufacturer or importer of a product in the event of a recall.

Register Multiple Tracking Labels (batch upload)
The PPAI Tracking Label System allows you to key in one-off’s, import batches with Excel or, if you have IT resources available, develop automated processes to push data into the database using XML web services.

HOW TO USE

PPAI Tracking Label Database
Step-by-step video tutorial for how to effectively register a tracking label using the PPAI Tracking Label database.
Create

Single Registration

* Create a Code: http://ps.ppa.org/
* Location of Production:
* Date of Production:
* Identifying Characteristics:
* Contact Information:

Product identifier, alphanumeric (A-Z, 0-9) and dashes (example: abc-123)
City, state, country, factory (example: Irving, TX-Factory 5)
Format MM/DD/YYYY (example: 04/04/2014)
Batch, run number, sources (example: BL-123 Bounce Ball)
Phone, email, etc (example: 888-426-7724, productsafety@ppai.org)

By clicking submit you accept the terms of use.

Submit
Tracking Labels

Example using the PPAI tracking label system:
ps.ppa.org/SAMPLE003

Promotional Products Association International
Drawstrings

Short answer...no drawstrings in children’s upper outerwear

• Hood, neck and waist drawstrings on children's upper outerwear presents a substantial strangulation hazard (sizes 2T to 12 or equivalent)
Hazard: The drawstrings pose a strangulation hazard
October 29, 2015 Recall

Hazard: The drawstrings pose a strangulation hazard
October 20, 2015 Recall

Hazard: The zipper pull can detach, posing a choking hazard to young children.
August 6, 2015 Recall

Hazard: The snaps on the one-piece garment can detach posing a choking hazard to young children.
Hazard: The pajamas fail to meet federal flammability standards for children’s sleepwear, posing a risk of burn injuries to children.
Recall Risk for Apparel

- Managed by the CPSC
  - Failure to meet federal flammability standards for children’s sleepwear
  - Strangulation in case of drawstring around neck or waist area
  - Lack of conformity with CPSIA
Toys
Children’s products

• Primary consideration for all children’s products and toys is the Consumer Product Safety Improvement Act (CPSIA)
Hazard: The satin seam of the stuffed animal can open, allowing the stuffing material to be exposed, posing a choking hazard for young children.
September 2, 2015 Recall

Hazard: The red paint on the zipper contains excessive levels of lead, violating the federal lead paint standard.
August 5, 2015 Recall

Hazard: The two magnets holding the pencil case lid closed can detach, posing an ingestion hazard. When these two magnets are swallowed, they can link together inside a child’s intestines and result in serious internal injuries.
April 15, 2015 Recall

Hazard: The toys contain excessive levels of lead which is a violation of the federal standard for lead content.
Writing Instruments
Writing Instruments

• In most cases, pens are considered general use...even if sold in school stores, back to school bins and include a school logo or mascot
Pens can become children’s products if...

- They have play value

- Licensing or theme has diminishing appeal to adults (mortification rule)
Due care still required...

• LHAMA, ASTM D4236
• CPSC Guidance for extractable lead
  • Art materials (crayons, colored pencils, etc.)
• Lacey Act
  • Wood pencils
December 12, 1998 Recall

Voluntary recall due to imprinted message.
Electronics
Lithium Battery Issues

• Ingestion incidents are life-threatening
• Packaging requires special precautions
• Overheating and fire dangers lead to scores of recalls
• Fire risks lead to regulations for air transport
• Defects in manufacturing reveal QA challenge
• Replacement is not always foolproof
• End-of-life disposal creates safety and handling challenges
Why is it dangerous?

• Over voltage
• Over current
• Over temperature

• Internal forces
• External forces
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• Over voltage
• Over current
• Over temperature

• Internal forces
• External forces
In your safety, there are regulations on traveling with certain items. Please review the list of items below.

- Explosives
- Compressed Gas
- Flammable Items
- Oxidizers
- Toxic
- Radioactive
- Corrosive
- Lithium Batteries

