



DEPARTMENT OF
ECOLOGY
State of Washington

Children's Safe Products Reporting Rule

Manufacturer Reporting Guidance

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Department of Ecology's Regional Offices Map of Counties Served



Region	Counties served	Mailing Address	Phone
Southwest	Clallam, Clark, Cowlitz, Grays Harbor, Jefferson, Mason, Lewis, Pacific, Pierce, Skamania, Thurston, Wahkiakum	PO Box 47775 Olympia, WA 98504	360-407-6300
Northwest	Island, King, Kitsap, San Juan, Skagit, Snohomish, Whatcom	3190 160th Ave SE Bellevue, WA 98008	425-649-7000
Central	Benton, Chelan, Douglas, Kittitas, Klickitat, Okanogan, Yakima	1250 W Alder St Union Gap, WA 98903	509-575-2490
Eastern	Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	4601 N Monroe Spokane, WA 99205	509-329-3400

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Hazardous Waste and Toxics Reduction
Washington State Department of Ecology
Olympia, Washington

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Do I need to report?

Are you new to Children's Safe Products Act (CSPA) and its reporting requirements? If you answer yes to all four questions below, then you will need to report.

1. Are your products offered for sale in Washington state? This includes all stores and online sales.
2. Are your products defined as children's products under the [Children's Safe Products Act](#)?¹
3. Does your product contain at least one [chemical of high concern to children](#)?²
4. Are you the person responsible for reporting? For help, read:
 - a. [Who is required to report to the department?](#) WAC 173-334-090³
 - b. Reporting responsibility (below)

Follow the link to the reporting database on our reporting rule guidance webpage at <https://ecology.wa.gov/CSPA-reporting>.

Reporting responsibility

Under the Children's Safe Product Act, RCW 70.240, manufacturers of children's products offered for sale in Washington State are responsible for reporting the presence of chemicals of high concern to children in those products.

RCW 70.240.010 broadly defines "manufacturer" to include the producer, importer and domestic distributor of the product.

WAC 173-334-090(2) establishes a hierarchy for determining which entity meeting the statutory definition of "manufacturer" (RCW 70.240.010) Ecology will hold primarily responsible for ensuring that reporting requirements are satisfied with respect to any children's product. That subsection states:

The following hierarchy will determine which person or entity the department will hold primarily responsible for ensuring that the department receives a complete, accurate, and timely notice for the children's product:

(a) The person or entity that had the children's product manufactured, unless it has no presence in the United States.

Ecology will use the tracking label required by Section 103 of the federal Consumer Product Safety Improvement Act (CPSIA) to determine the person or entity that had the children's product manufactured. If that entity has no presence in the United States, or it

¹ <http://app.leg.wa.gov/RCW/default.aspx?cite=70.240>

² <https://ecology.wa.gov/programs/hwtr/rtt/cspa/chcc.html>

³ <http://apps.leg.wa.gov/wac/default.aspx?cite=173-334-090>

is not possible to identify them; Ecology will attempt to identify the first person or entity that owned the children's product in the United States (see section (c)).

(b) The person or entity that marketed the children's product under its name or trademark, unless it has no presence in the United States.

Because this section does not expand the definition of a children's product under the statute, this entity would also have to be the producer, importer, or domestic distributor of the product.

(c) The first person or entity, whether an importer or a distributor, that owned the children's product in the United States.

When the section 103 tracking label references a manufacturer with no U.S. presence we will look to the importer that provides the General Certificate of Compliance required by Section 14(a) of the Consumer Product Safety Act, as amended; 15 U.S.C. Sec. 2063(a), and 16 C.F.R. Sec. 1110.7(a).

This same hierarchy should be applied to determine the entity whose annual aggregate gross sales must be used to determine when a report must first be provided for a children's product under WAC 173-334-110 (phasing in reporting requirements over several years based on the size of the "manufacturer" and the type of product). *Note:* If for affiliated entities a "consolidated federal tax return" is filed, the "gross sales" value is based on the consolidated gross sales of the affiliated entities. For all other cases the "gross sales" is based on the gross sales of the legal entity responsible for filing federal taxes.

Retailers are not responsible for reporting with respect to the products they sell at retail unless they are also the producer, importer or domestic distributor of the product.

Who is responsible for promotional items "given away" with a product?

For those promotional items which fall into the scope of products covered by this rule (see product scope guidance) the agency would follow the same hierarchy established in WAC 173-334-090 (2).

Example: An entity (e.g. Smith Company) manufactures a box of cereal with a promotional plastic toy in the box. While the cereal would meet the food exemption in the rule, the plastic toy would fall into the scope of products which have a reporting requirement.

Ecology would use the hierarchy established in WAC 173-334-090 to determine who would be held responsible for the timely and accurate notice required under the rule. In this example the Smith Company would be held responsible if it was the only entity that falls into one of the categories listed.

What information has to be reported?

You must report four pieces of information for your children's products containing one or more of the Chemicals of High Concern to Children (CHCC):

1. **Product category:** Submit one report for all products that fit into a [single category](#).
2. **Product component:** Indicate which [component\(s\)](#) contain a CHCC.
3. **Chemical (or CHCC) Concentration:** Report the **highest amount** of each CHCC found in a product component:
 - a. You can [report ranges](#) rather than the exact amount, based on test results or manufacturing knowledge.
 - b. Report the highest amount that would be found in the product component for each product category.
 - c. If the CHCC is intentionally added, you must report any amount above the [practical quantitation limit \(PQL\)](#).
 - d. If the CHCC is present as a contaminant, you must report any amount above 100 parts per million (ppm), unless the manufacturer has a manufacturing control program in place and exercises [due diligence](#) to minimize the level of the contaminant.
4. **Chemical Function:** [List of chemical functions](#) in the product component.

Product categories & scope

The scope of children's products covered by the Children's Safe Products Act Reporting Rule depends on several factors, covered in three guidance sections:

- Section 1. The product must be available for sale in Washington State.
- Section 2: The product must be intended for children under 12.
- Section 3: The product must fall into one of the product categories established in Section 3 of this guidance. These product categories are established based on the definition of a children's product in RCW 70.240(3)(a) and the GS1 Global Product Classification Standard.

Section 1 – Is the product available for sale in Washington?

For products sold at retail in traditional store fronts, this determination is easy to make. The CSPA also includes products sold by mail order or over the internet. So under the law if a product can be purchased by a consumer in Washington the product manufacturer is subject to the requirements of the law and rule.

