



PISANI & ROLL LLP

Attorneys at Law

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DISTRICT COURT HOLDS CPSIA PHTHALATE BAN APPLICABLE TO EXISTING INVENTORY

In a court decision issued today that has potential far-reaching implications for many imported products, the United States District Court for the Southern District of New York has ruled against the CPSC concerning its intended application of the CPSIA limits on certain phthalates in children's toys or child care articles. Reversing the CPSC's interpretation, the court has held that the CPSIA limits on phthalates applies to all such products sold in the U.S. on or after February 10, 2009, including products manufactured on or after that date as well as products in inventory as of that date. This decision makes the application of the CPSIA phthalate restrictions consistent with the CPSIA lead restrictions, which likewise apply to existing inventory. It is unclear whether the CPSC will be appealing the court's decision on this issue.

The full text of the court's decision may be found on our website [here](#). If you have any questions concerning the implications of this decision, please contact Robert Pisani at (202) 466-0960, Michael Roll at (310) 826-4410, or Brett Harris at (845) 255-1850, or send an email to info@worldtradelawyers.com.

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