

Children's Safe Product Act – Reporting Rule – WAC 173-334

Reporting Guidance – Product Component

November 14th, 2011

Introduction

The Children's Safe Product Act Reporting Rule requires reporting by product component. The purpose of this guidance is to clarify what is meant by the term "product component" in the context of the rule.

"Product Component" Definition

The definition of component in the rule is as follows:

"Product component" means a uniquely identifiable material or coating (including ink or dye) that is intended to be included as a part of a finished children's product."

Drop-Down Menu Choices for "Product Component"

Based on this definition and consultation with product testing laboratories, the agency developed the following list of component choices. These component choices will be available from a drop-down menu in the agency's electronic reporting system. The reporting system database is in development.

Component Choices:

1. Bio-based Materials (Animal or Plant based)
2. Synthetic Polymers (synthetic rubber, plastics, foams etc.)
3. Metals (Including alloys)
4. Glass, Ceramic and Siliceous material
5. Surface coatings (paints, plating, waterproofing etc.)
6. Homogenous Mixtures (gels, creams, powders, liquids, adhesives, synthetic fragrances)
7. Inks/Dyes/Pigments
8. Textiles (synthetic fibers and blends)

Note: if a component remains inaccessible before or after foreseeable use and abuse it has no reporting requirement.

Some products may contain two different versions or variations of the same component. The agency interprets the term "product component" to mean all the uniquely identifiable content of a product that is composed of that material or coating.

Example 1: A manufacturer makes a pair of pants with plastic buttons and a metal zipper.

This product contains **three components:** textile, plastic (buttons), and metal (zipper).

Children’s Safe Product Act – Reporting Rule – WAC 173-334
Reporting Guidance – Product Component

Example 2: A manufacturer makes a children’s ring. The ring has red plastic “diamonds” and a copper metal band which is painted silver. The paint can easily be chipped off.

This product contains **three components**: red plastic, metal, and the paint coating.

“Uniquely Identifiable” / “Reasonable to Separate”

In some cases, it will be less immediately obvious whether a component is “uniquely identifiable.” Manufacturers should report on chemicals in components that can be reasonably separated.

Example 3: A manufacturer makes an action figure that has red plastic arms and blue plastic legs.

This product contains **two components** – red and blue plastic. The two different colors of plastic are uniquely identifiable and reasonable to separate.

Example 4: A manufacturer makes a blue and yellow striped shirt. Chemical Z is used to create the yellow color. The stripes are wide enough to allow separate analyses of the yellow and blue fabric.

The shirt contains **two components** – blue textile and yellow textile. The blue and yellow stripes are uniquely identifiable and are reasonable to separate for testing.

Example 5: A manufacturer makes a plaid shirt. Chemical Z is used to create the yellow color in the plaid. The colors cannot be easily separated for analysis.

In this case, there is only **one textile component**. Even though there are many colors, they cannot be reasonably separated for testing. The yellow textile is not reasonable to separate from the rest of the textile.

Example 6: A manufacturer makes a toy that has two layers of paint on top of each other.

Because the two layers of paint are unrealistic to separate, the paint on the toy is only **one component**.

Children’s Safe Product Act – Reporting Rule – WAC 173-334
Reporting Guidance – Product Component

Example 7: A manufacturer makes shoes with a leather top, metal eyelets, and textile laces with plastic tips. The shoes also contain a sole composed of multiple materials including rubber, plastic, and adhesives.

The leather top, metal eyelets, textile laces, and the plastic tips would each be considered **separate components**. However, because it is unrealistic to separate the rubber, plastic and adhesive which make up the sole, the sole would be considered a **single component**.

Example 8: A doll has a small spot of blue paint. Obtaining a large enough sample size of the blue paint would require purchasing and processing several dolls.

There is not enough of the blue paint contained in the doll to make it reasonable to separate. The blue paint would not be considered a separate component.

Formulated products, such as personal care products, will most often be classified as containing a single component (homogeneous mixtures). However, it is possible that a formulated product might contain more than one component.

Example 9: A manufacturer makes hair gel that contains glitter.

The gel contains two components – a homogenous mixture (the gel) and the glitter (plastic).

Because the rule requires manufacturers to report the highest concentration for each chemical of concern for each product component in a product category, the manufacturer must take into account the highest amount of a CHCC in a component across the entire product category.

Example 10: The manufacturer that makes the blue and yellow striped shirt above also makes a solid yellow shirt. Chemical Z is used to create the yellow color. The textile in the solid yellow shirt contains the most of Chemical Z of any shirt they make.

The manufacturer must base their report for the “textile” component in the “shirt” product category on the solid yellow shirt.

Tier 4 reporting

Manufacturers are not required to report on the presence of chemicals of concern if a child will not come into contact with the component during “reasonable and foreseeable use and abuse” of the product, as described in WAC 173-334-110 (4) (d).

Children's Safe Product Act – Reporting Rule – WAC 173-334
Reporting Guidance – Product Component

Example 11: A manufacturer makes a stuffed animal. The stuffed animal has a fur and textile covering, black plastic eyes, red plastic lips, foam stuffing, a metal music box in the middle that contains a CHCC.

In this case, the fur covering, the textile covering, the black plastic and red plastic would all be considered **separate components**.

If during reasonable and foreseeable use and abuse, the child comes into direct contact with the metal of the music box, the metal is **an additional separate component**.

Example 12: A manufacturer makes a red plastic toy with internal parts made of blue plastic and copper.

This item has **at least one component** (red plastic).

If during reasonable and foreseeable use and abuse, the child comes into direct contact with the blue plastic and copper, the product has **three components** (red plastic, blue plastic, copper.)

Example 13: A manufacturer makes a miniature shirt for small doll. The shirt is made up of very small pieces of blue and pink fabric. However, there is not enough of the blue and pink fabric in one doll's shirt to make it reasonable to separate for an acceptable sample size.

Since there is not enough of the blue and pink material for a sample size and it is unrealistic to separate the small pieces of fabric the doll's shirt is considered a **single component**.

The number of potential combinations and scenarios for all children's products covered by the Children's Safe Product Act cannot be covered in their entirety in this guidance. However, the above should provide a good indication of how the agency interprets the concepts in the rule.

In verifying compliance with the reporting requirements, the Department of Ecology will conduct laboratory analyses on products. These analyses will be limited to those components which can be identified or separated from the product in a realistic manner. We intend to focus our efforts on those product components which are both practical to sample and likely to contain a chemical of concern.