



United States
Consumer Product Safety Commission

Requirements for Footwear

Footwear Distributors and Retailers of America
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Small Business Ombudsman

***Disclaimer:** This presentation was prepared by CPSC Staff
and may not necessarily reflect the views of the Commission.*



What is the U.S. Consumer Product Safety Commission or CPSC?

Mission: Keeping Consumers Safe

Vision: A nation free from unreasonable risks of injury and death from consumer products

CPSC is an independent federal regulatory agency formed in 1972 with a mission to protect the public against unreasonable risks of injury or death from consumer products through education, safety standards activities, regulation, and enforcement.



CPSC Small Business Ombudsman (SBO) Team

- Provide **plain language guidance**, education, and outreach regarding applicable federal consumer product safety requirements.
- Serve as a **liaison between small businesses and agency staff** with questions regarding compliance with agency rules.
- **Resolve complaints** by coordinating with CPSC staff response and/or directing small businesses to appropriate CPSC staff.
- Provide and facilitate **training and outreach events** for small businesses.



Regulatory Robot



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<https://business.cpsc.gov>



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**CONSUMER PRODUCT
SAFETY COMMISSION**



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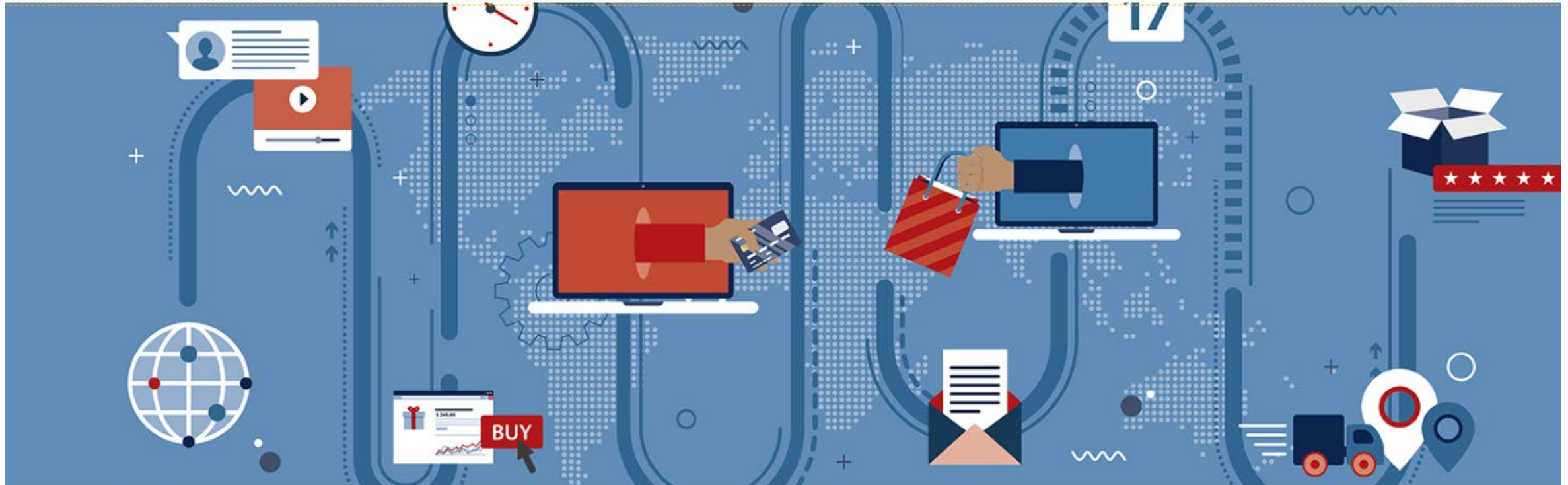
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Online Sellers' Safety Guide



CPSC Requirements for Footwear

- Footwear that does not consist, in whole or in part, of hosiery and is not attached to a garment is excepted from **16 CFR part 1610**, the *Standard for the Flammability of Clothing Textiles*.
- Most general-use/adult footwear does not need to meet any specific CPSC testing, labeling, or certification requirements.
- Duty to Report an unsafe consumer product – see <https://www.cpsc.gov/reporting>.



CPSC Requirements for Children's Footwear

- Children's footwear is subject to the following requirements:
 - Total lead content (100 ppm) – 15 U.S.C. § 1278a
 - <https://www.cpsc.gov/lead>
 - Lead in paint and similar surface coatings (90 ppm) – 16 CFR part 1303
 - <https://www.cpsc.gov/leadinpaint>
 - Tracking label (present on one piece of footwear + packaging)
 - <https://www.cpsc.gov/trackinglabel>
 - Third-party testing from a CPSC-accepted laboratory
 - <https://www.cpsc.gov/labsearch>
 - Certification – Children's Product Certificate (CPC)
 - <https://www.cpsc.gov/cpc>



Small Parts, Sharp Points and Edges

- **Small Parts** are banned in products for children under 3
 - Children's clothing and accessories, such as shoelace holders and buttons are exempt under 16 CFR § 1501.3(d).
- Testing for **sharp points and edges** (16 CFR §§ 1500.48-49) is not a mandatory CPSC requirement for children's footwear.
- CPSC staff recommends voluntary compliance to the extent practicable, based upon product design.