Section 2 – Age group the product is intended to be used by

The reporting requirement applies to products intended for children under 12. The age determining factors listed in the CSPA for both jewelry and cosmetics are:

Represented in its packaging, display, or advertising as appropriate for use by children, sold in conjunction with, attached to, or packaged together with other products that are packaged, displayed, or advertised as appropriate for use by children; sized for children and not intended for use by adults.

We apply the same criteria for the other categories of products covered by the rule.

Section 3 – Product categories

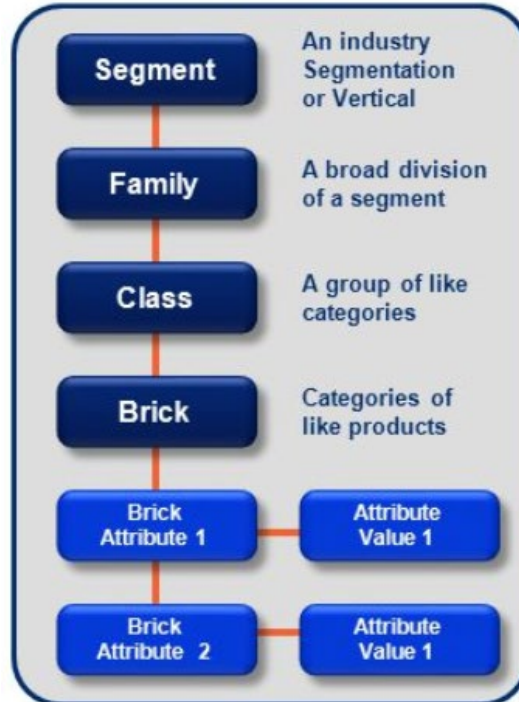
The rule requires reporting by product category. This section clarifies what is meant by the term "product category" in this context.

The definition of "product category" in the rule is as follows:

Product category means the "brick" level of the GS1 Global Product Classification (GPC) standard, which identifies products that serve a common purpose, are of a similar form and material, and share the same set of category attributes.

We used the definition of "children's product" established in the law and rule, in combination with an existing product categorization system, to determine the products that are subject to reporting. The GS1 Global Product Classification (GPC) system is used to identify product categories.

The following explanation is from the [GS1 website](https://www.gs1.org) (https://www.gs1.org):



To ensure products are classified correctly and uniformly, the Global Data Synchronization Network (GDSN) uses the GS1 Global Product Classification (GPC), a system that gives buyers and sellers everywhere in the world a common language for grouping products in the same way.

This improves the Global Data Synchronization Network's data accuracy and integrity, speeds up the supply chain's ability to react to consumer needs, and contributes to breaking down language barriers. It also facilitates the reporting process across product silos.

The official (normative) GPC schema and GPC Browser information is published in Oxford English. Both the schema and the browser information are translated to other languages.

The foundation of GPC is called a “Brick;” GPC bricks define categories of similar products. Using the GPC brick as part of GDSN ensures the correct recognition of the product category across the extended supply chain, from seller to buyer. Bricks can be further characterized by Brick Attributes.

The web browser for products and their respective categories can be found at: <http://www.gs1.org/gpc/browser>.

GS1 segments subject to reporting

The rule requires children's products must be reported at the “Brick” level. Ecology provides an on-line database for reporting. The drop-down choices will mirror the choices established by the GPC system for the relevant segments.

We have limited the reporting categories to the following segments based on the definition of children’s product established in the CSPA:

- Arts/Crafts/Needlework
- Automotive
- Beauty/Personal Care/Hygiene
- Camping
- Cleaning/Hygiene Products
- Clothing
- Footwear
- Healthcare
- Household/Office Furniture/Furnishings
- Kitchen Merchandise
- Personal Accessories
- Safety/Security/Surveillance
- Sports Equipment
- Stationery/Office Machinery/Occasion Supplies
- Toys/Games

“Baby Care” was previously a separate segment under the GPC system. GS1 recently eliminated the segment and incorporated baby care products into other relevant segments.

GS1 bricks subject to reporting

The following tables list the bricks manufacturers must report on. Detailed descriptions can be found on the GS1 website using their GPC browser. <https://www.gs1.org/gpc/browser>

Arts/Crafts/Needlework

Brick Description	Brick Code
Artists Accessories	10001682
Artists Brushes/Applicators	10001674
Artists Easels	10001681
Artists Painting/Drawing Supplies Other	10001685
Artists Painting/Drawing Supplies Variety Packs	10001684
Artists Painting Surface Agents	10001678
Artists Paints/Dyes	10001676
Artist Palettes	10001680
Artists Pastels/Charcoal/Crayons	10001677
Arts/Crafts Variety Packs	10001760
Basketry Craft Accessories	10001723
Basketry Craft Materials	10001721
Basketry Craft Supplies Other	10001725
Basketry Craft Supplies Variety Packs	10001724
Foam Craft Materials	10005713

Brick Description	Brick Code
Jewellery Craft Accessories	10001718
Jewellery Craft Materials	10001717
Jewellery Craft Supplies Other	10001720
Jewellery Craft Supplies Variety Packs	10001719
Paper/Card Making Craft Accessories	10001727
Paper Craft/Card Making Supplies Other	10001730
Paper Craft/Card Making Supplies Variety Packs	10001729
Sand Art Supplies	10001683
Sculptors/Pottery Craft Materials	10001691
Sculptors/Pottery Craft Supplies Other	10001698
Sculptors/Pottery Craft Supplies Variety Packs	10001697
Toy Making Accessories	10001711

Automotive

Brick Description	Brick Code
Baby Car/Booster Seats ⁴	10000792

Beauty/Personal Care/Hygiene

Brick Description	Brick Code
Antiperspirants/Deodorants	10000338
Aromatherapy Cushions	10000772
Aromatherapy Other	10000779
Aromatherapy Variety Packs	10000774
Baby Diapers (Disposable) ⁴	10000494
Baby Diapers (Non Disposable) ⁴	10000728
Baby Diapers Accessories ⁴	10000496
Baby Diapers/Accessories Other ⁴	10006821
Baby Diapers/Accessories Variety Packs ⁴	10006822
Baby Inserts/Pads ⁴	10000495
Base/Carrier Oils	10000773
Bath Additives	10000328
Beauty/Personal Care/Hygiene Variety Packs	10000666
Body Washing Other	10000813
Body Washing Variety Packs	10000722
Cleansing/Washing Accessories – Personal	10000334
Cleansing/Washing/Soap – Body ⁵	10000330
Cooling Face/Body Misters	10000719
Cosmetic Aids/Accessories	10000377
Cosmetic Paints/Shimmers/Glitters	10000761
Cosmetic Products Other	10000775
Cosmetic Products Variety Packs	10000669

⁴ Previously classified in the “Baby Care” segment.

