**Children’s Writing Instruments\* Check List**

**This checklist should only be used when there are accessories that would make a traditional writing instrument a children’s product.**

**Product Requirements**

Lead in Paints and Surface Coatings. 16 CFR 1303, CPSIA Section 101 (<90ppm)

Test conducted by Accredited Third Party Lab.

Testing was conducted within the past 12 months.

If lead is >40ppm but <90ppm, IL warning required.

*Testing not required if the article contains no surface coatings/paints.*

Total Lead in Substrates. CPSIA Section 101, (<100ppm).

Test conducted by Accredited Third Party Lab.

Testing was conducted within the past 12 months.

If lead is >40ppm but <90ppm, IL warning required.

Flammability of Solids. 16 CFR 1500.44

Hazardous Substances – Toxicological Risk Assessment. 16 CFR 1500.3/ASTM F963, Sec. 4.3.1

Formaldehyde in Children’s Products. MN Chapter 325F, Sec. 176-178. No detectable levels.

Sharp Points. 16 CFR 1500.48

Sharp Points (Metal or Glass). 16 CFR 1500.49

Small Parts. 16 CFR 1500.50/16 CFR 1501

*Note: all pins should contain the small parts warning.*

Tracking Label. CPSIA 103;

*Testing not required. Visual inspection is ok.*

* Permanently affixed to product
* Name of Manufacturer
* Location of Manufacture
* Date of Manufacture
* Unique Tracking Number

Country of Origin Marking. 19 CFR 134.11

*Testing not required; visual inspection ok.*

Children’s Product Certificate

Recent Test Report (less than 12 months old)

**California Prop 65**

*When Taymark creates the design and/or controls the manufacturing, the following tests should be performed. If Taymark is purchasing an off the shelf product Taymark should receive a written statement from the vendor as to the need for any California Prop 65 warnings.*

Lead in Substrates and Surface Coatings <90 ppm

*May use CPSIA lead testing data. Additional testing typically not required.*

Phthalates (DBP, BBP, DEHP, DINP, DIDP, DnHP)

*Testing may not be necessary if no plastic components. Consult with Anseco on a case by case basis.*

Total Cadmium in Surface Coatings and Substrates

Bisphenol A (BPA) (<100PPT)

***A warning label on the product, packaging and marketing materials will be required for products going into California if phthalates/Cadmium/BPH is in excess of the safe harbor limits. If lead is in excess of the 90/100 ppm, the product may not be sold anywhere in the United States as the product would be deemed a banned hazardous substance.***

**Packaging Requirements**

TPCH/Coneg/Toxic Elements in Packaging Material (sum of cadmium, hexavalent chromium, lead and mercury in packaging and packaging components shall be < 100ppm by weight)

Plastic Bag Warning. **“Warning: To avoid danger of suffocation, keep this plastic bag away from babies and children. Do not use this bag in cribs, beds, carriages or playpens. This bag is not a toy.”**

*Testing not required; visual inspection is ok.*

Warning Labels (All lapel pins should be labeled for small parts.

Prop 65 Warning Label if phthalates, cadmium and/or BPA in excess of the safe harbor limits is present.

Tracking Label

Safety Labeling on Packaging and Instructions for Magnets. ASTM F963, Sec. 4.38.3 & 5.17 & 5.3

*Applicable if lapel pin contains a magnet.*

**Marketing Material Requirements**

Warning Labels. Likely only small parts. Must be on all marketing materials (website, catalogs, etc.)

Prop 65 Warning Labels (including on websites, catalogs)

\*Traditional pens, pencils, and markers (excluding art supplies) are typically general use products, even when the writing instrument contains artwork that could be appealing to a child, such as cartoon characters. However, if there are other accessories, such as, but not limited to “hair,” “google eyes,” or other accessories that are appealing to a child, then the writing instrument may be deemed a children’s product.

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