



United States CONSUMER PRODUCT SAFETY COMMISSION

Children's Product Certificate

Certification means the issuance of a written **Children's Product Certificate (CPC)** in which the manufacturer or importer certifies that its children's product complies with all applicable children's product safety rules (or similar rules, bans, standards, or regulations under any law enforced by the Commission for that product.)

Certification of children's products must be based upon the passing test results of third party testing. The third party testing laboratory provides the testing services and results but does not issue the children's product certificate.

Who must issue the Children's Product Certificate?

The manufacturer or importer is responsible for drafting and issuing the CPC. The manufacturer or importer may draft the CPC by itself, at no cost, based upon the the passing test results of the third party testing.

The importer must issue the CPC for products manufactured overseas, and the U.S. manufacturer must issue the CPC for products manufactured domestically. See 16 CFR part 1110.

The manufacturer or importer of a children's product that is subject to children's product safety rules or other standards is always legally responsible for issuing a CPC, even if a third party testing laboratory or another third party provides assistance in drafting the CPC.

How much does a Children's Product Certificate cost?

There is no cost to create a CPC. The manufacturer or importer drafts the CPC in a word processing document or other system. A sample CPC is found [here](#) and the list of citations to be included in a CPC can be found [here](#). (Citations are listed in Section 2 of the CPC.)

There is no cost to file a CPC with the government because filing a CPC with the government is not required at this time.

Some laboratories and consultants may offer to assist you with creating a CPC for a professional fee, but their assistance is optional. The CPSC's Small Business Ombudsman is available to offer you assistance for no charge.

To whom must I provide my Children's Product Certificate?

If you are a manufacturer or importer, you must "furnish" the Children's Product Certificate to your distributors and retailers. Additionally, federal law requires you to provide, upon request, a copy of the Children's Product Certificate to the CPSC and to the Commissioner of Customs.

The requirement to "furnish" the CPC is satisfied if the manufacturer or importer provides its distributors and retailers a reasonable means to access the certificate. You can provide an actual hard copy of the certificate to your distributors and retailers, or you can provide a dedicated website with that specific certificate on your invoice. (See the answer addressing electronic certificates below.)

Where must I file the Children's Product Certificate?

There is no requirement to file a CPC with the government.

The CPC must "accompany" the product shipment and be "furnished" to distributors and retailers. Upon request, the CPC must be furnished to the CPSC and to the Commissioner of Customs.

What if I sell directly to consumers and do not use retailers or distributors?

The law requires manufacturers or importers to issue a Children's Product Certificate; that the certificate accompany each product or shipment of products; that the certificate be furnished to retailers and distributors; and that the certificate be provided to the CPSC, upon request. Accordingly, you do not have to provide the certificate to consumers in direct-to-consumer sales.

Does the CPSC have a sample Children's Product Certificate?

Yes. There is a model of how to draft a Children's Product Certificate.

You are not required to, but you may, copy the layout and title the document: "Children's Product Certificate" and include the details pertinent to your product; or, if you prefer, you may create your own form, as long as it captures all of the requirements listed in section 14(g) of the Consumer Product Safety Act (pdf). (The model Children's Product Certificate captures all of the 14(g) requirements.)

Can one Children's Product Certificate certify that the product complies with multiple children's product safety rules?

Yes. For example, if you are certifying that your product complies with the ban on phthalates, the toy safety standard, limits on total lead content and lead in paint, the small parts requirements, and other applicable regulations, then Section 2 of your Children's Product Certificate would read as follows:

1. 15 USC 2057c: Determination of Phthalates in Toys and Certain Children's Products.
2. ASTM F963-16, Standard Consumer Safety Specification for Toy Safety. (Note: You must list the *specific* numeric sections of the toy safety standard to which you are certifying. See this listing of all the sections.)
3. 15 USC 1278a: Lead in Children's Products
4. 16 CFR Part 1303, Ban of Lead-Containing Paint and Certain Consumer Products Bearing Lead-Containing Paint for Toys and Other Articles Intended for Children.
5. 16 CFR Part 1501, Small Parts Ban for Toys and Other Articles Intended for Children under 3 Years of Age which Present Choking, Aspiration, or Ingestion Hazards.

If your product is subject to an additional mandatory regulation, rule, ban, or standard for which third party testing and certification currently is required, then you would also include the citation to that regulation, rule, ban, or standard as well.