⁵ Previously called “Cleansing/Washing – Personal.”

Brick Description	Brick Code
Cosmetics – Complexion	10000532
Cosmetics – Eyes	10000533
Cosmetics – Lips	10000534
Cosmetics – Nails	10000360
Cosmetics/Fragrances Variety Packs	10000672
Dental Cleansing	10000383
Ear/Nasal Care	10000341
Essential Oils	10000771
Fragrances	10000365
General Personal Hygiene Other	10000786
General Personal Hygiene Variety Packs	10000715
Hair – Colour	10000345
Hair – Conditioner/Treatment	10000346
Hair – False	10000343
Hair – Shampoo	10000368
Hair Care Products Other	10000834
Hair Care Products Variety Packs	10000677
Hair Products Variety Packs	10000676
Lip Balms	10005727
Nails – False	10000359
Nails – Treatments	10000361
Nail Cosmetic/Care Products – Replacement Parts	10000768
Nail Cosmetic/Care Products Other	10000778
Nail Cosmetic/Care Products Variety Packs	10000671
Personal Hygiene Products Variety Packs	10000712
Skin Care Other	10000812
Skin Care Variety Packs	10000721
Skin Care/Moisturising Products	10000356
Skin Drying Powder	10000374
Sun Protection Products	10000373
Skin Products Variety Packs	10000717
Skin Tanning Products Other	10000814
Skin Tanning Products Variety Packs	10000723
Tattoos/Stencils/Stick-on Jewellery – Temporary	10000763
Toners/Astringents	10000484
Wipes – Personal	10000573

Camping

Brick Description	Brick Code
Camping Beds/Sleeping Mats	10002079
Camping Furniture/Furnishings Other	10002085
Camping Furniture/Furnishings Variety Packs	10002086
Camping Seating	10002081
Camping Tableware	10003773

Brick Description	Brick Code
Camping Variety Packs	10002101
Sleeping Bags	10002080
Tents	10002069

Cleaning/Hygiene Products

Brick Description	Brick Code
Baby Hygiene Products ⁴	10000505

Clothing

Brick Description	Brick Code
Baby Feeding – Bibs ⁴	10000732
Belts/Braces/Cummerbunds	10001326
Bras/Basques/Corsets	10001345
Clothing Accessories Variety Packs	10001354
Clothing Adornment/Floral Accessories/Badges/Buckles	10001331
Clothing Variety Packs	10002102
Dresses	10001333
Dressing Gowns	10001338
Full Body Underwear	10001346
Full Body Wear Variety Packs	10001355
Handkerchiefs	10001327
Handwear	10001328
Headwear	10001329
Jackets/Blazers/Cardigans/Waistcoats	10001350
Lower Body Wear/Bottoms Variety Packs	10001356
Neckwear	10001330
Night Dresses/Shirts	10001339
Overalls/Bodysuits	10001332
Pants/Briefs/Undershorts	10001347
Pantyhose/Stockings	10002425
Petticoats/Underskirts/Slips	10002424
Protective Handwear	10001395
Protective Upper Body Wear	10001398
Shirts/Blouses/Polo Shirts/T-shirts	10001352
Skirts	10001334
Sleep Headwear	10001340
Sleep Trousers/Shorts	10001341
Sleepwear Variety Packs	10001358
Socks	10001348
Sportswear – Badges/Buckles	10004115
Sportswear – Belts	10004114

⁴ Previously classified in the “Baby Care” segment

Brick Description	Brick Code
Sportswear – Full Body Wear	10001342
Sportswear – Handwear	10003707
Sportswear – Headwear	10003708
Sportswear – Lower Body Wear	10001343
Sportswear – Neckwear	10004113
Sportswear – Upper Body Wear	10001344
Sportswear Hosiery	10003709
Sportswear Variety Packs	10001359
Suspenders/Garters	10002426
Sweaters/Pullovers	10001351
Trousers/Shorts	10001335
Undershirts/Chemises/Camisoles	10001349
Underwear Variety Packs	10001360
Upper Body Wear/Tops Variety Packs	10001361

Footwear

Brick Description	Brick Code
Athletic Footwear – General Purpose	10001070
Athletic Footwear – Specialist	10001071
Boots – General Purpose	10001076
Footwear – Replacement Parts/Accessories	10000433
Footwear Accessories Variety Packs	10000700
Shoes – General Purpose	10001077
Indoor Footwear – Fully Enclosed Uppers	10001078
Indoor Footwear – Partially Enclosed Uppers	10001079

Healthcare

Brick Description	Brick Code
Baby Treatments ⁴	10000500
Pacifiers/Teething Rings ⁴	10000504

Household/Office Furniture/Furnishings

Brick Description	Brick Code
Baby Bath Safety Products ⁴	10000498
Baby Baths/Bath Chairs/Bath Cradles ⁴	10000827
Baby Bouncing Cradles/Rocker Seats (Non Powered) ⁴	10000800
Baby Bouncing Cradles/Rocker Seats (Powered) ⁴	10000801
Baby Changing Mats ⁴	10000822
Baby Changing Table ⁴	10000501
Baby Cot Mattress ^{Error! Bookmark not defined.}	10000790
Baby Cots/Cot Beds/Bassinet ^{Error! Bookmark not defined.}	10000789

⁴ Previously classified in the “Baby Care” segment.

