



ANNOUNCEMENT: C-08 #07
OFFICE OF CHILD DEVELOPMENT AND EARLY LEARNING
BUREAU OF CERTIFICATION SERVICES

ISSUE DATE: September 15, 2008
EFFECTIVE DATE: September 22, 2008
SUNSET DATE: On-Going

SUBJECT:	Compliance with Regulations Relating to Recalled Toys and Equipment
TO:	Child Care Center Operators, Group Child Care Home Operators, Family Child Care Home Operators, Pennsylvania Key, Regional Keys and OCDEL Staff
FROM:	Harriet Dichter Deputy Secretary, Office of Child Development and Early Learning

Harriet Dichter

PURPOSE:

To provide information about complying with the Department of Public Welfare's child care facility regulations relating to children's toys and equipment recalled by the United States Consumer Product Safety Commission (CPSC).

BACKGROUND:

The Department's new regulations for child care centers, group child care homes and family child care homes are effective September 22, 2008. As a result of the new regulations, facilities are required to be in compliance with 55 Pa. Code §§3270.102(g), 3280.102(f) and §3290.102(f), which state that children's toys and equipment, including furniture and rest equipment, described as hazardous by the CPSC may not be used by children at the facility. Additionally, a child care center or group child care home operator must submit, at the time of inspection, written affirmation that such toys and equipment are not used by children and are not on the facility premises. The written affirmation must be submitted on a form provided by the Department.

In order to comply with new regulations, all facility operators need to take steps to receive information about toys and equipment recalled by the CPSC. Additionally, child care center and group child care home operators need to know about the Department's approved affirmation form.

DISCUSSION:

A. Receiving Information about Recalled Toys and Equipment

Information regarding recalled toys and equipment is available on the CPSC website and can be accessed in the following ways:

1. **E-mail Alerts:** A facility operator can sign up to receive product recalls by e-mail directly from the CPSC. This will enable the operator to timely receive information about product recalls and remove unsafe products as soon as possible. To sign up for free e-mail alerts from the CPSC:

- Go to www.cpsc.gov

- Click on Sign Up for Email Announcements (this is also available in Spanish)
 - Complete the form with your email address and select the category “only those recalls involving infant/child products (list name: child)”
 - Click submit
 - You will receive an e-mail from CPSC confirming your enrollment
2. **Recall Information on the CPSC Website:** A facility operator can also periodically check the recall information posted to the CPSC website. To access recall information:
- Go to www.cpsc.gov
 - Click on Recalls and Product Safety News.
 - Determine what type of information you want to look for and make your selection from the options provided. The options include recent recalls, recalls issued during specific time periods and recalls issued by category.

B. Affirmation of Compliance

1. **Child Care Centers and Group Child Care Homes:** Effective September 22, 2008, the new child care regulations for child care centers and group child care home require the operator to submit, at the time of inspection, a statement affirming compliance with the regulation at 55 Pa. Code §§3270.102(g) or 3280.102(f). Attached is the Department’s approved affirmation form.

The Regional Office of Child Development and Early Learning will provide the affirmation form to the child care center or group child care home operator prior to the inspection date. The operator will complete the form and give it to the certification representative at the time of the facility inspection.

2. **Family Child Care Homes:** Family child care home operators are not required to submit an affirmation statement. At the time of the application for a certificate of registration, either new or renewal, the operator self-certifies compliance with the regulation at 55 Pa. Code Chapter 3290, including §3290.102(f). No separate affirmation statement is required by regulation; therefore, a family child care home operator is not required to complete an affirmation form.

NEXT STEPS:

A. Facility Operators:

- Facility operators should take steps to learn of product recalls issued by the CPSC.
- Child care center and group child care home operators should be prepared to receive and complete the affirmation statement when an inspection is conducted by OCDEL certification staff.

B. OCDEL Bureau of Certification Services staff should:

- Send the affirmation form to child care center and group child care home operators when scheduling an inspection along with other materials sent to the operator in advance of the inspection.
- Take a blank copy of the affirmation statement along to the inspection for the operator to complete in the event the original form is misplaced.
- Retain the signed statement in the facility file in the regional office.

**AFFIRMATION OF COMPLIANCE WITH
55 PA CODE §§3270.102(G) AND 3280.102(F)**

PLEASE PRINT THE FACILITY INFORMATION IN THE BLOCKS BELOW.	
FACILITY NAME:	
FACILITY ADDRESS:	
FACILITY TELEPHONE:	

By signing this statement, I affirm that children's toys and equipment, including furniture and rest equipment, described as hazardous by the United States Consumer Product Safety Commission are not used by children at the above-named facility and are not on the premises at the facility.

SIGNATURE OF DIRECTOR OR LEGAL ENTITY REPRESENTATIVE

PLEASE PRINT THE INFORMATION REQUESTED IN THE BLOCKS BELOW.	
NAME OF DIRECTOR OR LEGAL ENTITY REPRESENTATIVE SIGNING THIS FORM:	
TITLE:	DATE: