



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

**Poison Prevention Packaging Act (PPPA) Enforcement Discretion  
Testing Advisory Letter**

June 25, 2020

Dear Sir or Madam:

I am writing to announce certain enforcement discretion for packages subject to the testing requirements of the Poison Prevention Packaging Act (PPPA) and its implementing regulations, stemming from testing challenges posed by COVID-19. The Office of Compliance will adhere to this enforcement discretion for 6 months until December 25, 2020.

The PPPA requires products containing a regulated substance (listed at 16 CFR § 1700.14) to be packaged in special packaging (referred to as child-resistant and senior-friendly packaging). The packaging required by the PPPA must be designed or constructed to be significantly difficult for children under 5 years of age to open within a reasonable time, and not be difficult for normal adults to use properly.

Under the Consumer Product Safety Improvement Act of 2008 (CPSIA), the importer or the domestic party that packages a PPPA-regulated substance in special packaging must issue the general certificate of conformity (GCC) to validate that the product meets the applicable requirements of 16 CFR § 1700.15. This certification is supported by the child-resistance and senior-friendly testing data (also known as protocol data), obtained in accordance with the procedures described under 16 CFR §1700.20.

During an open public meeting held on May 14, 2020, PPPA testing firms informed us that testing for certification to the PPPA has been halted as a result of the COVID-19 pandemic. The firms further informed us that due to public health guidance for social distancing, testing to all of the procedures described under 16 CFR § 1700.20 may not be feasible.

In consideration of this information, the Office of Compliance will accept the following alternatives for 6 months, to ease the current interruption of testing and certification under the PPPA:

- Testing protocol data to the methods described under the international standards ISO 8317, ISO 14375, EN 862, CSA Z76.1 and CSA Z76.2, in lieu of the method described under 16 CFR § 1700.20;
  - Transparent barriers between the tester and test subjects (children or adults), and in the cases of the child test, between children<sup>1</sup>; and
1. The transparent barriers must not hinder the ability for the demo to be seen by the children, as well as, allow the children to see each other manipulate the packaging and talk to each other during the testing period. The transparent barriers also must not limit the child's ability to get up and move. In addition, the transparent barriers must not limit the tester's ability to monitor the children to ensure there are no safety concerns during testing. If a transparent barrier is used during testing, it must be noted on the testing protocol data.

- Single-site child and adult testing under 16 CFR § 1700.20.<sup>2</sup>

For any regulated products in special packaging certified using any of these alternatives, the GCC and testing protocol data must be submitted by the importer or domestic manufacturer to the Office of Compliance, by emailing: [RegulatedCMT@cpsc.gov](mailto:RegulatedCMT@cpsc.gov), before distribution into commerce. All other requirements under 16 CFR § 1700.20 remain in full force and effect.

This enforcement discretion will remain in effect until December 25, 2020. Please direct any questions to: [RegulatedCMT@cpsc.gov](mailto:RegulatedCMT@cpsc.gov).

Thank you for your cooperation.

Sincerely,

Robert S. Kaye  
Director  
Office of Compliance and Field Operations

2. The alternative site location for testing can be in lieu of a site familiar to the children. The site restrictions prohibiting 20% of children and 24% of adults being obtained from or tested at any one site will be waived; however, no more than 20% of children and 24% of adults may be from the same zip code. Testers should record the permanent zip code of the test subjects and also note whether an alternative test site was used in the testing protocol data.