Brick Description	Brick Code
Baby High Chair ^{Error! Bookmark not defined.}	10000787
Baby Potties/Training Seats ^{Error! Bookmark not defined.}	10000821
Baby Sanitary Furnishings – Other ^{Error! Bookmark not defined.}	10006797
Baby Sanitary Furnishings – Replacement Parts ^{Error! Bookmark not defined.}	10006796
Baby Sanitary Furnishings Variety Pack ^{Error! Bookmark not defined.}	10006795
Bean Bags/Pouffes/Ottomans	10002197
Bed Sheets/Valances	10002227
Bedding Other	10002230
Bedding Variety Packs	10002229
Blankets (Powered)	10005197
Blankets/Throws (Non Powered)	10002224
Cushions	10002217
Duvet Covers	10002223
Duvets/Quilts/Mattress Toppers	10002222
Household Adjustable Beds (Non Powered)	10002209
Household Adjustable Beds (Powered)	10002208
Household Baby Beds/Mattresses - Other	10006808
Household Baby Beds/Mattresses – Replacement Parts	10006807
Household Baby Beds/Mattresses Variety Pack	10006806
Household Baby Seating - Other	10006811
Household Baby Seating – Replacement Parts	10006810
Household Baby Seating – Variety Packs	10006809
Household Bed Frames/Bedsteads	10002207
Household Beds – Replacement Parts/Components	10005096
Household Beds/Mattresses Other	10002212
Household Beds/Mattresses Variety Packs	10002213
Household Inflatable Beds/Water Beds	10002211
Household Mattresses	10002210
Mattress/Pillow/Duvet Protectors	10002228
Pillows	10002225
Pillow Cases	10002226

Kitchen Merchandise

Brick Description	Brick Code
Baby Cutlery (Non Disposable) ^{Error! Bookmark not defined.}	10006801
Baby Feeding – Bottles ^{Error! Bookmark not defined.}	10000491
Baby Feeding – Replacement Parts ^{Error! Bookmark not defined.}	10000823
Baby Feeding – Tableware ⁴	10000490

⁴ Previously classified in the “Baby Care” segment.

Brick Description	Brick Code
Baby Feeding – Teats ⁴	10000724
Baby Feeding Accessories ⁴	10000492
Baby Feeding Aids (Non Powered) ⁴	10000493
Baby Feeding Aids (Powered) ⁴	10000820
Baby Feeding Other ⁴	10000825
Baby Tableware Variety Packs	10006802
Bakeware/Ovenware/Grillware (Non Disposable)	10002150
Beverage Decorations/Accessories (Non Edible)	10002128
Bowls (Non Disposable)	10002154
Cake/Pastry Decorations/Accessories (Non Edible)	10002149
Cookie Guns/Food Decorating Syringes (Non Powered)	10005434
Cooking Timers (Non Powered)	10002136
Cookware (Disposable)	10000554
Cookware/Bakeware Accessories/Replacement Parts	10005675
Cookware/Bakeware Other	10002152
Corers/Peelers	10002169
Cutlery (Non Disposable)	10002156
Disposable Tableware	10000635
Egg Cups	10005427
Food Funnels	10005429
Food Measuring Equipment Other	10002142
Food Measuring Equipment Variety Packs	10002141
Food Preparation Bowls	10005701
Food Preparation Brushes/Oil Pumps/Baster	10005426
Food Preparation Equipment Other	10002178
Food Preparation Equipment Variety Packs	10002177
Food Shaping Moulds	10005430
Food Volume Measuring Equipment	10002139
Gloves	10005894
Kitchen Cookware/Bakeware Variety Packs	10002151
Kitchen Knives/Cleavers	10002168
Kitchen Merchandise Variety Packs	10002183
Kitchen Scissors	10000542
Kitchen Slicers/Graters/Cutters	10002172
Mincers/Choppers/Ricers/Pasta Makers (Non Powered)	10002148
Mugs/Cups (Non Disposable)	10002155
Multifunction Kitchen Tools	10002176
Openers – Kitchen	10002175
Plates (Non Disposable)	10002153

⁴ Previously classified in the “Baby Care” segment.

Brick Description	Brick Code
Rolling Pins	10002173
Salt/Pepper Shakers	10005693
Salt/Pepper/Spice Mills (Non Powered)	10002163
Serving Jugs/Pitchers/Decanters	10002158
Serving Trays	10002159
Serving/Drinking Glasses	10002157
Serving/Eating/Drinking Tableware Other	10002167
Serving/Eating/Drinking Tableware Variety Packs	10002166
Sieves/Strainers/Colanders	10002146
Slicing/Chopping Boards	10002147
Spatulas/Scoops/Ladles	10002170
Tablemats – Non Fabric/Non Textile	10005202
Tongs/Tweezers/Mallets/Mashers/Whisks	10002171

Personal Accessories

Brick Description	Brick Code
Anklets	10001083
Bracelets	10001084
Brooches	10001085
Cuff-links	10001086
Earrings/Body-piercing Jewellery	10001087
Jewellery Boxes/Pouches	10001088
Jewellery Other	10001387
Jewellery Replacement Parts	10001089
Jewellery Variety Packs	10001388
Necklaces/Necklets	10001090
Pendants	10001091
Personal Accessories Variety Packs	10001389
Rings	10001092
Tiaras	10001093
Watch Accessories/Replacement Parts	10001104
Watches	10001105
Watches Other	10001392

Safety/Security/Surveillance

Brick Description	Brick Code
Baby Play Pens/Dens ⁴	10000788
Baby Safety Protection (Non Powered)	10000503

⁴ Previously classified in the “Baby Care” segment.

Sports Equipment

Brick Description	Brick Code
Baby Carrier ⁴	10000502
Baby Carry Cots/Baskets/Cradles ⁴	10000795
Baby Cot/Basket – Travel ⁴	10000794
Baby Door Bouncer ⁴	10000802
Baby Exercisers/Transportation Other ⁴	10000805
Baby Exercisers/Transportation - Replacement Parts ⁴	10006813
Baby Exercisers/Transportation Variety Pack ⁴	10006812
Baby Swings ⁴	10000803
Baby Walker ⁴	10000804
Pram/Pushchair Stroller ⁴	10000793
Pram/Pushchair Stroller Accessories ⁴	10000797

Stationery/Office Machinery/Occasion Supplies

Brick Description	Brick Code
Balloons	10001214
Occasion Supplies Other	10001217
Occasion Supplies Variety Packs	10001218
Party Horns/Blowers	10005436
Party Poppers	10001222
Pens (Stationery)	10001235

Toys/Games

Brick Description	Brick Code
Action Figure Accessories	10006397
Action Figures (Non Powered)	10006395
Action Figures (Powered)	10006396
Baby/Infant Stimulation Toys (Non Powered)	10005153
Baby/Infant Stimulation Toys (Powered)	10005154
Bath/Pool Water Toys	10005155
Board Games (Non Powered)	10005133
Board Games (Powered)	10005134
Board Games/Cards/Puzzles – Accessories/Replacement Parts	10005135
Board Games/Cards/Puzzles Other	10005136
Board Games/Cards/Puzzles Variety Packs	10005137
Car/Train Set – Replacement Parts/Accessories	10005192
Car/Train Sets (Non Powered)	10005190
Car/Train Sets (Powered)	10005191
Card Games (Non Powered)	10005138

⁴ Previously classified in the “Baby Care” segment.