Some everyday products, like aerosol spray starter, can be dangerous when transported on the aircraft in carry on and/or checked luggage. Changes in temperature or pressure can cause items to leak, generate toxic fumes or start a fire. Carrying prohibited items may result in fines or in certain cases imprisonment. Please ensure there are no forbidden hazardous materials in your luggage.
<table>
<thead>
<tr>
<th>Type of Promotional Product</th>
<th>Type of Test Work or Certification Services</th>
<th>Deliverable</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Portable Battery Power</strong></td>
<td><strong>UL 2054</strong> test report only (may include UL/CSA 60950-1 requirements)</td>
<td><strong>Not a certified product.</strong> Test report stored with battery mfr. and/or supplier.</td>
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<tr>
<td>(aka Power Bank / USB Battery Back-Up Charger)</td>
<td><strong>UL 2054</strong> certification for USA market</td>
<td>UL in a Circle Certification Mark (USA only)</td>
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<td><strong>UL 2054+UL/CSA 60950-1</strong> certification for USA/CAN market</td>
<td>UL in a Circle Certification Mark (USA/CAN)</td>
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<td><strong>IEC 62133</strong> CB for international market</td>
<td>CB Certificate (can be also test report only)</td>
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<tr>
<td><strong>Wall Plug In Charger and/or Adapter</strong></td>
<td><strong>UL 1310</strong> certification for USA market</td>
<td>UL in a Circle Certification Mark (USA only)</td>
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<td><strong>UL 1310+CAN/CSA-C22.2 No. 223</strong> certification for USA/CAN market</td>
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<td><strong>Bluetooth Audio/Video Device</strong></td>
<td><strong>UL 60065</strong> test report only</td>
<td><strong>Not a certified product.</strong> Test report stored with mfr. and/or supplier.</td>
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<td>Bluetooth Frequency Testing - <strong>EN300-328</strong> (Europe)</td>
<td>Test Report</td>
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<td>Bluetooth Frequency Testing - Other Bluetooth Standards</td>
<td>Test Report</td>
</tr>
<tr>
<td><strong>Portable Vehicle Battery Adapter</strong></td>
<td><strong>UL 2089</strong> test report only</td>
<td><strong>Not a certified product.</strong> Test report stored with mfr. and/or supplier.</td>
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<td><strong>Laser Pointers</strong></td>
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<td><strong>IEC 60825-1</strong> certification for USA market (includes UL Follow-Up Services program)</td>
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<td><strong>IEC 60825-1</strong> CB for international market</td>
<td>CB Certificate</td>
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**PPAI EXPO**

January 10-14, 2016 • Mandalay Bay Convention Center, Las Vegas
September 23, 2015 Recall

Hazard: The power bank can overheat, explode and catch fire.
September 1, 2015 Recall

Hazard: The chargers can overheat and catch fire while in use, posing a fire hazard.
What to do?

• Tech products, particularly lithium ion batteries, are going to be an emerging compliance challenge
• Don’t be overwhelmed – look for PPAI webinars
• Ask the right questions and demand testing documentation
Luggage and Bags
Luggage and Bags

• There are no Federal regulatory requirements regarding luggage or bags unless the item is intended to hold food, in which case, applicable FDA requirements would apply.

• If the item is a children’s product it would require CPSIA lead compliance and possibly other children’s product safety requirements.

• For adult bags, there are no Federal requirements.
Luggage and Bags

• Consider State regulations

• Reusable or Disposable?
November 17, 2010 Recall

Voluntary recall based in large part on reputational risk
2006 Recall

Voluntary recall based Proposition 65 settlement
Health and Beauty Products
Labeling for Promotional Products

• Cosmetics
• Over-the-Counter (OTC) Drugs
• Consistency in Principle Display Panel (PDP) Requirements
  » Statement of Identity
  » Weight
Is it a Drug or a Cosmetic?

Drug is defined as a “product intended to treat or prevent disease, or affect the structure or function of the body.”

Examples:

- Sunscreen
- Dandruff Shampoo
- Acne treatment
- Antiperspirants
- Anything that makes a claim to treat or prevent
Cosmetics

Cosmetics are defined as “articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body...for cleansing beautifying, promoting attractiveness, or altering the appearance.”

Doesn’t claim to treat or prevent anything.

Examples:
- Moisturizers
- Perfumes
- Lipstick
- Fingernail polish
- Cleansing shampoos
- Hair colors
How do I tell the difference?

• Drugs make claims. Cosmetics do not.
  » Balm is a claim. Moisturizer is not.

• It is possible to be both a drug and a cosmetic.

• Proper labeling is imperative for FDA compliance.
Cosmetic Label Sample

SERIOUS SKIN DETAILER
A COMPLETE, TRI-PHASE FACIAL PEEL, BRIGHTEN, TIGHTEN.

STEP 3
Draw & Tighten

Directions:
Immediately after removing Steps 1 and 2 from the skin with a damp cloth, apply Step 3 with your fingertips all over face and jaw line and create a smooth, even mask. Allow 3 - 5 minutes to set. Remove with a damp cloth and splash clean with cool water. Pat skin dry.

Distributed by Flageoli Ltd., Las Vegas, NV 89128
www.seriousskincare.com
Customer Service: 1-800-540-8662

4 fl oz / 118 ml
OTC Drug Label Sample

Drug Facts

Active Ingredients

- Avobenzone 5%
- Homosalate 10%
- Octisalate 7.5%
- Octocrylene 5%
- Octyl methoxycinnamate 25%

Uses

- Helps prevent sunburn
- If used as directed with other sun protection measures use decreases the risk of skin cancer and early skin aging caused by the sun

