

**1) What are the compliance requirements?**

- a) It is the duty of the exporter to check whether their products fall under the regulations as per Federal Hazardous Substances Act (FHSA). FHSA requires household products that meet the definition of hazardous (as defined in the Act) to bear a cautionary labeling. This label needs to warn the consumers on the hazard(s) associated with the use of the product, details on safe use and storage of the product, first aid instructions where applicable, and the statement "Keep out of the reach of children." This is a mandatory requirement
- b) Environmental Protection Agency (EPA): If the furniture contains any antimicrobial textile or other pesticide related characteristics, then it has to be registered with EPA. This is a mandatory requirement
- c) Toxic Substances Control Act (TSCA) for wooden products: Manufacturers are required to comply with the formaldehyde emission limits established by TSCA Title VI. Testing of the product is to be conducted by the manufacturer through a CPSCA affiliated lab. Basis the test result, a certificate from the Importer on Record is also required. This is a mandatory requirement
- d) Many states in USA either regulate or ban the use of flame retardant chemicals in furniture. If the products contain these chemicals, exporters need to ensure the product complies with the below manufacturing standards:
  - a. California Air Resources Board (CARB) - Formaldehyde Emissions
  - b. California Health and Safety Code. Section 25249.6, et seq.
  - c. Public Act 097-0612, The Lead Poisoning Prevention Act
  - d. Formaldehyde in Children's Products (Minnesota)
  - e. Lead, Cadmium, and Phthalates in Children's Products (State of Washington)This is a mandatory requirement
- e) Exporter is required to maintain the manufacturing processes standard of the product as per ASTM standards. This is a mandatory requirement

**2) How often are the requirements needed? When are the compliance requirements needed?**

- a) Labeling as per FHSA standard is required once for every product & should be done prior to shipping them
- b) Registration with EPA for the above defined categories is required once for every product
- c) Regulation with TSCA is required to be complied during the process of manufacturing, hence it can be considered as a continuous process for every batch
- d) Regulatory standards as per respective states and ASTM are required to be complied during the process of manufacturing, hence can be considered as a continuous process for every batch

**3) Links for reference**

<https://www.govinfo.gov/content/pkg/GOVPUB-C13-0b389c1f5147fca493b5b6ae48326aa8/pdf/GOVPUB-C13-0b389c1f5147fca493b5b6ae48326aa8.ir.8119.pdf>

**Additional requirement:**

If the products have chemical components, a **MSDS** (Material Safety Data Sheet) and a **COA** (Certificate of Analysis) are required with the shipment. These documents are prepared by the manufacturer and helps to understand the potential health and physical hazards of the chemical components, details of lab testing reports and product specifications like components, characteristics, etc. COA is issued for every batch of production.

Link for reference on MSDS: <https://www.osha.gov/sites/default/files/publications/OSHA3514.pdf>