



## TESTING BASICS REFERENCE SHEET

### What is product testing?

Product testing refers to safety and compliance testing. The testing is performed by scientific laboratories that inspect and certify products to be compliant with consumer product safety standards, laws, and regulations. Product testing elements range from the chemical composition of the component parts to their physical properties, such as edge smoothness and part integrity. Each country has individual standards that apply to the products that are placed into their market channels.

Therefore, product testing

- identifies potential safety hazards
- ensures that products meet the safety standards and regulations imposed by a particular jurisdiction.

Product testing is particularly important for products that are intended for use by children or that have potentially hazardous properties.

### Why do I have to test my products?

Product safety standards are often mandatory and are legally enforceable. Laboratory testing is necessary to prove that the product complies with the standards, and, therefore, the laws of any country in which the product will be sold. Many retailers require proof of product safety before they allow the product to be sold through their channels. Product testing to prove compliance with a products applicable safety standards is therefore a practical necessity.



### How do I know which standards will apply?

Multiple factors determine this issue:

- The product itself  
The product will dictate which standards you must comply with. Regulatory standards differ depending upon whether your product is a simple card game, a board game with battery elements or art materials, a puzzle, or a plush figure.
- The composition of your product  
The materials that make up your product will determine which standards with which you must also comply. Is your product made of wood? Paper? Plastics? Additional standards may apply to your product depending upon what it is made of.

- The intended age range of your product  
Is your product intended for children or is it for adults? If your product is intended for children, more testing will likely be required than if your product is intended for adults. But be aware that this is a **legal** question, and not simply your decision. If your product is a game and is age-graded for 13-year-olds, for example, the laws of the USA will consider it a “general use” product and not a “children’s product”. Conversely, the laws of the EU and UK will consider it a “toy” intended for children. Additionally, there may be other factors that determine the age range of the product, regardless of what age you label the product to be intended for. For example, if your product is a jigsaw puzzle consisting of 500+ pieces, the USA will consider it a children’s product that is suitable for 10+ years old, and the EU and UK will automatically deem it as an adult or general use product.
- The intended distribution market  
There are no universal standards to be applied. Every country (in the USA, every state) that you intend to introduce your product into has the right to impose its own standards for which your product must comply. Moreover, your chosen retail market can set additional standards for distributing your product.



## Commonly Asked Questions:

### Q. I will only be distributing my product on my own website. Do I still need product testing?

A. **Yes.** Most countries claim the right to regulate products that will be distributed within their borders, regardless of how they enter the country. This includes all methods of ecommerce.

### Q. My product is a “giveaway” or promotional item. Since I do not intend to sell it, do my products still have to comply with testing requirements?

A. **Yes.** Most countries do not distinguish whether or not an item is for **sale** as a criterion for whether the item comports with their standards. In general, they require testing solely if the products shall be **distributed** into their jurisdiction.

### Q. Why am I being told to include information on my product labeling?

A. Product labelling is one aspect of regulatory compliance. Depending on the product, intended age, and distribution market, certain items of information are legally mandatory and must be included on the product or packaging. Ad Magic will advise as to the labelling requirements of the major distribution markets of the US, EU, UK, Canada and Australia. For other distribution markets, we will gladly include the labeling requirements that you provide to us. We recommend that you consult with respected authorities who specialize in these other markets to ensure your requested labelling will comply. Please feel free to share your sources with us for reference purposes.

### Q. I have reviewed other similar products and do not see where labeling is required and/or I have spoken to other manufacturers who do not require testing. Why is this?

A. Ad Magic is committed to providing quality products that are compliant with all regulatory and legal requirements. We pride ourselves on our ethical standards and our industry reputation for quality, safe products. We make every effort to ensure that the products we produce comport with the law and can be **distributed** by you without restriction.

### Q. How can I be assured that my products comply with applicable standards?

A. Once you have furnished us with your intended distribution market, your product will be tested to those applicable standards. Upon our receipt of your passing test report, you will be provided with a certificate that you can present to your retailers to prove your product is in conformity.

### Q. Where can I find resources that will help explain these requirements to me?

A. The Consumer Protection agencies of some countries publish resources that are very helpful in understanding the regulatory requirements in their jurisdiction. We are happy to provide links to some of these publications here. These links are current as of the date of publication of the document, and we cannot guarantee currentness after this date. We suggest that you use these resources as a starting point to educate yourself as to the requirements relevant to your product, and perform any due diligence that may be required from there.

### Q. Why do I have to put Ad Magic’s name on the box?

A. If you are selling products in the United States, the Fair Product Labeling Act (FPLA) requires the product to be labeled to disclose the net contents, identity of the commodity, and the name and place of business of the product’s manufacturer, packer or distributor.

If your product is a children’s product (intended for children 12 and under), then the product must comply with the CPSIA Tracking Label Requirement. According to this requirement, the product must be clearly labeled with the Manufacturer name, Date of Manufacture, Place of Manufacture, Batch # or other identifying information.

If you are selling your product in the EU, then the product must comply with the General Product Safety Regulation (GPSR). According to Article 9 of the GPSR, the manufacturer’s traceability must be evident by providing identification elements (batch #, serial number, type). Manufacturer name and contact details including postal and electronic address must be listed as well.

## Resources:



### United States — CPSC

<https://www.cpsc.gov/Business--Manufacturing/Testing-Certification>



### European Union (EU)

[https://single-market-economy.ec.europa.eu/sectors/toys/toy-safety\\_en](https://single-market-economy.ec.europa.eu/sectors/toys/toy-safety_en)



### United Kingdom (UK)

<https://www.gov.uk/government/publications/toys-safety-regulations-2011/toys-safety-regulations-2011-great-britain#:~:text=The%20general%20safety%20requirements%20are,mind%20the%20behaviour%20of%20children.>



### Canada

<https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/industry-professionals/industry-guide-safety-requirements-children-toys-related-products-summary/guidance-document.html>



### Australia

<https://www.productsafety.gov.au/system/files/PS%20fact%20sheet%20Toys.pdf>

# ADMAGIC™

125 Main Street, Netcong, NJ 07857

Admagic.com

(973) 448-1766

6/12/24