



# IS IT LEGIT?

## COUNTERFEIT, NONCOMPLIANT & UNREGULATED SEATS

Joseph M Colella

October 2024

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# IN THE NEWS...

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**Utah News Dispatch**

GOV & POLITICS ENVIRONMENT GROWTH & HOUSING PUBLIC SAFETY EDUCATION HEALTH ELECTION 2024

**HEALTH PUBLIC SAFETY**

**Counterfeit car seats on the rise, advocates warn. Here's how to avoid them**

BY: KATIE MCKELLAR - AUGUST 30, 2024 - 6:06 AM

Children's Health, Family, News

**A health system spotted a counterfeit car seat in Wisconsin. What should parents know?**

Leader of Childhood Safety Center in Green Bay offers advice to parents or guardians about detecting counterfeit seats

BY COURTNEY EVERETT • OCTOBER 16, 2024

**Experts warn parents to beware of counterfeit car seats**

If it sounds too good to be true, it's probably fake.

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**“COUNTERFEIT” CAN BE A MISNOMER**

**3 MAJOR CATEGORIES**

- Noncompliant car seats
- Counterfeit car seats
- Unregulated restraint devices

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# IS IT SAFE???

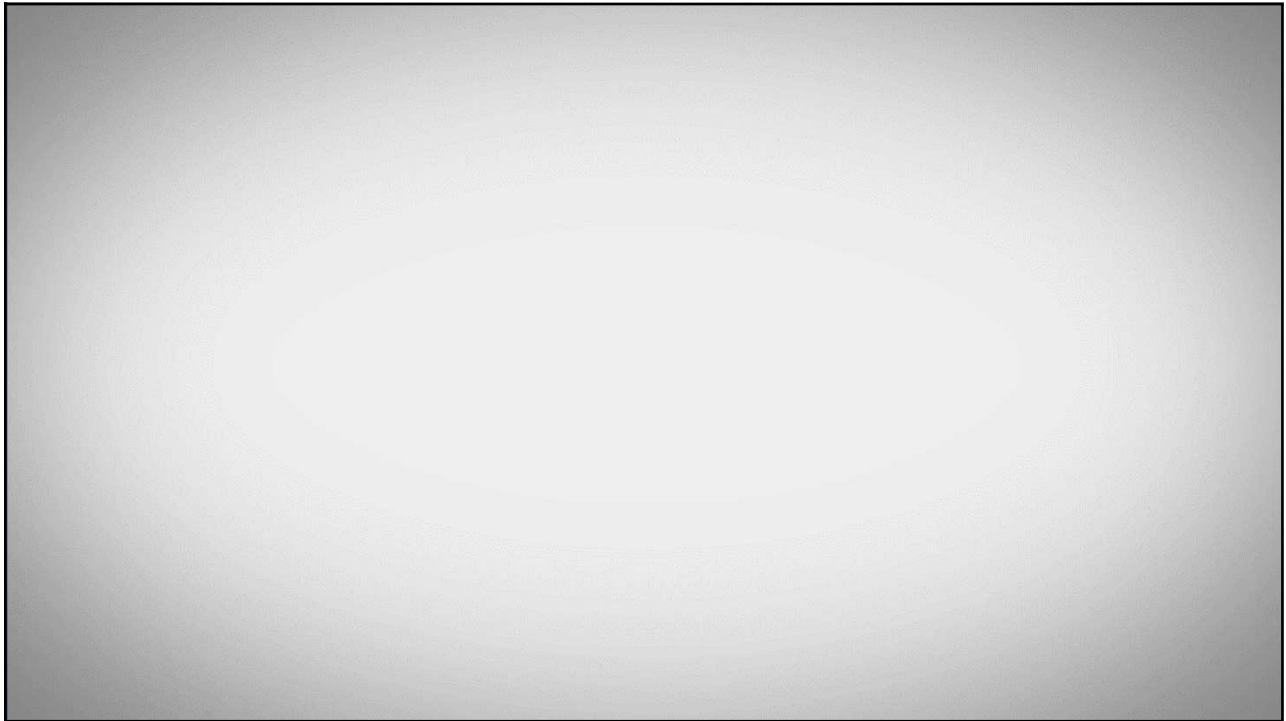
5

## SCENARIO: COUNTERFEIT CAR SEAT?



A parent I was working with brought in a car seat that I didn't recognize, the straps were narrow, there was no chest clip, and the labels didn't have the same wording we normally see. Is it a legitimate car seat? I think it may be one of the counterfeit car seats I have read about.

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COUNTERFEIT  
Crash Test

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## IS COUNTERFEIT ALWAYS UNSAFE?

noun: **counterfeit**; plural noun: **counterfeits**

a fraudulent imitation of something else; a forgery.  
"he knew the tapes to be counterfeits"

Similar: fake forgery copy reproduction replica imitation likeness

- Counterfeit may or may not meet safety standards
- It could be a good performer with stolen intellectual property and design

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## CLARIFICATION FOR TECHS

- **Noncompliant with FMVSS 213 may not mean it's unsafe**
  - It may meet European, Canadian, Australian or other standards
  - It may be a performing seat that is not properly labeled
  - But it **MAY** be "garbage" sold online
- **A noncompliant seat IS unlawful to use in virtually all states**

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### 3 MINNESOTA LAW DEFINITIONS

- "Booster seat" means a child passenger restraint system that meets applicable federal motor vehicle safety standards and is designed to provide belt-positioning that elevates a child to be properly seated with a safety belt.
- "Child passenger restraint system" means a device that:
  - meets applicable federal motor vehicle safety standards of the United States Department of Transportation and complies with any other applicable federal regulations;
  - is designed to restrain, seat, or position children; and
  - is appropriate to the age of the child being restrained.
- Child passenger restraint system includes a booster seat.

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### NONCOMPLIANT DEVICES THAT MAY BE SAFE



- Not all international regulations are as stringent as FMVSS 213
- Even when they are as stringent, they are not identical
- Usage still prohibited by state legislation

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→ ↻ <https://yarpelone.com/product/baby-carseat/?v=7516fd43adaa> ↗



### 360 Degree Rotational Convertible Baby Car Seat

★★★★★ (38 reviews)


~~\$57.95~~ **\$40.95**

Color  
Choose an option


1 **ADD TO CART**

SKU: N/A  
Category: [Uncategorized](#)

13



**Four recline positions angle your child comfortably-  
3 rear-facing positions and 1 forward-facing.**



1 90°      2 110°      3 140°      4 170°

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Free shipping On all orders 08:03:57

Free returns Within 90 days

Get the Temu App

Best Sellers Mother's Day New Arrivals Categories car seat


Home > Baby & Maternity > Other Baby Products > Children's Car Seat, Baby ...



Children's Car Seat, Baby Fixed Seat Cushion, Portable Simple Car Seat  
51 sold, by Landscaping atomization(119 sold)

\$16.98 ~~\$36.49~~ -53%  
4 interest-free installments of \$4.25 with [Afterpay](#) or [Klarna](#)

MOTHER'S DAY Sale Free shipping on all orders 08:03:56 left today

Color: 

Qty: 1

Add to cart

Hurry! Only 13 left and it's in 20+ people's carts

Shipping & Return

Shipping >

Standard: free on all orders	Express: \$12.90, free over \$129.00
Courier company: USPS UPS +12	Courier company: UPS DHL +1
Delivery: Apr 30-May 4, 70.7% are ≤ 12 days	Delivery: Apr 29-May 1, 77.1% are ≤ 9 days
Get a \$5 credit for late delivery	Get a \$13 credit for late delivery

Free returns • Price adjustment >

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## ONLINE "INSTRUCTIONS"



CHILDREN SAFETY SEAT

child safety seat

O1 ONE

O2 TWO

clip

product display

Can be used with seat belt

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# NON-COMPLIANT SEATS VIA E-COMMERCE


https://www.ebay.com/itm/155502200706?hash=item2434a74782:g:leYAAOSwAj5kEokx&var=455740763173

Method

01. What kind of car can be installed

As long as the backrest of the car can be lowered or the headrest can be installed, Front row of tables and chairs can be used in any car

02. how to install ?



