



United States

**Consumer Product Safety Commission**

## **Part 1: Certification, Important New Product Requirements, and E-filing**

## **Part 2: Selected Examples of Recent Recalls and Best Practices to Avoid Problems and Prevent a Recall**

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The slides used in this presentation are intended to be used in an event with verbal elaboration by a knowledgeable presenter. These slides highlight key U.S. product safety requirements for discussion. The text is not a comprehensive statement of legal requirements or policy and should not be relied upon for that purpose. Moreover, with the passage of time, the slides may not reflect the latest information. You should consult official versions of U.S. statutes and regulations, as well as published CPSC guidance when making decisions that could affect the safety and compliance of products entering U.S. commerce.





- Overview of CPSC
- Certification (CPCs/GCCs)
- Important New Requirements
- E-filing
- Selected Examples of Recalls
- Best Practices to Avoid Problems and Prevent a Recall

# Overview of CPSC

- An Independent federal agency
- Created in 1972
- Public health and safety mission is to protect the public from unreasonable risks of injury and death from consumer products.
- Commission consists of 5 Commissioners, appointed by the President and confirmed by the Senate; the Chairman is the principal executive officer of the Commission.

“... any article which is not customarily produced or distributed for sale to, or use or consumption by, or enjoyment of, a consumer...”\*

- Alcoholic beverages, tobacco, firearms and explosives (BATFE)
- Motor vehicles and equipment (NHTSA)
- Pesticides (EPA)
- Aircraft (FAA)
- Boats (Coast Guard)
- Food, drugs, cosmetic (USDA and FDA)
- Occupational products (OSHA)
- Fixed-site amusement park rides (State jurisdiction)



# **Important New Requirements**

# Furniture Tip-over Incidents

ANCHOR IT AND PROTECT A CHILD

C

B

A

What is wrong with this picture?

A. Dresser is not anchored.

B. TV is on a tall piece of furniture

C. Toy and remote control are high and visible.

One Child Dies Every Two Weeks When a TV, Furniture, or Appliance Falls on Him.

Each year, more than 22,000 children 8 years and younger are injured.

These safety tips can help prevent tragedies:

· Anchor furniture to the wall or the floor.

· Place TVs on sturdy, low bases or anchor the furniture and the TV on top of it.

· Keep remote controls, toys, and other items that might be attractive to children off TV stands or furniture.

· Also, make sure freestanding kitchen ranges and stoves are installed with anti-tip brackets.



U.S. Consumer Product Safety Commission

CPSC Hotline: 800-638-2772 and 800-638-8270 (TTY) English and Spanish



www.cpsc.gov

# NSN 11-6

A collection of seven different pieces of furniture, including dressers, chests, and a wardrobe, illustrating various types of furniture that can pose tip-over hazards. The items include a tall light-colored dresser, a dark wood chest, a dark wood dresser, a tall wooden wardrobe, a dark wood dresser, a low dark wood chest, and a tall black wardrobe.