Brick Description	Brick Code
Card Games (Powered)	10005139
Communication Toys (Non Powered)	10005156
Communication Toys (Powered)	10005157
Developmental/Educational Toys Other	10005159
Developmental/Educational Toys Variety Packs	10005160
Dolls/Puppets/Soft Toys Other	10005144
Dolls/Puppets/Soft Toys Accessories Other	10005150
Dolls/Puppets/Soft Toys Accessories Variety Packs	10005151
Dolls/Soft Toys (Non Powered)	10005142
Dolls/Soft Toys (Powered)	10005143
Dolls Beauty/Cosmetic Accessories	10005146
Dolls Buildings/Settings	10005147
Dolls Clothing	10005148
Dolls Furniture	10005149
Fancy Dress Accessories (Non Powered)	10005175
Fancy Dress Accessories (Powered)	10005176
Fancy Dress Costumes	10005172
Fancy Dress Costumes/Accessories Other	10005173
Fancy Dress Costumes/Accessories Variety Packs	10005174
Indoor/Outdoor Games	10005181
Musical Toys (Non Powered)	10005177
Musical Toys (Powered)	10005178
Musical Toys Other	10005179
Outdoor Games/Play Structures Other	10005180
Outdoor Play Structures	10005182
Practical Jokes	10005443
Puppets	10005145
Puppet Theatres	10005152
Push/Pull-along Toys (Non Powered)	10005161
Push/Pull-along Toys (Powered)	10005162
Puzzles (Non Powered)	10005140
Puzzles (Powered)	10005150
Role Play - Housekeeping/Gardening/DIY Toys	10005684
Role Play - Kitchen Toys	10005250
Role Play - Shopping/Office/Business Toys	10005685
Scientific Toys (Non Powered)	10005163
Scientific Toys (Powered)	10005164
Spinning Tops/Yo-Yos	10005165
Styling Dolls Heads (Non Powered)	10005439
Styling Dolls Heads (Powered)	10005440
Table Games (Non Powered)	10005183
Table Games (Powered)	10005184
Table Games Other	10005185
Toy Building Blocks (Non Powered)	10005166

Brick Description	Brick Code
Toy Building Blocks (Powered)	10005167
Toy Drawing Boards/Accessories	10005442
Toy Model Construction (Non Powered)	10005168
Toy Model Construction (Powered)	10005169
Toys/Games - Other	10006899
Toys/Games Variety Packs	10005186
Toys – Ride–on (Non Powered)	10005187
Toys – Ride–on (Powered)	10005188
Toys - Ride-on Accessories	10005441
Toys – Ride–on Other	10005189
Toy Vehicles – Non–ride (Non Powered)	10005193
Toy Vehicles – Non–ride (Powered)	10005194
Toy Vehicles – Non–ride Other	10005195
Toy Vehicles – Non–ride Variety Packs	10005196
Viewing Toys (Non Powered)	10005170
Viewing Toys (Powered)	10005171

Product components

Introduction

The Children’s Safe Product Act Reporting Rule requires reporting by product component. This section clarifies what is meant by the term “product component” in the context of the Children’s Safe Products Act 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.

Reporting choices for “product component”

Based on this definition, and consultation with product testing laboratories, Ecology developed the following list of component choices for reporting.

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 you are not required to report it.

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:**

1. Textile (pants)
2. Plastic (buttons)
3. Metal (zipper)

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**:

1. Red plastic
2. Metal
3. Paint coating

“Uniquely identifiable” / “Reasonable to separate”

In some cases, it will be less immediately obvious whether a component is “uniquely identifiable.” You 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**:

1. Red plastic
2. 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**:

1. Blue textile
2. Yellow textile

The blue and yellow stripes are:

- Uniquely identifiable, and
- 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 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.

The paint on the toy is only **one component**:

- Two layers of paint are unrealistic to separate.

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.

Each of these are considered **separate components**:

- Leather top
- Metal eyelets
- Textile laces
- Plastic tips

The sole is considered a **single component**:

- It's unrealistic to separate rubber, plastic, and adhesive that make up the sole.

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.

The blue paint is **not** considered a separate component.

- There is **not enough blue paint** contained in the doll to make it reasonable to separate.

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**:

- Homogenous mixture (the gel), and
- 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**.

Inaccessible internal component 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 173-334-040 and 173-334-100.

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, and a metal music box in the middle that contains a CHCC.

These are considered **separate components**:

- Fur covering
- Textile covering
- Black plastic
- Red plastic
- Metal of the music box if, during reasonable and foreseeable use and abuse, the child comes into direct contact with the metal, then it 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

The product has **three components** if, during reasonable and foreseeable use and abuse, the child comes into direct contact with the red plastic and:

- 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.

The doll's shirt is considered a **single component**

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

Ecology regularly purchases and conducts laboratory analyses on products to verify compliance with the reporting requirements. These analyses will be limited to those components which can be identified or separated from the product in a realistic manner. We focus our testing efforts on product components which are both practical to sample and likely to contain a chemical of concern.

Reporting ranges

You can report the presence of Chemicals of High Concern to Children (CHCC) in ranges rather than exact amounts. These are the reporting ranges available in the reporting database.

Table 1. What's the concentration of your chemical?

Range number	Range of ppm
Range 1:	Less than 100 ppm
Range 2:	100 ppm – 499 ppm
Range 3:	500 ppm – 999 ppm
Range 4:	1,000 ppm – 4,999 ppm
Range 5:	5,000 ppm – 9,999 ppm
Range 6:	10,000 ppm or greater

Practical quantitation limits (PQLs)

Background:

Companies are not required to test their products to meet the reporting requirements of the Children's Safe Products Act (CSPA), manufacturing process knowledge may be sufficient. The following summarizes target PQLs and recommended test methods for the 85 chemicals of high concern to children (CHCCs).