Open the seat that needs to be installed forward, Pass the two webbings at the bottom of the seat from the lower end of the car seat. Then fasten the safety socket

Portable New Car seats Safety Booster Baby Toddler Kids Travel Chair Child Seat

Condition: New

Color/Type: - Select -

Quantity:  10 available / 11 sold

Price: **US \$17.99**

Buy It Now
Add to cart
Add to Watchlist

Breathe easy. Returns accepted.

Shipping: Free SpeedPAK Standard. [See details](#)

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https://www.amazon.com/s?k=portable+car+seat&crd=2LJD2VUP6YB7Q&srefix=portable+car+seat%2Caps%2C143&ref=nb\_sb\_noss\_1

**Customer Reviews**

★★★★☆ & Up

★★★★☆ & Up

★★★★☆ & Up

★★★★☆ & Up

**Brands**

Diono

GRACO

Cosco

Munchkin

MOTEERLLU

BRITAX

Chicco

[See more](#)

**Price**

Under \$25


\$25 to \$50

\$50 to \$100

\$100 to \$200

\$200 & Above

Results




Sponsored ⓘ

Portable Child Protection Car Seat ,Auto Child Safety Seat Simple Car Portable Seat...

\$15<sup>99</sup>

\$4.99 delivery May 3 - 15




Sponsored ⓘ

Auto Child Safety Seat Simple Car Portable Seat Belt, 5-Point Harness, Travel...

\$23<sup>69</sup>

\$5.99 delivery May 4 - 16



Sponsored ⓘ

Auto Child Safety Seat Simple Car Portable Seat Belt | Child Portable car seat for Travel...

