

Product Responsibility Best Practices	SUBJECT Working With A Testing Lab		LAST UPDATE July 2018
	APPLIES TO • Suppliers • Third-party • Distributors Decorators	FOCUS ON Finding and Working with a Testing Lab	
	QUICK LINKS • PPAI Corporate Responsibility: ppai.org/corporate-responsibility • UL: industries.ul.com/premiums-promotional-and-licensed-goods • Consumer Product Safety Commission: www.cpsc.gov		Intended for beginner compliance programs

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

Background

The *Consumer Product Safety Commission (CPSC)* requires manufacturers to use a CPSC accepted third-party lab to test all children's products against established safety standards. In turn, manufacturers must issue and make available a Children's Product Certificate (CPC). The following summarizes current standards that require third-party testing.

Standard	Regulated Products
Lead in paint and surface coatings limit (90ppm)	All children's products
Lead content in substrate limit (100ppm)	All children's products
Ban on phthalates for certain children's toys and childcare items	Toys and child-care articles
Ban on small parts	Products for children younger than 3 and warning labels for products intended for children between 3 and 8

Some key things you need to know:

- When it comes to children's products, CPSC accepted third party labs must test all materials except those specifically exempted from testing, against current safety standards.
- The manufacturer of the children's product must issue and make available a Children's Product Certificate (CPC) detailing the test results for each product it sells.
- Not all testing labs have been accepted by the CPSC for each test a manufacturer might require. CPSC acceptance is on a test by test basis.
- A list of accepted labs can be found at the [CPSC website](#).

Factors To Consider When Choosing A Testing Lab

- **Capabilities**
 - Consider whether a lab specializes in your product and can your meet needs specific to your business. You will want to choose a lab that is skilled and knowledgeable about all the regulations that apply to your products.
- **Locations**
 - Check to see if the lab has locations in or near the cities where your factories or vendors are located. The closer the lab is to the factory, the faster and cheaper it may be to get samples to the lab for testing.
- **Customer Service**
 - Ensure that your lab will provide you with a skilled, patient and knowledgeable customer service manager who knows the promotional products market.
- **Integrity**
 - Choose a lab, inspection or auditing partner that has no incidence rate of bribery.
- **Price**
 - Get multiple written quotes.
 - All labs work on volume, and their discount structure is based on the potential annual volume of testing revenues they will make from each client. Be ready to provide an accurate and honest projection of annual testing volume to get a discount rate from the lab.
 - Most labs have at least three price structures:
 1. U.S. client pricing for clients who pay their testing bills in the U.S. Generally this is the most expensive option.
 2. U.S. client pricing for clients who pay their bills directly to an overseas lab. This is the most reliable option because it does not involve the factory or vendor in the lab relationship other than sending in samples to the lab.

3. Overseas pricing for overseas clients who pay their bills directly to the overseas lab. This is typically the least expensive, but riskiest option because most U.S. companies do not have overseas offices that will qualify as a “local” customer, so the factory or local vendor will need to play a role in the contractual and payment structure with the lab.

Why Distributors Need A Testing Lab Partner

Distributors often rely on suppliers to have third-party testing performed, but there are situations when distributors want to maintain a relationship with a testing lab partner:

- **Assumption of manufacturer role after contracting with third-party to make material changes.**
 - When a distributor contracts with a third-party decorator to add an imprint to an item, that distributor may become the manufacturer in the eyes of the CPSC and would therefore be required to issue certificates of compliance based on third-party testing.
- **Disagreement over whether a product is regulated.**

- Determining whether or not an item is a children’s product is not an exact science. If a distributor determines that an item is a children’s product and the supplier has not or will not perform testing, distributors may have their own tests conducted since the law is based on the premise that a non-compliant product cannot be placed on the market.

- **Impact of logo or intended audience.**

- The addition of a juvenile logo to a general use item may transform a general use item to a children’s product thus triggering the third-party test requirement. Additionally, if a general use item will be distributed exclusively to children age 12 and younger, a distributor may elect to test the items to ensure full compliance with CPSIA.

- **Customer expectations that exceed regulatory standards.**

- Some customers may require testing for a particular product that is not regulated by consumer product safety laws. In these cases, the distributor could have the product tested against CPSIA or other standards. The cost for most testing is relatively low and can provide reassurance to the client.

Online Resources:

CPSC Accredited Labs: www.cpsc.gov/cgi-bin/labsearch/

PPAI How to Read a Test Report Webinar: <https://onlineeducation.ppai.org/products/how-to-read-a-test-report>

PPAI How to Read Compliance Documents: www.ppai.org/media/1838/pr-guide-how-to-read-compliance-documents.pdf

PPAI Product Responsibility FAQs: ppai.org/corporate-responsibility/product-responsibility/product-responsibility-faqs/

PPAI Promotional Products Turbo Test: ppai.org/corporate-responsibility/product-responsibility/solutions/#8104f083-d27d-4788-83f6-8c236b8d9494

Consumer Product Safety Commission (CPSC): www.cpsc.gov/

Children’s Product Certificate (CPC): www.cpsc.gov/en/Business--Manufacturing/Testing-Certification/Childrens-Product-Certificate-CPC/

Consumer Product Safety Improvement Act (CPSIA):

www.cpsc.gov/en/Regulations-Laws--Standards/Statutes/The-Consumer-Product-Safety-Improvement-Act/

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