Analysis of products for specific chemicals of high concern to children (CHCC) is a complicated and difficult process. Ecology obtained the information below from several sources, and provides recommended methods and target practical quantitation limits (PQLs) for products.⁶ We used a compilation of laboratory data, and experimentally determined PQLs are provided, when available. Sources used include:

- Actual data reports from Ecology or contract laboratories that analyzed products, similar materials or complex mixtures in waste materials for specific CHCCs.
- Information from laboratories that offer the ability to analyze products, similar materials or complex mixtures in waste materials for specific CHCCs.
- Data from authoritative sources that analyzed products, similar materials or complex mixtures in waste materials for specific CHCCs.

Table 2 below lists the individual CHCCs and their target PQLs. These are the levels manufacturers should ask laboratories to analyze products for the purpose of CSPA reporting. Ecology recognizes that PQLs are highly dependent upon many factors including media, companion and co-eluting chemicals, etc., therefore the levels cited should be regarded as a target, not an absolute. As we continue to test additional children's products for specific CHCCs, results from these analyses will be used to update the PQL table.

The table presents the CHCC-specific recommended methodology used to determine the target PQL, as reported by one of the sources above. Priority was given to methods developed by EPA to implement the Resource Conservation and Recovery Act (RCRA). RCRA methods are applicable to a wide range of media types including water, soil, sediment and waste. RCRA methods are performance-based thereby allowing for modifications, provided the modified method employs sound analytical practices and meets all appropriate quality control criteria. Ecology uses modified RCRA methods for product testing studies at Ecology.

CSPA reporting requires manufacturers to report the **total** concentration of each CHCC contained in each component of their children's products. Ecology recommends the manufacturer analyze their products using a method approved by an authoritative agency such as

⁶ Established in the previous guidance [2012] CHCC PQLs were determined by applying a multiplicative factor, usually 10, to a (RCRA) method specific method detection limit (MDL). In 2017 the RCRA test method update(s) replaced the use of MDL with a more appropriate practice of determining the lowest level of quantitation (LLOQ). In the absence of experimentally determined LLOQ to base CHCC target levels, this guidance will continue to provide PQLs based on literature-based and experimentally determined MDLs. Additional RCRA method information can be found at <https://waste.zendesk.com/hc/en-us/categories/202556958>.

EPA. We also recommends adding a certified reference material, when available, to assure quality of data.

A laboratory may use an alternative test method provided they are able to demonstrate it measures total concentrations successfully.

If you would like Ecology to review a method that is not listed here, you must provide us a copy of the method for review. Please email cspareporting@ecy.wa.gov

Table 2. CHCCs, target PQLs, and recommended test methods.

#	Chemical	CAS	Target Level PQL (ppm)	Recommended Test Method
1	Formaldehyde	50-00-0	5.0	Total Extraction/ EPA 8315 or 8270
2	Aniline	62-53-3	1.0	Total Extraction/ EPA 8270
3	N-Nitrosodimethylamine	62-75-9	1.0	Total Extraction/ EPA 8270
4	Benzene	71-43-2	1.0	Total Extraction/ EPA 8260
5	Vinyl chloride	75-01-4	0.5	Total Extraction/ EPA 8260
6	Acetaldehyde	75-07-0	1.0	Total Extraction/ EPA 8315
7	Methylene chloride	75-09-2	1.0	Total Extraction/ EPA 8260
8	Carbon disulfide	75-15-0	1.0	Total Extraction/ EPA 8260
9	Methyl ethyl ketone	78-93-3	1.0	Total Extraction/ EPA 8260
10	1,1,2,2-Tetrachloroethane	79-34-5	1.0	Total Extraction/ EPA 8260
11	Tetrabromobisphenol A (TBBPA)	79-94-7	50.0	Total Extraction/ EPA 1694
12	Bisphenol A (BPA)	80-05-7	1.0	Total Extraction/ EPA 1694
13	Bisphenol S ¹⁰ (BPS)	80-09-1	1.0	Total Extraction/ EPA 1694
14	Dicyclohexyl phthalate ¹⁰ (DCHP)	84-61-7	25.0	CPSC-CH-C1001-09.3
15	Diethyl phthalate (DEP)	84-66-2	25.0	CPSC-CH-C1001-09.3
16	Diisobutyl phthalate ¹⁰ (DIBP)	84-69-5	25.0	CPSC-CH-C1001-09.3
17	Di-n-butyl phthalate (DBP)	84-74-2	25.0	CPSC-CH-C1001-09.3
18	Di-n-hexyl phthalate (DnHP)	84-75-3	25.0	CPSC-CH-C1001-09.3
19	Butyl benzyl phthalate (BBP)	85-68-7	25.0	CPSC-CH-C1001-09.3
20	N-Nitrosodiphenylamine	86-30-6	1.0	Total Extraction/ EPA 8270
21	Hexachlorobutadiene	87-68-3	5.0	Total Extraction/ EPA 8260
22	Propyl paraben	94-13-3	5.0	Total Extraction/ EPA 8321
23	Butyl paraben	94-26-8	5.0	Total Extraction/ EPA 8321
24	2-Aminotoluene	95-53-4	1.0	Total Extraction/ EPA 8270
25	2,4-Diaminotoluene	95-80-7	1.0	Total Extraction/ EPA 8270
26	Methyl paraben	99-76-3	5.0	Total Extraction/ EPA 8321