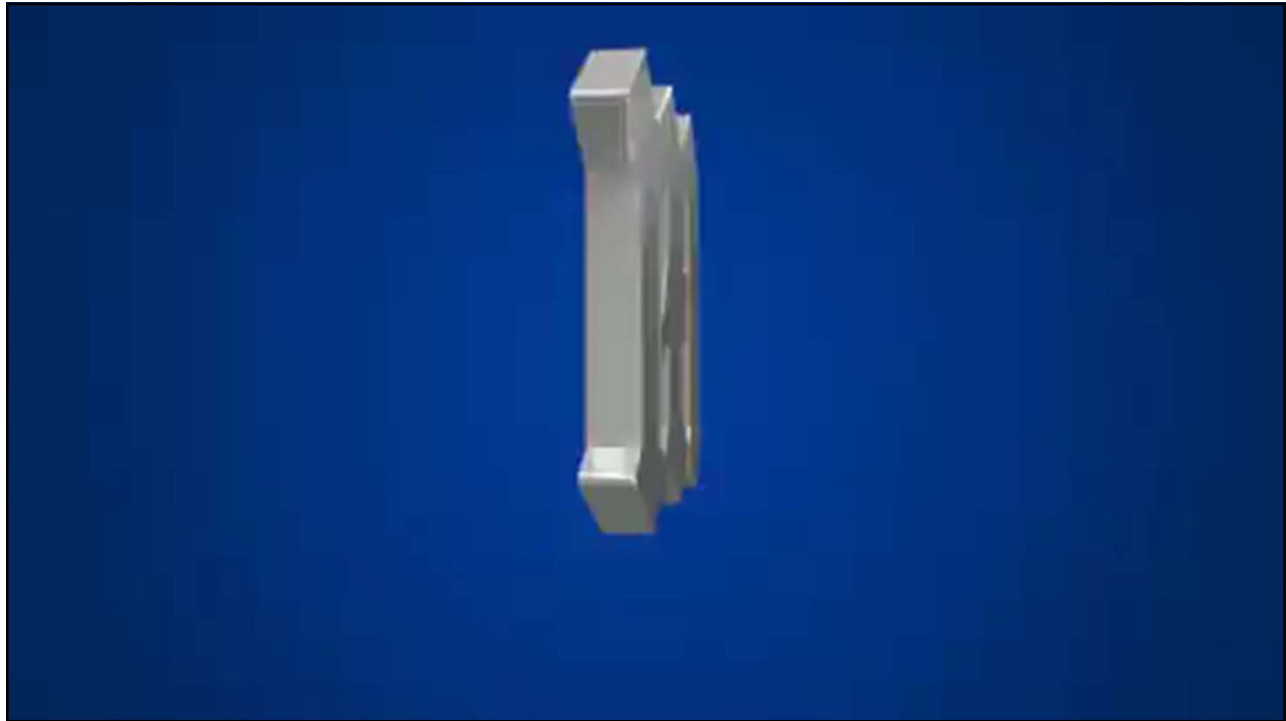
★★★★★ ~ 3

\$21<sup>99</sup>

\$6.99 delivery May 2 - 8

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December 29, 2022 NHTSA CAMPAIGN NUMBER: 22C008000

### **Child Seat May Be Improperly Installed/FMVSS 213**

The child seat may be improperly installed, increasing the risk of injury in a crash.

**NHTSA Campaign Number:** 22C008000

**Manufacturer** JD E-Commerce America Limited

**Components** EQUIPMENT, CHILD SEAT

**Potential Number of Units Affected** 174

#### **Summary**

JD E-Commerce America Limited (Joybuy Express) is recalling all Marainbow Portable Infant Safe Seat and materially similar child seats. Please refer to Joybuy Express' affected products attachment for specific child seat model details. The installation labels display incorrect instructions. The child seat's design also prohibits it from being installed properly. As such, these child seats fail to comply with the requirements of Federal Motor Vehicle Safety Standard number 213, "Child Restraint Systems."

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## UNREGULATED DEVICES

- Unregulated categories/devices do not comply with state laws
- Whether safe or not, these devices are illegal according to state legislative mandates for child restraint use

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## BELT POSITIONERS: UNREGULATED



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## BELT POSITIONER LETTER EXAMPLE

The definition of Child Restraint System in U.S. Federal Motor Vehicle Safety Standard (FMVSS) No. 213, Child Restraint Systems is:

“**Child restraint system** means any device, except Type I or Type II seat belts, designed for use in a motor vehicle or aircraft to restrain, seat, or position children who weigh 36 kilograms (kg) (80 lb.) or less.” 49 C.F.R. § 571.213.


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## WHAT IS BEING DONE?

- NHTSA requires that all manufacturers and importers register using their forms
  - *More active enforcement of those requirements*
  - *Customs and Border Patrol to verify before releasing container*
    - *Small/individual shipments more difficult and may slip by*
- Some e-retailers require proof of compliance from sellers
  - *Offending devices delisted when retailers become aware*
  - *We may see additional ways to make that process more effective*
- JPMA Verification Program coming

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# Educational Tools


**Manufacturers Alliance for Child Passenger Safety**

**How to Determine That a Child Restraint System Can Be Used Legally in the U.S.**







**Potential Red Flags**

If any of these boxes can be checked, additional research is required to determine if the child restraint can be used legally in the U.S.

- Unrecognized manufacturer name with a foreign physical address
- Non-U.S. telephone number
- Foreign languages on the labels that do not include English
- Incorrect grammar, spelling, or sentence structure
- Foreign Compliance Labels
- Missing U.S. mandatory information on labels and in instruction manuals

**Foreign Compliance Labels**

Foreign countries and regions often require a specific symbol on a label that depicts information about where the certification is valid. A few examples of foreign compliance labels are in the graphics below. The U.S. does NOT have a dedicated symbol that signifies compliance. Some U.S. child restraints may be certified for use in foreign countries and may include these graphics along with the U.S. labeling as outlined in the following section.

