



SERVING THE BARN, SHED AND OUTDOOR PLAY INDUSTRY  
CALL 1-800-704-8112 OR FAX 1-800-633-7916

3 6 1 7 S I M P S O N F E R R Y R O A D \* C A M P H I L L , P A 1 7 0 1 1

( P H ) 8 0 0 - 7 0 4 - 8 1 1 2 \* ( F A X ) 8 0 0 - 6 3 3 - 7 9 1 6

---

---

**MEMORANDUM**

---

---

TO: All Swing/Play Set Customers FROM: Dave Often, General Manager

RE: HR4040 Legislation DATE: 12/11/2008

---

---

On August 14, 2008 President Bush signed into law HR-4040 known as the Consumer Product Safety Improvement Act or (CPSIA). This law requires compliance from all manufacturers of products meant for distribution and for use by children aged 12 and younger.

This law bans certain substrates, called *Phthalates*, and lead contents in all products meant and marketed as a child's toy that children may come in contact with. Swing/Play Sets and accessories fall under this new law.

Apple Fasteners has acted to make sure that all of our incoming and in stock products will meet the new (ASTM-F963) requirements. Currently we meet (ASTM-F1148-2005) standards with all products that we sell. The (ASTM F1148-2005) was a voluntary requirement for residential play sets in the past. **The new (ASTM-F963) will be a requirement by law.**

The following are the dates and conformance items that must be met:

- ✓ November 14<sup>th</sup> 2008 A general **Conformity Certificate** must be made available and on file for customer and/or end user view. This certificate shall (a) prove, based on tests of each product or upon reasonable testing programs, that such product complies with all rules, bans, standards, or regulations applicable to the product under this act. This certificate shall (b) specify each rule, ban, standard, or regulation applicable to the product.
- ✓ February 10<sup>th</sup> 2009 **Phthalates Ban** will prohibit the sale of any product containing more than .1% of phthalates referred to as DEHP, DBP, and/or DDR. Also banned are Phthalates referred to as DINP, DIDP, DNOP. The ban will remain until further studies are conducted and a position is established.
- ✓ February 10<sup>th</sup> 2009 **Lead Ban** will require to reduce the lead content in all products to 600 PPM or "parts per million".
- ✓ February 10<sup>th</sup> 2009 Any and all Swing/Play Set material must comply to the **(F963-07) Level Requirements** by this date.
- ✓ August 14<sup>th</sup> 2009 **Lead Ban** will require to reduce the lead content in all products to 300 PPM or "parts per million" and **Lead Coatings** to 90 PPM or "parts per million".
- ✓ August 14<sup>th</sup> 2009 **Consumer Registration** will require all manufacturers to maintain a consumer database for all applicable products. This database is intended for product recalls and must be maintained for a period of six (6) years.

Apple Fasteners has begun the process of testing all of our Swing/Play Set items and will be certified to the **"August 14<sup>th</sup>, 2009 Level" by November 30, 2008**. We will have **Certified Lab Certificates** on file by this date for you, the customer, to view and/or request at any time. In the future we will be required to have this certificate available in order to import any of these items and clear U.S. Customs, and eventually we will be required to include these certificates with each item and shipment to each customer. For additional information, you may view the Legislation at [www.cpsc.gov](http://www.cpsc.gov).

Thank you,

Dave Often