

Case Study

SUBJECT

Who Is The "Supplier" And What Must A "Supplier" Do?

LAST UPDATE

July 30, 2013

What Every Supplier Must Do:

In the eyes of the CPSC, who is the supplier of the promotional products and what must the supplier do to comply with laws and regulations?

According to the Consumer Product Safety Commission (CPSC), the domestic manufacturer or product importer must issue certification that any consumer product covered by CPSC-enforced regulations complies with all federal standards.

Children's Products. The Consumer Product Safety Improvement Act (CPSIA) of 2008 requires that nearly all children's products:

- a) Comply with all applicable children's product safety rules;
- b) Are tested for compliance by a CPSC-accepted laboratory;
- c) Have a written Children's Product Certificate (issued by the manufacturer or importer) that provides evidence of the product's compliance; and
- d) Have permanent tracking information affixed to the product and its packaging.

General Use Products. The CPSIA also requires domestic manufacturers or importers of non-children's products for which a consumer product safety rule, or any similar rule, ban, standard, or regulation under any law enforced by the CPSC is in effect, to issue a "General Certificate of Conformity." The GCC must be based on a test of each product or a reasonable testing program.

When The Distributor Becomes The Supplier:

There are instances in the promotional products industry when products are sourced outside of the traditional supplier/distributor sales channel.

If a distributor imports products directly from an overseas manufacturer, the distributor becomes the manufacturer (supplier in our terminology) in the eyes of the CPSC and is responsible for complying with all product regulations and testing obligations.

Additionally, when a distributor uses a contract decorator to apply a logo to a product (normally screen print or embroider apparel), the distributor becomes a manufacturer and once again is responsible for complying with all product regulations and testing obligations.



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Know Your Role And The Rules:

Everyone in the promotional products industry has an obligation to understand and comply with all product safety regulations. Compliance with federal and state regulations is not optional and hefty fines are associated with non-compliance.

If you are not prepared to deal with those rules, source complete products from a supplier who can and does.

Research Links:

<http://www.ppai.org/inside-ppai/product-safety/>

<http://www.ppai.org/inside-ppai/product-safety/cpsia>

<http://cpsc.gov/en/Regulations-Laws--Standards/CPSIA/The-Consumer-Product-Safety-Improvement-Act/>



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