**Information that is mandatory in the U.S. on labels that are permanently affixed on the child restraint**

U.S. Federal Motor Vehicle Safety Standard (FMVSS) 213 includes very stringent labeling requirements. The mandated information that you should be able to locate on the labels **must** be in English, in letter sizes that are not smaller than 10-point type, are on a prescribed color of contrasting background, and permanently affixed to the child restraint. U.S. labels must include the following information and verbiage in order to be compliant:

- a) Model name or number
- b) Manufacturer's name, address, and telephone number
- c) The statement: "Manufactured in" followed by the month and year of manufacture (or year-month-day)
- d) Place of manufacture (City and State, or foreign country)
- e) The following statement(s) must be on one or more labels:
  - i) "This child restraint system conforms to all applicable Federal motor vehicle safety standards."
  - ii) If the child restraint has met additional requirements for use in aircraft, "This Restraint is Certified for Use in Motor Vehicles and Aircraft" or if not, "This Restraint is Not Certified for Use in Aircraft" must be in red print following the certification statement in the previous bullet.
- f) Minimum and maximum weight and height requirements labeled in English (lbs. and in. or (lbs. and ") and metric (kg and cm) units
- g) The statement: "For recall information, call the U.S. Government's Vehicle Safety Hotline at 1-888-327-4236 (TTY: 1-800-424-9333), or go to <http://www.NHTSA.gov>."


- 2) Spelling, grammar, and punctuation must be correct. Incorrect syntax may be evidence of a noncompliant car seat.


**Manufacturer Confirmation**

The National Highway Traffic Safety Administration enforces the Federal regulations for all child restraints intended for children up to 80 lbs. that are sold in the U.S. but does not certify them. FMVSS 213 specifies the requirements for child restraints.


The following are trusted resources for manufacturers that manufacture (or have in the past) provided restraints for use in the U.S.:

- ✓ American Academy of Pediatrics: <https://healthychildren.org/English/Pages/Pages/Infant%20Search%20List.aspx> → search for Car Seat List
- ✓ Safe Ride News: <https://www.safesideneeds.com/resources/infant-car-seats-to-avoid-contacts-for-carpool/> or LATCH Manual
- ✓ SafetyBeltSafe U.S.A.: <https://www.parasit.org> → Resources → Child Restraint Manufacturers and Distributors and Recall List
- ✓ Local Child Passenger Safety Program



ManufacturersAlliance.org/CPSPages.aspx


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**Manufacturers Alliance for Child Passenger Safety**

**How to Determine That a Child Restraint System Can Be Used Legally in the U.S.**


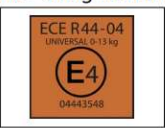

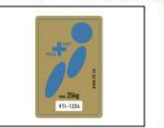


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DOERNBECHER  
CHILDREN'S  
*Hospital*



## Is your car seat fake or not approved?

Here are important things to look for when buying or using a car seat to transport your baby. Does your car seat meet U.S. safety standards? Car seats manufactured for other countries do not meet all required U.S. safety standards and fake car sets are not safe for use.

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## CPST VISUAL OBSERVATIONS: NOT ALWAYS CONCLUSIVE BUT CLUES

### Approved



Federally mandated  
airbag warning and  
suffocation risk



Seat has chest clip and  
five point harness with  
hip straps

### Not approved or fake



Basic warning label  
with little information



No chest clip and  
no hip straps

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Lots of information on  
side of seat, including  
weight and height limits,  
federal wording for use in  
vehicles, additional sticker  
for manufacturer contact,  
date seat was made, and  
model number



Limited information,  
stickers may or may not be  
present, no manufacturer  
or model information



Labels on the car  
seat base



No labels



Federally required  
lower anchors



No lower anchors, flimsy  
base release lever, base  
may not be included

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## Other indicators



Federally required textile tag on the car seat



Federally required label says: This child restraint system conforms to all applicable Federal motor vehicle safety standards.



Federally required recall card will be included with the car seat. This will have manufacturer information and is ready to mail.

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## BACK TO QUESTIONED CAR SEAT



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**Confirms the seat is approved to the current EU Child Safety Standard**

**The seat's weight group**

**The seat's approval number. This should always start with '03' or '04'**

**ECE R44/04**

**Universal 0-13 kg Y**

**E1**

**04301146**

**1234 5678**

**'Y' indicates that the seat has a 5-point harness with crotch strap**

**Confirms the seat is EU-approved**

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## THE VERDICT



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## WHAT CAN WE DO?

