

## NSF Children's Products Safety Program



## Ensure Compliance to Toxics in Packaging Laws

NSF offers integrated auditing, testing and assessment services designed to assist manufacturers in meeting packaging requirements for consumer product safety.

### What is the purpose of the Model Toxics in Packaging Legislation?

The Model Toxics in Packaging Legislation was originally drafted by the Coalition of Northeastern Governors (CONEG) to reduce the amount of heavy metals in packaging and packaging components that are sold or distributed in the U.S. In limiting the amount of heavy metals, it is hoped that this legislation will reduce the amounts of these metals entering the municipal solid waste stream from landfills and incinerators thereby reducing the harmful effects they have on the environment.

### What does this mean for you?

No intentional introduction of the following metals: lead, mercury, cadmium, or hexavalent chromium is allowed. The sum of any incidental concentration levels of the four metals cannot exceed **100ppm by weight**.

Nineteen U.S. States have adopted the Model Toxics in Packaging Legislation. Manufacturers, suppliers and/or distributors of packaging or packaging components must present a certificate of compliance to the purchaser demonstrating that the packaging is compliant with the requirements of the law.

### Exemptions:

- Packaging that was manufactured prior to the effective date-1989
- Packaging to which the four metals have been added in the manufacturing, forming, printing or distribution process in order to comply with health or safety requirements of federal law
- Packaging that would not already exceed the maximum contamination levels put forth but for the addition of recycled materials, provided that the packages or packaging components do not exceed a maximum concentration limit of 200ppm for the sum of the four regulated metals
- Packaging for which there is no feasible alternative
- Packing that is glass or ceramic and contains a vitrified decoration

### About Us:

NSF International, an independent, not-for-profit organization, works with industry by testing and certifying products and writing standards for food, water and consumer goods. Founded in 1944, NSF is committed to protecting public health and safety worldwide. NSF is an **ISO 17025** accredited company.



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## Tracking Label Requirements

Tracking labels enable consumers and manufacturers to identify the production date, location, and batch or run numbers, to more easily isolate products in the event of a safety concern. All children's products (consumer products designed or intended primarily for children ages 12 years or younger) manufactured on or after August 14, 2009 are required to include this information. NSF can help ensure your products and labels meet CPSIA requirements.

### What must the Tracking Label include?

Tracking labels must be a permanent<sup>1</sup> marking on a children's product and its packaging to the extent practicable.<sup>2</sup> The following information should be included:

#### Specific Manufacturer or Private Labeler Name

- Simple picture trademarks are not acceptable

#### Specific Production Location

- Country of origin is not sufficient
- Location can be coded, enabling the manufacturer to distinguish the manufacturing source without revealing this information to competitors

#### Production Date

- Date product was manufactured, example yyyyymmdd
- Can be coded

#### Cohort Information

- Batch or run number or other identifying characteristics
- Model number, item number or lot number, if applicable
- Information can be coded as long as traceability is not compromised



<sup>1</sup> *'Permanent'* meaning it cannot be removed through use and abuse tests when conducted in accordance with the Federal Hazardous Substances Act.

<sup>2</sup> *To The Extent Practicable:* The Commission expects a manufacturer to depart from the specific requirements only for considered and definable reasons. Each manufacturer is ultimately responsible for making a reasonable judgment about what information can be marked on their product and packaging, given the character and type of their product and packaging, and what required information can be ascertainable, given the character and type of their business.