#	Chemical	CAS	Target Level PQL (ppm)	Recommended Test Method
27	4-Hydroxybenzoic acid	99-96-7	5.0	Total Extraction/ HPLC ⁷
28	Ethylbenzene	100-41-4	1.0	Total Extraction/ EPA 8260
29	Styrene	100-42-5	1.0	Total Extraction/ EPA 8260
30	4-Nonylphenol	104-40-5	10.0	Total Extraction/ EPA 8270
31	4-Chloroaniline	106-47-8	1.0	Total Extraction/ EPA 8270
32	Acrylonitrile	107-13-1	1.0	Total Extraction/ EPA 8260
33	Ethylene glycol	107-21-1	40.0	Total Extraction/ EPA 8015
34	Toluene	108-88-3	0.5	Total Extraction/ EPA 8260
35	Phenol	108-95-2	1.0	Total Extraction/ EPA 8270
36	2-Methoxyethanol	109-86-4	10.0	Total Extraction/ EPA 8015
37	Ethylene glycol monoethyl ether	110-80-5	10.0	Total Extraction/ EPA 8015
38	Triphenyl phosphate ¹⁰ (TPP)	115-86-6	50.0	Total Extraction/ EPA 8270
39	Tris(2-chloroethyl) phosphate (TCEP)	115-96-8	50.0	Total Extraction/ EPA 8270
40	Di-(2-ethylhexyl) phthalate (DEHP)	117-81-7	25.0	CPSC-CH-C1001-09.3
41	Di-(2-methoxyethyl) phthalate ¹⁰ (DMEP)	117-82-8	25.0	CPSC-CH-C1001-09.3
42	Di-n-octyl phthalate (DnOP)	117-84-0	25.0	CPSC-CH-C1001-09.3
43	Hexachlorobenzene	118-74-1	1.0	Total Extraction/ EPA 8270
44	3,3'-Dimethylbenzidine & Dyes Metabolized to same	119-93-7	1.0	Total Extraction/ EPA 8270
45	Ethyl paraben	120-47-8	5.0	Total Extraction/ EPA 8321
46	1,4-Dioxane	123-91-1	20.0	Total Extraction/ EPA 8260
47	Tris (2,3-dibromopropyl) phosphate ¹⁰ (TDBPP)	126-72-7	50.0	Total Extraction/ EPA 8270
48	Tri-n-butyl phosphate ¹⁰ (TNBP)	126-73-8	50.0	Total Extraction/ EPA 8270
49	Tetrachloroethene	127-18-4	0.5	Total Extraction/ EPA 8260
50	Dipentyl phthalate ¹⁰ (DPP)	131-18-0	50.0	CPSC-CH-C1001-09.3
51	Benzophenone-2 (Bp-2)	131-55-5	5.0	Total Extraction/ GC-FID ⁷
52	4-tert-Octylphenol	140-66-9	10.0	Total Extraction/ GC-MS ⁷
53	Estragole	140-67-0	10.0	Total Extraction/ GC-MS ⁷
54	2-Ethylhexanoic acid	149-57-5	5.0	Total Extraction/ GC-FID ⁷

⁷ Ecology found the recommended instrumentation used for some applications but may not be applicable to all product matrices.

HPLC = high performance liquid chromatography

GC-FID = gas chromatography-flame ionization detector

GC-MS = gas chromatography-mass spectrometry

LC-MS/MS = liquid chromatography tandem-mass spectrometry

#	Chemical	CAS	Target Level PQL (ppm)	Recommended Test Method
55	Perfluorooctanoic acid and related substances ¹⁰ (PFOA)	335-67-1	0.001	Total Extraction/ LC-MS/MS ⁷
56	Pentachlorobenzene	608-93-5	1.0	Total Extraction/ EPA 8270
57	Bisphenol F (BPF) ¹⁰	620-92-8	1.0	Total Extraction/ EPA 1694
58	C.I. Solvent Yellow 14	842-07-9	1.0	Total Extraction/ LC-M/MS ⁷
59	N-Methylpyrrolidone	872-50-4	1.0	Total Extraction/ EPA 8270
60	Decabromodiphenyl ether (BDE-209)	1163-19-5	50.0	Total Extraction/ EPA 8270
61	Ethylhexyl diphenyl phosphate ¹⁰ (EHDPP)	1241-94-7	50.0	Total Extraction/ GC-MS ⁷
62	Tricresyl phosphate ¹⁰ (TCP)	1330-78-5	50.0	Total Extraction/ GC-MS ⁷
63	Perfluorooctane sulphonic acid and its salts (PFOS)	1763-23-1	0.001	Total Extraction/ LC-MS/MS ⁷
64	4-Octylphenol	1806-26-4	10.0	Total Extraction/ GC-MS ⁷
65	2-Ethyl-hexyl-4-methoxycinnamate	5466-77-3	5.0	Total Extraction/ HPLC ⁷
66	Mercury & mercury compounds	7439-97-6	0.5	Total Digestion/ EPA ⁸
67	Antimony & Antimony compounds	7440-36-0	1.0	Total Digestion (EPA 3052)/ EPA 6020 ⁹
68	Arsenic & Arsenic compounds including arsenic trioxide (1327-53-3) & dimethyl arsenic acid (75-60-5)	7440-38-2	1.0	Total Digestion (EPA 3052)/ EPA 6020 ⁸
69	Cadmium & cadmium compounds	7440-43-9	1.0	Total Digestion (EPA 3052)/ EPA 6020 ⁸
70	Cobalt & Cobalt compounds	7440-48-4	1.0	Total Digestion (EPA 3052)/ EPA 6020 ⁸
71	Tris(1-chloro-2-propyl) phosphate ¹⁰ (TCPP)	13674-84-5	50.0	Total Extraction/ EPA 8270
72	Tris(1,3-dichloro-2-propyl) phosphate (TDCPP)	13674-87-8	50.0	Total Extraction/ EPA 8270
73	Butylated hydroxyanisole (BHA)	25013-16-5	10.0	Total Extraction/ GC-MS ⁷
74	Nonylphenol ¹⁰	25154-52-3	25.0	Total Extraction/ GC-MS ⁷
75	Hexabromocyclododecane	25637-99-4	50.0	Total Extraction/ EPA 1694

⁸ EPA = SW-846 general method 6020 or appropriate SW-846 7000 metal specific analysis, <https://www.epa.gov/hw-sw846>

⁹ Hydrofluoric acid only needed with a glass matrix.

#	Chemical	CAS	Target Level PQL (ppm)	Recommended Test Method
76	Bis (2-ethylhexyl) tetrabromophthalate ¹⁰ (TBPH)	26040-51-7	50.0	Total Extraction/ EPA 8270
77	Diisodecyl phthalate (DIDP)	26761-40-0	25.0	CPSC-CH-C1001-09.3
78	Diisononyl phthalate unbranched (DINP)	28553-12-0	25.0	CPSC-CH-C1001-09.3
79	Bis(chloromethyl)propane-1,3-diyl tetrakis-(2-chloroethyl) bis(phosphate) (V6) ¹⁰	38051-10-4	50.0	Total Extraction/ EPA 1694
80	Isopropylated triphenyl phosphate ¹⁰ (IPTPP)	68937-41-7	50.0	Total Extraction/ GC-MS ⁷
81	4-Nonylphenol branched ¹⁰	84852-15-3	25.0	Total Extraction/ EPA 8270
82	Decabromodiphenyl ethane ¹⁰ (DBDPE)	84852-53-9	50.0	Total Extraction/ EPA 8270
83	Short-chain chlorinated paraffins ¹⁰ (SCCP)	85535-84-8	50.0	Total Extraction/ GC-MS ⁷
84	Chlorinated paraffins ¹⁰	108171-26-2	50.0	Total Extraction/ GC-MS ⁷
85	2-ethylhexyl-2,3,4,5-tetrabromobenzoate ¹⁰ (TBB)	183658-27-7	50.0	Total Extraction/ EPA 8270

¹⁰ Added to CHCC list in 2017.