- **Continuing education for CPS educators:**
  - [www.youtube.com/watch?v=PvjXN\\_xFrI](https://www.youtube.com/watch?v=PvjXN_xFrI)
  - [www.saferidenews.com](http://www.saferidenews.com)
- **Beware of 3rd-party sellers – especially unbranded**
- **Cross-reference seat with AAP listing (or another trusted source)**
  - <https://www.healthychildren.org/English/safety-prevention/on-the-go/Pages/Car-Safety-Seats-Product-Listing.aspx>
- **Check for required manufacturer labels**
- **Register your car seat with the manufacturer immediately**
- **Report any offending products**

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## DIRECT REPORTING RESOURCES

- **NHTSA: Report non-compliant child restraints and related products through**
  - <https://www-odi.nhtsa.dot.gov/VehicleComplaint>
  - Toll-Free 1-888-327-4236; Hearing Impaired (TTY) 1-800-424-9153
- **CPSC (infant car seat detachable carriers also regulated by this agency):**
  - [www.SaferProducts.gov](http://www.SaferProducts.gov); Toll-Free 1-800-638-2772
- **U.S. Department of Commerce (in addition to reporting to NHTSA and CPSC):**
  - Include as much information as possible (photos, purchase info, packing slips, etc.) and report through [www.stopfakes.gov](http://www.stopfakes.gov)

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https://www.nhtsa.gov/report-a-safety-problem#car-seat

← Back to Form Selection Form Approved: OMB No. 2127-0008; Expires 08/31/2021

## Car Seat Complaint Form Need Help?

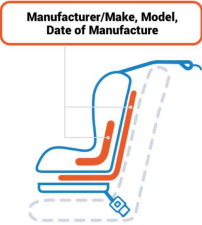
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Here is some of the information we'll ask for as you fill out this form:

- **Any documentation** you have related to your complaint, such as photos, a police report, or repair invoices (optional)
- **Your Vehicle Identification Number (VIN)** (optional)

You'll need to give us the following information that's found on your car seat. It's usually printed on labels attached underneath, on the side or the back. Some of the information may be numbers. See image for a guide.

1. **Manufacturer/Make**
2. **Model**
3. **Date of Manufacture** (optional)



Manufacturer/Make, Model,  
Date of Manufacture

To file a complaint without the required information or for other assistance, contact our Vehicle Safety Hotline at [888-327-4236](tel:888-327-4236). [?](#)

Start Form

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**Car Seat Complaint Form** [Need Help?](#)

1. Car Seat Information   2. Incident Information   3. Personal Information   4. Review and Submit

### 1. Car Seat Information

Search for car seat

Type and select manufacturer and model of car seat

Can't find your car seat? Please contact the Vehicle Safety Hotline.

### 2. Additional Car Seat Information

Date of manufacture (optional)

MM/DD/YYYY

Registered with manufacturer? (optional)

Seat type: (optional)

Original owner? (optional)

Location in vehicle: (optional)

Secured in vehicle by: (optional)

Facing position: (optional)

### 3. Vehicle Information

Please enter then confirm your VIN.  
Type your 17-character Vehicle Identification Number (VIN), then click confirm so we can associate your vehicle with this complaint.

Vehicle Identification Number (VIN) (optional)

Enter 17 Character VIN Confirm

Your VIN is protected under the Privacy Act 17 characters remaining

Don't know your VIN? Please contact the Vehicle Safety Hotline.


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LOCAL NEWS >

# How to spot counterfeit car seats

**CBS NEWS BOSTON**   BY BREANA PITTS  
JANUARY 30, 2023 / 6:07 AM / CBS BOSTON



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## COMPLIANT & PORTABLE



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## HEIGHTLESS BOOSTERS



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# QUESTIONS?

**Joe Colella**

[ColellaSafety@gmail.com](mailto:ColellaSafety@gmail.com)

301-466-8140

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