Directions

- Apply liberally 15 minutes before sun exposure
- Reapply after 40 minutes of swimming or sweating
- Immediately after toweling dry
- At least every 2 hours
- Sun Protection Measures: Spent time in the sun increases your risk of skin cancer and early skin aging. To decrease this risk, regularly use a sunscreen with a broad spectrum SPF of 15 or higher and other sun protection measures including:
  - Limit time in the sun especially from 10 a.m. to 2 p.m.
  - Wear long-sleeve shirts, pants, hats, and sunglasses
  - Children under 6 months: Ask a doctor

Inactive ingredients

- Aloe extract, paraffin wax, benzyl alcohol, carbonates, disodium edetate, disodium EDTA, polysorbate 60, methylparaben, octisalate/MA cisantran, polyethylene oxide 3 diethanolamine, phenethyl alcohol, propylparaben, sorbic acid isostearate, sodium lauryl sulfate, stearic acid, tocopherol (vitamin E), triethanolamine, water

Other information

- Protect this product from excessive heat and direct sun

Questions or comments?

Call toll free 1-800-XX-XXXX

Sunscreen Labeling According to 2011 Final Rule

If used as directed with other sun protection measures, this product reduces the risk of skin cancer and early skin aging, as well as helps prevent sunburn.

Only products labeled with both "Broad Spectrum" AND SPF 15 or higher have been shown to provide all these benefits.
Remember...

Regardless of the size of the container, it must be labeled properly. If you have a lip moisturizer, in a lip balm tube, making an SPF claim—it must be labeled as an OTC. So, you have to put all of the information on the sunscreen bottle on the label of that lip balm tube.
CPSC Recall June 11, 2015

Hazard: The packaging is not child-resistant and senior friendly as required by the Poison Prevention Packaging Act.
Recall October 15, 2012

Hazard: Hand sanitizer recalled due to microbial contamination.
Recall May 13, 2011

Hazard: The sterility of the product has the potential to be compromised due to weak sealing of the bandages.
Drinkware
Drinkware

- Unlike many consumer products, most of the items in the drinkware category do **not** fall under the CPSIA, **unless primarily intended for children 12 years of age or younger**

- Most of the items in the houseware and drinkware category are covered not by the CPSC but rather by the FDA, the Food and Drug Administration.

- In addition, there are FDA Guidelines for items such as ceramic drinking vessels and other ceramic items in contact with food.
Food Contact Substance

A food-contact substance is defined as "any substance intended for use as a component of materials used in manufacturing, packing, packaging, transporting, or holding food if such use is not intended to have a technical effect in such food.”
Generally Recognized as Safe (GRAS)

• Designation that a chemical or substance added to food is considered safe by experts, and so is exempted from the usual Federal Food, Drug, and Cosmetic Act (FFDCA) food additive tolerance requirements

• Example: Stainless Steel
Beyond FDA... CA Prop 65

- Ceramicware that is externally decorated
- Aluminum cookware
- Beverage containers with colored artwork, made of glass, plastic, ceramic, resin, vacuum metalizing, dolomite, and/or metal
- Brass handled cookware
- Food use items such as glasses, pilsners, mugs, carafes, tumblers, bottles, condiment dispensers, bowls, cups, saucers, plates, trays, pitchers, punch bowls, serving utensils and serving platters
- Water bottles and soft beverage containers made of PVC
Consider Quality and Performance Concerns

- Labeled claims
- Leakage (burn hazard)
- Breakage
- Drinking spout detachment
- Handle temperature
- Handle strength
- Lid fit

- Microwave compatibility
- Dishwasher compatibility
- Heat retention
- Stain resistance
- Thermal shock
- Cycle testing
Hazard: If a child chews on the drinking straw, small pieces can break off into the child’s mouth, posing a risk of ingestion or aspiration of the small part.
Hazard: Hot liquids can seep through hairline cracks, posing a burn hazard.
Hazard: The gray paint on the metal portion of the water bottle can contain excessive levels of lead, violating the federal lead paint standard.
Hazard: The glass pitchers can break or leak, posing laceration and/or burn hazards to consumers if filled with hot tea.
Hazard: The designs on the glasses contain cadmium. Long term exposure to cadmium can cause adverse health effects.
Violations

October –November 2015

• 112 Letters of Advice (LOA) for violation of a mandatory standard
  • 38 tracking label violation
  • 17 lead in children’s product
  • 15 related to VGB Act for pools and spas
  • 12 third party certificate violation
  • 9 small parts violation
  • 8 bicycle helmet labeling
  • 5 art materials labeling
  • 4 sleepwear labeling or flammability failure
  • 1 exceeds phthalate interim ban limit
  • 1 fireworks short fuse burn time
  • 1 iron containing dietary supplements packaging
  • 1 mattress flammability failure
Product Safety Resources

• PPAI Corporate Responsibility:  
  http://www.ppai.org/inside-ppai/corporate-responsibility

• Sample Undue Influence Statement of Policy  

• Consumer Product Safety Commission:  
  www.cpsc.gov;  www.recalls.gov

• UL:  
  Brian.Coleman@ul.com

• Questions?  
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  TimB@ppai.org

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  @PromoSafetyGuy