8



# Inclined Sleep Products



# Toys





# Button Cell and Coin Batteries



# Nursing Pillows

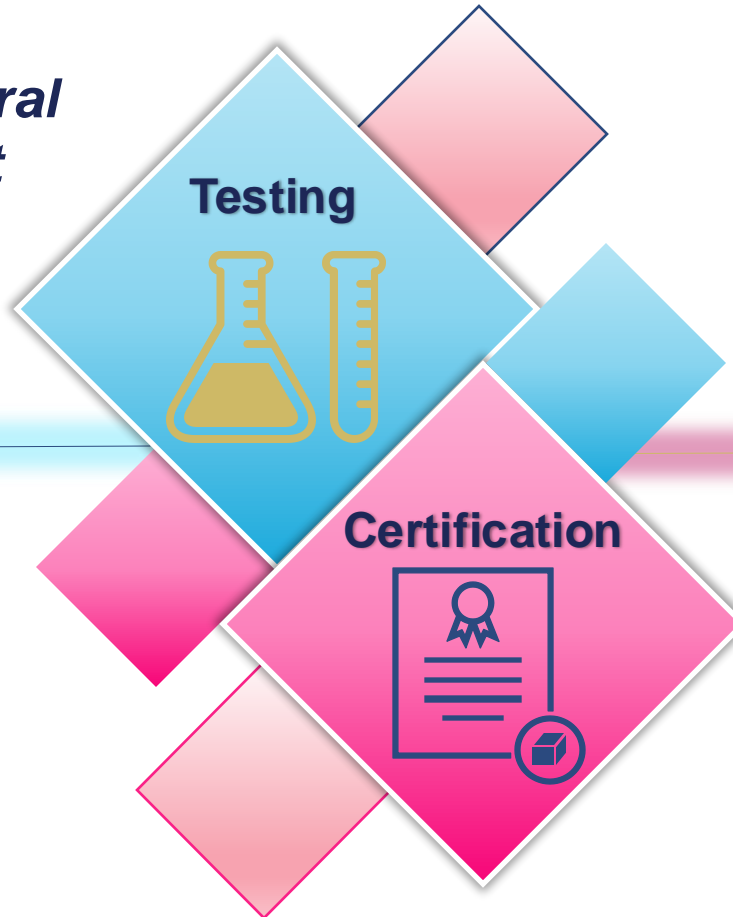


# **Certification of Products (CPCs/GCCs)**

# Certificates of Conformity



***A General Certificate of Conformity (GCC) is a federal product safety requirement enforced by CPSC.***



***A Children's Product Certificate (CPC) based on third-party testing is required for all children's products.***

# Certificates of Compliance



## Who is responsible for issuing a certificate?

- The U.S. manufacturer or importer of a product subject to CPSC requirements is always legally responsible for issuing a **Children's Product Certificate (CPC)** or **General Certificate of Conformity (GCC)**, even if a third-party testing laboratory or another third party helps in drafting the CPC or GCC.

# Children's Product Certificate (CPC)

[www.cpsc.gov/CPC](http://www.cpsc.gov/CPC)



## Products Requiring a CPC

- All Children's Products subject to a federal children's product safety requirement (regulation or statute)

(Certification must be based on testing at a third-party, CPSC-accepted laboratory)

- See our [Rules Requiring Third-Party Testing and a Children's Product Certificate](#) page for more information





# Third Party Testing for Children's Products

- Find list of CPSC-accepted testing laboratories:  
[www.cpsc.gov/labsearch](http://www.cpsc.gov/labsearch)

Home » Business & Manufacturing » Testing & Certification » List of CPSC-Accepted Testing Laboratories

## List of CPSC-Accepted Testing Laboratories

Section 14(a)(3)(E) of the Consumer Product Safety Act, as amended, requires the Commission to 'maintain on its Internet website an up-to-date list of entities that have been accredited to assess conformity with children's product safety rules.'

Third party testing is required to support a certification of compliance to the rules (shown at the bottom of the page) for children's products that are manufactured after the effective dates listed with each rule. The laboratories in this list have been accepted as accredited to test products to one or more of these children's product safety rules, as identified in the accreditation scope for each laboratory. A manufacturer of a children's product that must comply with one or more of these rules must support its certification of compliance with test results from one of these laboratories.

Here's a [video tutorial](#) on how to use this page to search for CPSC-accepted laboratories, and [helpful questions](#) to ask the laboratory. [View all laboratories.](#)

### Keyword Search

For example: Lead in Children Metal Jewelry Vietnam

Submit

Reset



# General Certificate of Conformity (GCC)

[www.cpsc.gov/GCC](http://www.cpsc.gov/GCC)

## Products Requiring a GCC

- General use products (non-children's) subject to a CPSC regulation  
(Certification can be based on first-party testing or testing from any qualified laboratory or test facility.)
- See our [Rules Requiring a General Certificate of Conformity \(GCC\)](#) page for more information

# Certificates (CPCs/GCCs)



## Availability of Certificates:

- Must ***accompany*** each product or shipment covered by the certificate (an eFiled certificate meets this requirement)
- Must be ***furnished*** to each distributor or retailer of the product (no requirement to provide to ultimate consumer)

# Certificates (CPCs/GCCs)



**Requirements that do not need to appear in a CPC or GCC but compliance is still mandatory:**

- Tracking information (required for all children's products)
- Registration forms/cards (for durable infant or toddler products)
- Instructional literature & safety labeling requirements (varies by product)
- On-product certification (varies by product)
- Cautionary labeling (varies by product)

**E-filing**

# What is eFiling?



eFiling is a CPSC initiative under which importers of regulated consumer products will electronically file (eFile) data elements from a certificate of compliance with U.S. Customs and Border Protection (CBP), via a Partner Government Agency (PGA) Message Set.