CPSC Sec. 15 Reporting Requirements

- Understand your legal responsibility to immediately report information to the CPSC about your product if it:
 - (i) fails to comply with CPSC requirements and/or industry standards,
 - (ii) could create a substantial risk of injury,
 - (iii) is otherwise unreasonably hazardous or dangerous.
 - See 16 CFR part 1115 and [cpsc.gov/reporting](https://www.cpsc.gov/reporting).
- Ensure all Full Report information under 16 CFR § 1115.13(d) is complete and provided to Compliance staff
- Submit report through **SaferProducts.gov**



Recall Guidance

- Have a recall plan in place should you need to act quickly. The ISO standards below can help:
 - ISO 10377 Consumer Product Safety Guidelines
 - ISO 10393 Consumer Product Recall Guidelines
 - ISO 19600 Compliance Management Systems Guidelines
 - ISO 31000 Risk Management: Principles and Guidelines
- Use lot or batch controls or serial numbers to identify products. These can be used to identify specific units affected by the noncompliance and/or product safety issue which are subject to a recall.



Recall Guidance

- Identify an appropriate remedy: replacement, repair, refund
- Implement a reverse logistics plan to remove the recalled products from the marketplace at no cost to consumer
- Prepare drafts of the press release, direct notices to the consumers, distributors, and retailers, website and social media notices
- Provide timely responses to Compliance staff
- Submit monthly progress reports
- For more info visit: <https://cpsc.gov/Business--Manufacturing/Recall-Guidance>



Recall Examples

Target Recalls Toddler Boots Due to Choking Hazard

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**Name of Product:**

Cat & Jack Unicorn “Chiara” Boots

Hazard:

The unicorn horn on the boot can detach, posing a choking hazard to children.

Remedy:

Refund

Recall Date:

February 12, 2019

Units:

About 33,600



Recall Examples

Lilly of New York Children's Winter Boots Recalled by Kidz Concepts Due to Violation of Federal Lead Content Ban; Sold Exclusively at Zulily.com (Recall Alert)

English

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Name of Product:

Lilly of New York children's winter boots

Hazard:

The boots' sole contain levels of lead that exceed the federal lead content ban. Lead is toxic if ingested by young children and can cause adverse health issues.

Remedy:

Refund

Replace

Recall Date:

March 19, 2020

Units:

About 3,200



Recall Examples

Primark Recalls Kitten Heel Court Shoes Due to High Levels of Chromium; Risk of Skin Irritation

English

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Name of Product:

Wide Fit Kitten Heel Court Pumps

Hazard:

The leather insock in the shoes has elevated levels of Chromium VI, posing a risk of skin irritation.

Remedy:

Refund

Recall Date:

May 27, 2020



Recall Examples

Clarks Americas Recalls Women's Navy Blue Canvas Shoes Due to Chemical Hazard

English

[Chinese, Simplified](#)

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Recalled Clarks women's shoes- Breeze Ave (dark navy-article 26165269)

Name of Product:

Breeze Ave, Breeze Shore and Breeze Step women's shoes in navy colors

Hazard:

Prolonged and direct contact with the shoes' upper material can expose the wearer to the chemicals benzidine and/or dimethoxybenzidine, which are toxic and can cause adverse health effects.

Remedy:

Refund

Recall Date:

November 03, 2022

Units:

About 113,000 (In addition, about 10,000 were sold in Canada)



Thank you for watching!



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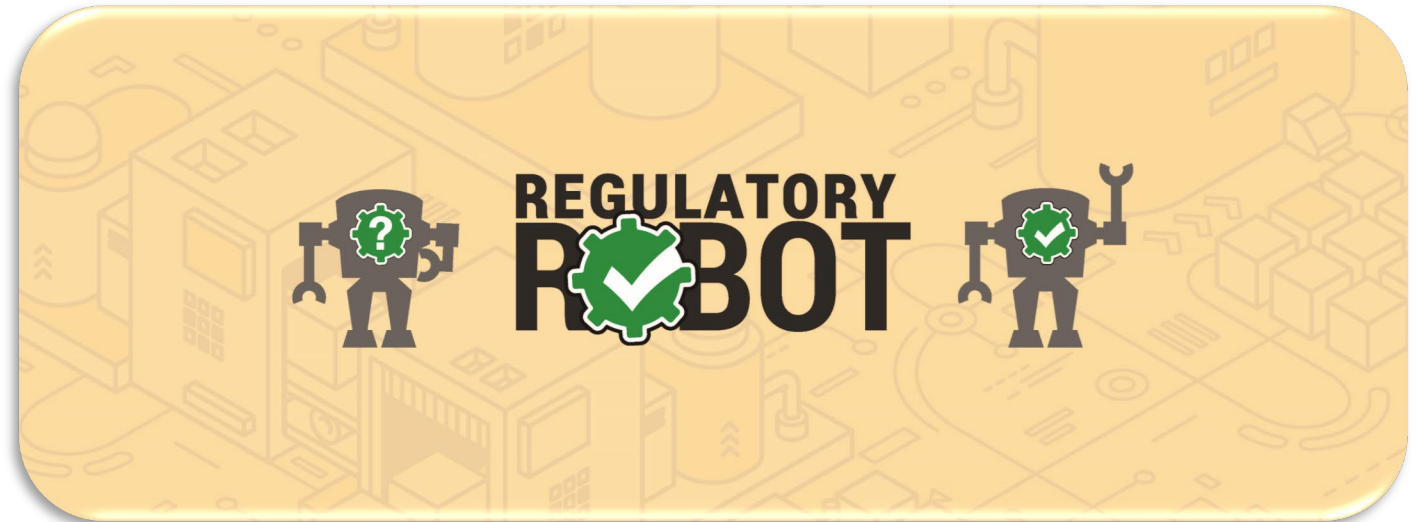
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