



CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2024-0039]

Extension of the Date by Which Neck Floats Must Be Tested and Certified Subject to the Submission of Samples

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of extension of date of testing and certification of neck floats.

SUMMARY: The U.S. Consumer Product Safety Commission (Commission or CPSC) is announcing that the Commission is extending, by 60 days, the date by which manufacturers (including importers) of neck floats must comply with the third party testing and certification requirements for children's products under the Consumer Product Safety Act (CPSA). The extension is being provided because the Commission has determined that there is an insufficient number of third party conformity assessment bodies accredited by the Commission to permit testing and certification of neck floats by the effective date of June 15, 2026. To be eligible for this extension, manufacturers (including importers) must submit a sample of the finished product, intended for sale, to the Commission. This extension for third party testing and certification does not apply to any other requirements of the neck float final rule. All neck floats within the scope of the neck float final rule must be sold in compliance with all other requirements of that rule as of June 15, 2026, the effective date of the final rule.

DATES: For eligible manufacturers or importers who have submitted a sample to the Commission, the date after which neck floats must be tested by third party conformity assessment bodies accredited by the Commission to assess conformity with the CPSC regulations for neck floats is extended until August 16, 2026.

FOR FURTHER INFORMATION CONTACT: Matthew Dreyfus, Acting Associate Executive Director, Directorate of Laboratory Sciences, U.S. Consumer Product Safety

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SUPPLEMENTARY INFORMATION:

I. Background

On December 15, 2025, the Commission published a final rule amending the mandatory toy safety standard in 16 CFR part 1250 to establish additional performance requirements and revised labeling requirements for neck floats to address fatal hazards associated with those products. 90 FR 58096. The neck floats rule will be codified at 16 CFR 1250.5 and be effective on June 15, 2026.

In the final rule, the Commission also amended CPSC's list of notice of requirements (NORs) to include the neck floats rule, also effective June 15, 2026. 90 FR 58134; 16 CFR 1112.15(b). Products subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, must be certified as complying with all applicable CPSC-enforced requirements. 15 U.S.C. 2063(a). Under section 14(a)(2) of the CPSA, certification of children's products subject to a children's product safety rule must be based on testing conducted by a CPSC-accepted third party conformity assessment body. 15 U.S.C. 2063(a)(2). The Commission's rule at 16 CFR part 1112 establishes requirements for CPSC acceptance of third party conformity assessment bodies (laboratories) to test for conformance with a children's product safety rule in accordance with section 14(a)(2) of the CPSA. Part 1112 will list the NOR for neck floats at 16 CFR 1112.15(b)(32)(v), as Safety Standard for Toys: Requirements for Neck Floats, upon the effective date of the rule.

Pursuant to the final rule, laboratories applying for CPSC-acceptance as a third party conformity assessment body to test to the new requirements for neck floats are required to meet the third party conformity assessment body accreditation requirements in Part 1112. A laboratory that meets the requirements to be a CPSC-accepted third party conformity assessment

body for the neck floats rule can apply to CPSC to have 16 CFR 1250.5 included in its scope of accreditation as reflected on the CPSC website at: www.cpsc.gov/labsearch.

Currently, there are no third party conformity assessment bodies approved by CPSC to test to the neck float requirements in 16 CFR 1250.5. As such, there are currently no CPSC-accepted third party conformity assessment bodies that can test neck floats for compliance, which would allow manufacturers or importers to obtain third party certification of those products to the requirements for neck floats in 16 CFR 1250.5.

II. Statutory Authority to Provide a 60-day Extension

The CPSA requires children's product manufacturers to submit sufficient samples of a product, or samples that are identical in all material respects to such product for compliance testing by a CPSC-accepted third party conformity assessment body. 15 U.S.C. 2063(a)(2). In addition, based on passing test results from that testing, manufacturers must issue a children's product certificate. *Id.* That requirement applies to any children's product manufactured more than 90 days after the Commission has established and published notice of the requirements. *Id.* 2063(a)(3)(A).

The CPSA also states that if the Commission determines that an insufficient number of third party conformity assessment bodies have been accredited to permit certification for a children's product safety rule, the Commission may extend the deadline for certification to the rule by not more than 60 days. 15 U.S.C. 2063(a)(3)(F). Regardless of whether a product is compliant with the testing and certification requirements, the children's product in question still must comply with all other applicable CPSC requirements. *Id.* at 2063(h).

III. Extension of the Date by Which Neck Floats Must Be Tested and Certified

At this time, there are no CPSC-accepted third party conformity assessment bodies that have been accredited to certify neck floats to the requirements in 16 CFR 1250.5. Therefore, the Commission is exercising its discretion pursuant to 15 U.S.C. 2063(a)(3)(F) to provide a 60-day extension to comply with the testing and certification requirements in the final rule to eligible

manufacturers and importers subject to the following conditions. To be eligible for the 60-day extension to comply with the third party testing and certification requirements for neck floats, manufacturers (including importers) must first submit a sample of the finished product, intended for sale, to the Commission. *See* 15 U.S.C. 2076(f). To submit a sample, please coordinate with CPSC by contacting the individual listed under **FOR FURTHER INFORMATION CONTACT**. A sample of the product, intended for sale, must first be submitted to CPSC before a manufacturer or importer is eligible for this extension.

The extension is effective on June 15, 2026 and will extend the compliance date for the testing and certification requirements from June 15, 2026, to August 16, 2026. Accordingly, manufacturers of a neck float subject to 16 CFR 1250.5 must have sufficient samples of any such product, or samples that are identical in all material respects to such product, that is manufactured after August 16, 2026, tested by a third party conformity assessment body accredited to do so by the Commission. Further, for neck floats manufactured after August 16, 2026, the manufacturer must issue a certificate of compliance with 16 CFR 1250.5 based on that testing.

The 60-day extension of compliance for third party testing does not apply to any other requirements of the final rule. All neck floats within the scope of these regulations must be sold in compliance with the specified requirements in 16 CFR 1250.5 as of June 15, 2026, the effective date of the final rule. In addition, except for the dates that are adjusted by 60 days in this notice, all provisions of the NOR published on December 15, 2025, 90 FR 58096, remain in effect.

Alberta E. Mills, Secretary
Consumer Product Safety Commission

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