Reporting contaminants and due diligence

This section provides clarification on what Ecology will look for when the agency evaluates the sufficiency of manufacturer efforts to minimize the presence of contaminants in their products (WAC 173-334-080(1)(b)).

Contaminant is defined as follows in WAC 173-334-040:

Trace amounts of chemicals that are incidental to manufacturing. They serve no intended function in the product component. They can include, but are not limited to, unintended by-products of chemical reactions during the manufacture of the product component, trace impurities in feed-stock, incompletely reacted chemical mixtures, and degradation products.

The party responsible for reporting data has one of two options for contaminants:

- 1) Report them if they are above 100 ppm, **OR**
- 2) Rely on the quality of their manufacturing control program to eliminate the need to report the concentration of contaminants. The rule allows manufacturers the option of not reporting the presence of contaminants if they:
 - a. Have a manufacturing program to minimize contaminants in their products, and
 - b. Use due diligence to ensure the effectiveness of the program.

If the agency determines that a chemical present in a product category was not reported, the reporting party will be contacted. If the manufacturer has relied on the use of an effective manufacturing program – in place **at the time of manufacturing** – the manufacturer will need to demonstrate the sufficiency of such a program to the agency.

A manufacturer is responsible for knowing the amount of CHCCs in its children's products. To control the amount of any contaminants present in its final children's product, the manufacturer may choose to establish and conduct a manufacturing control program. At a minimum, a reasonable manufacturing control program includes those methods and procedures required to comply with federal regulations for children's products and may include recognized industry best manufacturing practices, e.g., compliance with: relevant International Standards Organization (ISO) requirements, American Society for Testing and Materials (ASTM) standards, or other widely established certification or standards programs.

Actions demonstrating diligence **may** include, but are not limited to:

- Use and enforcement of contract specifications.
- Procedures to ensure the quality/purity of feedstock (whether raw or recycled).
- Use and enforcement of contract specifications for manufacturing process parameters (e.g., drying and curing times when relevant to the presence of high priority chemicals in the finished children's product components).
- Periodic testing for the presence and amount of CHCCs.

- Auditing of contractor or supplier manufacturing processes.
- Use of a chemical educational outreach program for members of supply chain.
- Other practices reasonably designed to ensure the manufacturer's knowledge of the presence, use, and amount of CHCCs in its children's product components.

As stated in the rule, the agency's compliance assurance efforts would include an investigation prior to any formal enforcement actions. As part of this investigation the agency will make a good faith effort to provide notice to the responsible party and an opportunity to respond to any agency concerns. It is during this response period that the responsible party can present their justification for relying on their manufacturing control program.

While the agency can't provide the specifics of a "one size fits all" manufacturing control and due diligence program, any person wishing to demonstrate compliance with this provision must establish both the presence and implementation of the appropriate actions listed above when evaluating submitted information. Ecology will begin any investigation by looking first at the lowest attainable concentration obtained by manufacturers of similar products. There is no value or set of actions, however, that will be appropriate or applicable to all circumstances. If a manufacturer does not have confidence in its ability to demonstrate an appropriate manufacturing control and due diligence program they should report all CHCCs that are present as contaminants above a concentration of 100ppm.

Ecology anticipates that there will be situations where the same chemical in the same product category or component could be considered a contaminant in one situation and intentionally added in another. Below are a few examples to illustrate this point.

Example 1: A manufacturer makes a variety of shirts. Some are designed to be wrinkle free and others that are not. Where Chemical Z is added to help the shirt remain wrinkle-free, Ecology would consider Chemical Z to be intentionally added and the manufacturer would have to report any amount above the PQL.

For shirts where Chemical Z is not added intentionally, but there is some present in the final product anyway, the manufacturer has one of two options:

1. Report the presence of Chemical Z if its concentration is above 100 ppm, OR
2. Rely on their ability to demonstrate to the agency that a manufacturing control and due diligence program was in place that minimized the presence of Chemical Z.

Example 2: If Metal Y is used to provide malleability in a metal used in jewelry, the concentration of Metal Y added to products would need to be reported at any concentration above the practical quantitation limit. But if Metal Y is present in jewelry due to small amounts inadvertently being transferred from the mold to the jewelry, it would be considered to be a contaminant.

The manufacturer again has one of two options:

1. Report the presence of Metal Y if its concentration is above 100 ppm, OR

2. Rely on their ability to demonstrate to the agency that a manufacturing control and due diligence program was in place that minimized the presence of Metal Y.

Example 3: A manufacturer is making a material to be molded into a plastic toy. Chemical A is combined with Chemical B to make Plastic Material C that has essential properties needed to produce the plastic toy. Some trace amounts of Chemicals A and B remain in plastic material C. Chemicals A and B would be considered contaminants, per the definition in WAC 173-334-040.

The manufacturer has one of two options:

1. Report the presence of Chemicals A and B if the concentration of either chemical is above 100 ppm, OR
2. Rely on their ability to demonstrate to the agency that a manufacturing control and due diligence program was in place that minimized the presence of Chemicals A and B.

List of chemical functions

- Accelerator
- Adhesive
- Antioxidant
- Antistatic agent
- Binding agent
- Catalyst
- Coloration/Pigments/Dyes/Inks
- Component of plastic resin or polymer process
- Conductive material (Electronic products)
- Dispersant
- Emulsifier
- Flame Retardant
- Flavoring
- Fragrance
- Germicidal (Bactericidal / Fungicidal)
- Hardening
- Inactive ingredient
- Lubricant
- Manufacturing additive (to facilitate manufacturing process)
- Mold / Press release
- No function - Contaminant
- Other
- pH Adjustment
- Physical characteristics (abrasive quality, reflecting agent, electronic connectivity, etc.)
- Plasticizer /Softener
- Preservative
- Protective coating
- Reinforcement / Strength
- Solvent
- Source contaminant
- Stabilizers
- Stain prevention
- Surfactant
- Texture
- UV stabilizer/absorber
- Water Proofing