

# What Is Product Compliance?

## Why Should I Care About It?

The product responsibility pillar of a compliance program focuses on regulatory compliance of the program, as well as product safety. The primary requirements and best practices of this pillar are achievable through testing, production controls and knowledge of your product and its material composition. A compliance program often starts with regulatory compliance. With constantly changing regulations, both globally and within the United States, it can be challenging to keep up to date. Regulatory compliance does not necessarily mean that the product is safe for consumer use, and control of manufacturing to ensure consistently compliant programs along with actual consumer use considerations are important.

- ❗ **Product responsibility is simply smart business.** Increasingly, your target audience wants—and expects—assurances that products comply with environmental, social and product safety regulations and standards.
- ❗ **When regulations exist, compliance is required by the law.** It is vital that you communicate openly with your promotional products partner to ensure you select the right product for your specific application.
- ❗ **Partner with a promotional products professional to ensure the investments you make to promote your brand will be protected.**

## What Do I Need To Do?

Work with a qualified professional products consultant and be sure to discuss the following questions:

- Who is the intended audience of your campaign?
- Will or may the items be distributed to children?
- Do your preferred products have child-like appeal or playful elements?
- Will the product be available on an ecommerce platform?
- How will the products be distributed?
- Where will the products be distributed?
- Will the product be sold or displayed at retail?
- What kind of logo do you intend to use?
- Do you plan to distribute all the items or keep some for future events?



### Where Can I Find A Qualified Promotional Products Consultant?

Visit [promotionalproductswork.org](http://promotionalproductswork.org) for an easy-to-use search tool.

**What Should I Look For?** When choosing a promotional products professional, look for a consultant with a MAS/CAS designation, indicating their active pursuit to continue their education in the promotional products industry.

Visit [promotionalproductswork.org](http://promotionalproductswork.org) for more information.

## Consumer Product Safety Improvement Act (CPSIA)

In 2008, Congress passed the CPSIA, which strengthened safety standards for children's products. Work with your promotional consultant to determine if the products you intend to distribute may be appealing to children. If your products are considered "children's products," or will be given to children, the following regulations, and more, may apply:

- Lead in paint limit
- Lead in substrate
- Testing for small parts
- Phthalate limit

If your product falls into this category, ask your promotional consultant for the appropriate certification.



### What Is A Children's Product?

A consumer product primarily designed or intended for use by children age 12 or younger. Products intended for this group require compliance to stricter standards and tests for certain chemicals such as lead, phthalates and product labeling.

## But It's Not Just Children's Products

Your products must be compliant with other Federal and state regulations, including:



**Food And Drug Administration (FDA):** The FDA regulates the release of new foods and health-related products into the market. If mugs, cups or other drinkware and tableware will be used in your next campaign, FDA regulations may apply to your products.



**Prop 65:** This California law was passed to protect citizens from chemicals known to cause cancer, birth defects or other reproductive harm. If the products you intend to distribute contain a chemical on the Prop 65 list, a warning statement is required to alert consumers of its presence. This is required for all products distributed in California—even if the rest of the supply chain is out of state.



**Various State Regulations:** States including Maryland, California, Illinois and Connecticut all have different regulations for the presence of certain chemicals in consumer products. Review the distribution of your products with your promotional products consultant to ensure they meet state standards.



### What Is Cal. Prop 65?

Also known as the Safe Drinking Water and Toxic Enforcement Act of 1986, California Proposition 65 requires businesses to notify Californians via warning labels about significant amounts of chemicals identified by the state to cause cancer, birth defects or other reproductive harm contained in the products they purchase, in their homes or workplaces, or that are released into the environment.

Prop 65 requires businesses to provide a "clear and reasonable warning" prior to Californians purchasing a product, as well as before knowingly or intentionally exposing Californians to a listed chemical.



### The Truth About Sourcing Direct:

You may be saving a few dollars, but by sourcing direct, you may put yourself and your brand at risk in unexpected ways.

**By working together we can help you select the right product for the right audience.**

Together, we'll protect and promote your brand with a memorable, engaging and long-lasting program.