

## Children’s Safe Products Rule

### Re-cap of timeline:

Task	Due Date (Shaded tasks are completed)
<b>Filing of CR-101</b>	<b>May 20, 2008</b>
Final Draft rule language	August 6, 2008
Filing of CR-102	August 20, 2008
Formal Comment Period and Hearings	Fall 2008
Adoption (CR-103)	December 1, 2008
Effective Date	January 1, 2009

### Rule Language Update:

After considering the comments Ecology received we have decided that the following two definitions will be included in our formal rule proposal (CR-102) filed in August. The filing will begin the formal comment period.

### Chapter 173-334 WAC Children’s Safe Product Rule

#### WAC 173-334-020 Definitions

- 1) “**Consumer electronic products**” do not constitute a “children’s product” as used in the Children’s Safe Products Act, Ch. 70.## RCW. “Consumer electronic products” include, but are not limited to, personal computers, audio and video equipment, calculators, wireless phones, game consoles, handheld devices that incorporate a video screen and are used to access interactive software, the associated peripherals thereof, and electronic components of any products through which electrical current is transmitted including, but not limited to, circuit boards, wiring (together with its insulation), lights, switches, jacks, plugs, and connectors.
- 2) “**Product Component**” means a constituent part of a children’s product that, taken alone or when assembled with other component(s), comprises a “children’s product” as defined in the Children’s Safe Products Act, Ch. 70.## RCW.

We also received requests to include language in the rule proposal addressing products or product components in existence on or before July 1, 2009. We offered the following language for consideration:

#### WAC 173-334-030

In-state retailers in possession of children’s products or product components on the date that the restrictions under the Children’s Safe Products Act become effective may exhaust their existing stock through sales to the public.

We received the following suggested language from the Toy Industry Association:

#### WAC 173-334-200 Lead, cadmium, and phthalates restrictions.

(1) Beginning July 1,2009, no manufacturer, wholesaler, or retailer may manufacture, knowingly sell, offer for sale, distribute for sale, or distribute for use in this state a children's product or product component first introduced into either United States or Washington State commerce after such date and containing the following:

- (a) Lead at more than .009 percent by weight (ninety parts per million);
- (b) Cadmium at more than .004 percent by weight (fort parts per million); or
- (c) Phthalates, individually or in combination, at more than 0.10 percent by weight (one thousand parts per million).