§ 1210.3 Requirements for cigarette lighters.

(a) A lighter subject to this part 1210 shall be resistant to successful operation by at least 85 percent of the child-test panel when tested in the manner prescribed by §1210.4.

(b) The mechanism or system of a lighter subject to this part 1210 that makes the product resist successful operation by children must:

(1) Reset itself automatically after each operation of the ignition mechanism of the lighter,

(2) Not impair safe operation of the lighter when used in a normal and convenient manner,

(3) Be effective for the reasonably expected life of the lighter, and

(4) Not be easily overridden or deactivated.

§ 1210.4 Test protocol.

(a) Child test panel. (1) The test to determine if a lighter is resistant to successful operation by children uses a panel of children to test a surrogate lighter representing the production lighter intended for use. Written informed consent shall be obtained from a parent or legal guardian of a child before the child participates in the test.

(2) The test shall be conducted using at least one, but no more than two, 100-child test panels in accordance with the provisions of §1210.4(f).

(3) The children for the test panel shall live within the United States.

(4) The age and sex distribution of each 100-child panel shall be:

(i) 30 -or- 2 children (20 -or- 1 males; 10 -or- 1 females) 42 through 44 months old;

(ii) 40 -or- 2 children (26 -or- 1 males; 14 -or- 1 females) 45 through 48 months old;

(iii) 30 -or- 2 children (20 -or- 1 males; 10 -or- 1 females) 49 through 51 months old.

Note: To calculate a child's age in months:

1. Subtract the child's birth date from the test date.

<table>
<thead>
<tr>
<th>Test Date</th>
<th>8 3 94</th>
</tr>
</thead>
<tbody>
<tr>
<td>Birth Date</td>
<td>6 23 90</td>
</tr>
<tr>
<td>Difference</td>
<td>2 -20 4</td>
</tr>
</tbody>
</table>

2. Multiply the difference in years by 12 months.

3. Add the difference in months.

4. If the difference in days is greater than 15 (e.g., 16, 17), add 1 month.

5. If the difference in years is less than 15 (e.g., -16, -17) subtract 1 month.

6. If the difference in days is between -15 and 15 (e.g., -15, -14, ..., 14, 15), do not add or subtract 1 month.

(5) No child with a permanent or temporary illness, injury, or handicap that would interfere with the child's ability to operate the surrogate lighter shall be selected for participation.

(6) Two children at a time shall participate in testing of surrogate lighters. Extra children whose results will