## eFiling – CPSC's Modern Approach for Filing Certificate Data



Data stored electronically in the secure CPSC Product Registry



Multiple options for electronically filing a PGA Message Set before a shipment arrives



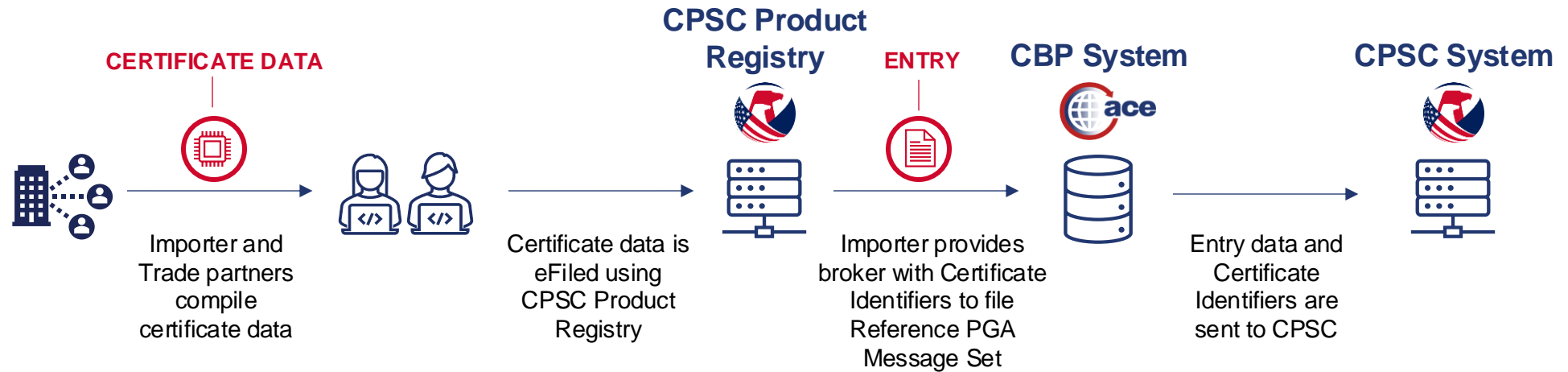
Real-time data capture and streamlined processes for Trade



Easier compliance with CPSC's certification requirements

# Why eFiling?

## eFiling a Reference PGA Message Set



### Projected Benefits



Reduced hold times



Fewer exams



Reduced costs to the importer



Fewer holds to check for certificates



Greater focus on higher risk products



Reduction in risk score

# What Must be Certified?

## Products must be certified if they are...



Subject to a consumer product safety technical regulation or other federal consumer product safety requirement;

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Imported for consumption or warehousing;

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Or distributed in commerce.



**Importers** are responsible for certification.



Both importers and their trade partners should have a clear understanding of which technical requirements need to be met.



All trade parties must know which technical regulations apply to the products they are importing.





# eFiling Program Roadmap



CPSC is utilizing a phased approach to implement the eFiling Program. Phase 2 officially began with the kickoff of the eFiling Beta Pilot in October 2023.



## PHASE 1 Alpha Pilot

PGA Message Set and  
Product Registry Testing  
**8 Participants**

2016 – Completed



## PHASE 2 Beta Pilot

IT development and  
participant testing  
**Over 35 Participants**

Fall 2023 –  
Summer 2024



## PHASE 3 Final Rulemaking

Integrate eFiling rule  
changes

Spring 2024 –  
Year End



## PHASE 4 Full Implementation

Rollout of final eFiling  
requirements

2025

# eFiling Support Services



CPSC has multiple channels to provide the most current, relevant, and accurate support to enable effective eFiling implementation.



