

New Labeling Requirements for Padded Undergarments in Canada

Under new amendments to Ontario Regulation 218/01 (Upholstered and Stuffed Articles), the Technical Standards & Safety Authority (TSSA), which administers this law, has incorporated a Director's Order on padded undergarments and has updated a number of new requirements, including definitions, labeling and compliance issues. The following list summarizes these amendments:

- Definition of furniture and mattress expanded to include metal and wood components
- Use of corroded or degraded wood or metal components prohibited;
- Definition of recycled material clarified to include recycled material if it has undergone a remanufacturing process (i.e. use of glass and plastic bottles as polyester fibers)
- Shoulder pads/trimming exemption removed, requiring labeling (see note about exemption extension below):
 - ❖ Any shoulder pad or trim shall have affixed to it a label in accordance with the regulation
 - ❖ Manufacturers of shoulder pads and trim must be licensed for the purpose of the regulation by the TSSA
 - ❖ No person shall sell or offer for sale shoulder pads or trim which do not bear a label in accordance with the regulation
- Amendment to include articles for lease or rent
- New exemptions: upholstered or stuffed vehicle components, life-saving equipment, disposable/single-use articles, and helmets provided they are approved by the appropriate federal or provincial authority
- Permitting Mylar as a label material
- Content declaration: all materials used in upholstered and stuffed articles to be listed in order of predominance
- Form numbers amended on TSSA's website

“Upholstered and stuffed article” means an article any part of which contains stuffing. **“Stuffing”** means any material used for padding, filling or cushioning that is meant to be enclosed by a covering. Any garment which contains filling, materials or stuffing is considered an upholstered or stuffed article within the meaning and scope of the regulation.

While these regulatory changes became legally binding as of **July 22, 2008**, the TSSA subsequently issued an exemption extension for shoulder pads and trim. Accordingly, it is expected that all **shoulder pads** and trim and those involved in their manufacture, importation, distribution or retailing will be in full compliance with the requirement of the regulation by **July 1, 2009**. Further, it is expected that all **padded undergarments** and those involved in their manufacture, importation, distribution or retailing will be in full compliance with the requirement of the regulation by **January 1, 2009**.

STR has the expertise to test upholstered and stuffed articles for regulatory compliance. Our hazard prevention program includes comprehensive safety testing, audit, inspection as well as responsible sourcing services. For more information, contact us at inquiry@strus.com.