The full title of each requirement is provided above for your information only and does not need to be included in your children's product certificate. You need only include the numerical citation code included above or in this listing.

What must I base my Children's Product Certificate on?

The certificate must be based on passing tests of sufficient samples of each product, conducted by a CPSC-accepted laboratory.

Is a Children's Product Certificate required for each shipment of my product?

Yes. The law requires each import (and domestic manufacturer) shipment to be "accompanied" by the required certificate. The requirement applies to imports and products manufactured domestically. Under CPSC regulations, an electronic certificate is "accompanying" a shipment if the certificate is identified by a unique identifier and can be accessed via a World Wide Web URL or other electronic means, provided the URL or other electronic means and the unique identifier are created in advance and are available with the shipment.

If I import children's products and the foreign manufacturer has already tested and certified the product, do I need to retest or recertify the product? Can I just pass along the foreign manufacturer's children's product certificate?

CPSC requires that certificates of conformity be issued by the domestic manufacturer or the importer of products made outside the United States. This means that an importer cannot simply pass along a foreign manufacturer's certificate of conformity. However, the component part testing regulation, at 16 CFR part 1109, allows importers to use a foreign manufacturer's test results or their component part or finished product certifications of a children's product to issue their own Children's Product Certificate, as long as the importer exercises due care to ensure the validity of the test results or the certificate and receives the documentation required by the rule.

Can electronic certificates, instead of paper certificates, be used to meet the requirements of section 102 of the CPSIA?

The Commission has issued a rule specifically allowing the use of an electronic certificate, as long as: the Commission has reasonable access to it; it contains all of the information required by section 14 of the CPSA; and it complies with the other requirements of the rule.

If I post the certificate of conformity - either a Children's Product Certificate or a General Certificate of Conformity - on the Internet, do I need to change it for each shipment, batch, or lot of the product?

If each shipment is materially unchanged from the prior shipment, a single certificate of conformity may be acceptable, but the certificate would need to describe the date range of products covered, using either batch/lot information or other identifying information.

One Children's Product Certificate may apply to (or "cover") multiple batches or lots of productions if you have exercised an appropriate level of due care to ensure the continued compliance of each additional batch or lot of production with all applicable children's product safety rules.

Remember that although a single Children's Product Certificate may "cover" more than one shipment or unit of production if a manufacturer chooses to do so, the certificate would need to describe the date range of products covered, using either batch/lot information or other identifying information. For each new shipment or unit of production entered into the stream of commerce, the Children's Product Certificate would need to be updated to reflect the new group of products. The manufacturer of the finished children's product will need this information to ensure the accuracy of the tracking label affixed to each children's product and its packaging.

Do I have to sign the Children's Product Certificate?

No. You do not have to sign the certificate. The act of issuing the certificate satisfies the new law. Any statement that you issue must be accurate whether it is signed or not.

My company is registered as a "small batch manufacturer" with the CPSC, do I have to issue a Children's Product Certificate?

Yes. A registered small batch manufacturer must always certify its children's products as compliant with the underlying children's product safety rules applicable to each product.

For those rules in Group A, the small batch manufacturer must base its Children's Product Certificate (CPC) on third party testing performed by a CPSC-accepted lab.

For those rules in Group B, a qualifying small batch manufacturer does not have to issue a CPC based on third party testing but still must issue a CPC based on first party testing performed by any party, a reasonable testing program or a certificate of conformity provided by a component part supplier. To signal your participation in the program, a registered small batch manufacturer would list its registration number in Sections 6 & 7 of the Children's Product Certificate.

Are there penalties for failing to comply with the certificate requirement?

Yes. It is a violation of the CPSA to fail to furnish a Children's Product Certificate, to issue a false certificate of conformity under certain conditions, and to otherwise fail to comply with section 14 of the CPSA. A violation of the CPSA could lead to a civil penalty and possibly criminal penalties and asset forfeiture.

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Need More Help? Contact the Small Business Ombudsman

Still lost after looking through the website? The Small Business Ombudsman is here to help. We recognize that many of our consumer product safety rules may appear complex if you do not have prior experience in this area.

E-mail: hl@cirs-group.com

This is the best way to get a fast response.

Toll-free: (+86) 571- 81907016