## Resources



Visit the eFiling webpage at  
[www.CPSC.gov/eFiling](http://www.CPSC.gov/eFiling)



Sign up for the eFiling  
mailing list



Utilize available documents  
and resources

## Support



Contact the support team at  
[eFilingPilot@CPSC.gov](mailto:eFilingPilot@CPSC.gov)



Email with questions,  
feedback, and comments



Ask technical questions for  
the IT team

# **Recalls: Selected Case Studies**

# Clothing Textiles:

Children's upper outerwear with  
**drawstrings.**



- Children's clothing continue to arrive at U.S. ports without complete tracking labels and Children Product Certificates.
- The goal of our training events is to help suppliers get it right during design and manufacturing.
- Suppliers and importers sometimes test to the incorrect standard or regulation.
- Suppliers sometimes do not understand how to report testing results.

# Clothing Textiles:

**Reversible clothing** such as sweatshirts are to have both sides of the fabric tested.



- Manufacturers sometimes do not understand the testing exemptions.
- Laboratories sometimes misinterpret the testing criteria for specimen classification.
- Manufacturers sometimes do not understand whether the fabric is considered plain surface or raised surface.
- Manufacturers sometimes do not understand that finishes and coatings may alter the flammability of a fabric and affect the flammability performance of the fabric when testing.

# Clothing Textiles:

Sheer **scarves** are often found to be non-compliant in both silk and rayon fabrics.

- Adult robes have been found to fail the flammability regulations.
- Children's daywear garments often lack complete tracking labels.
- Children's daywear garments often do not meet lead and phthalate regulations.



# Children's Sleepwear (General Issues):

Industry continues to struggle with categorizing children's daywear vs. sleepwear garments.

- It is important to know the distinction between children's robes (bathrobe vs. beach, spa and pool cover-up) and sleep-sacks.
- Industry is often unaware of legal obligations and responsibilities regarding the promotion, merchandising, and sale of children's sleepwear.
- Labeling Placement: "Not Intended for Sleepwear" should not be put on the garments.





# Footwear:

Footwear is subject to flammability requirements when it is considered hosiery or affixed to a garment, including socks. Otherwise, shoes are exempt from flammability testing.

- Children's shoes are subject to lead regulations.
- Children's shoes require tracking labels.
- Children's shoes must have a Childrens Product Certificate upon entering commerce in the United States.





# Jewelry:

Jewelry and accessories containing high levels of lead.

- The surface coating on toy jewelry can contain high levels of lead.
- Children's accessories can contain dangerous levels of lead.
- Metal rings and necklaces can contain high levels of lead.
- Lead is toxic if ingested by young children and cause adverse health effects.



# Toys:

Products having a small part, and intended for use by children under 3 years, can present a choking, aspiration or ingestion hazard.

- A small part can be a whole toy or separated part of a toy.
- Small pieces are sometime included with toys and games, posing a risk of injury to young children.
- A small piece can break off from a toy during use, posing a risk of injury to young children.



# **How to Avoid Problems and Prevent Recalls**

# How To Avoid Problems and Prevent Recalls:

- Control supply chains and keep suppliers informed of technical requirements.
- Conduct in-house research on potential product hazards.
- **Immediately report to CPSC any product that may pose a hazard to consumers or creates an unreasonable risk of injury or death.**
- Develop an in-house guide that maps out protocol for compliance with internal procedures, product standards, and CPSC's technical regulations.
- Evaluate complaints, inquiries, injuries, and customer feedback.
- Educate your buying, merchandising, and marketing departments about U.S. regulations.
- For children's products, use only third-party accredited CPSC-accepted laboratories and test appropriately (the cost of testing is a tiny fraction of the costs associated with recalls and violations).



Welcome to CPSC's Regulatory Robot!

<http://business.cpsc.gov>



The Regulatory Robot is CPSC's online tool designed specifically to help businesses comply with federal consumer product safety laws and regulations.

Asks a series of guided questions, and based on the answers produces a downloadable (PDF) report.

Provides customized guidance with links to product safety regulations that may apply to the product and important information on labeling, certification and testing requirements.

**Thank you!**

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