**Section 386.40 Licensing Compliance**

a) Responsibility of Child Care Facilities

1) Upon notification of the provisions of the Children's Product Safety Act, either during the initial notification process or later as part of the new licensee's application process and with each periodic update, the facility shall inspect its premises and immediately dispose of any unsafe children's products discovered.

2) This inspection shall be documented by signing and dating the Department's initial notification and periodic updates in the space so designated on the notification.

3) The signed notification and any periodic updates shall be maintained in the facility's files for inspection.

b) Responsibility of the Department

1) During the initial or renewal licensing review, the licensing representative shall document that the facility maintains the signed and dated notifications required in this Section.

2) Upon discovering any unsafe children's product, the licensing representative shall instruct the facility to immediately dispose of the product in accordance with the Act.

3) A licensing violation shall be substantiated if a facility has failed to dispose of an unsafe children's product after being made aware of it through the written notification described in this Part.