



United States
Consumer Product Safety Commission

Record of Commission Action
Commissioners Voting by time critical ballot*

Commissioners Voting: Acting Chairman Peter A. Feldman
 Commissioner Douglas Dziak

ITEM:

Directive on *Interim Delegations in Furtherance of the Commission's Regulatory Authorities*.

(Ballot vote package dated August 21, 2025)

DECISION:

The Commission voted unanimously (2-0) to adopt the directive on *Interim Delegations in Furtherance of the Commission's Regulatory Authorities*.

For the Commission:

A handwritten signature in black ink, appearing to read 'Abioye Mosheim Oyewole', written over a horizontal line.

Abioye Mosheim Oyewole
Acting Secretary

*Time critical vote due August 22, 2025, by 12 pm

Acting Chairman Feldman voted on August 22, 2025
Commissioner Dziak voted on August 21, 2025



NUMBER: ID003

APPROVED: August 22, 2025

SUBJECT: Interim Delegations in Furtherance of the Commission's Regulatory Authorities

1. PURPOSE. The Commission exercises regulatory authority under the Consumer Product Safety Improvement Act of 2008 (CPSIA), Consumer Product Safety Act (CPSA), Federal Hazardous Substances Act (FHSA), Flammable Fabrics Act (FFA) and other statutes. The Commission has previously delegated a number of these authorities to officers and employees of the Commission. This directive amends those delegations, in part, and provides additional delegations of the Commission's regulatory functions in the event that, due to vacancies on the Commission, the total number of Commissioners serving on the Commission is less than the number required to constitute a quorum for the transaction of business under section 4(d) of the CPSA.

2. AUTHORITIES.

- a. Sections 7, 8 and 9 of the CPSA, as amended (15 U.S.C. 2056-2058).
- b. CPSIA and other statutes codified at 15 U.S.C. 2056a-2056f, 2056 (notes), 2057a-2057e, 15 U.S.C. 1278a.
- c. Sections 2, 3 and 10 of the FHSA (15 U.S.C. 1261-1262 and 1269).
- d. Section 4 of the FFA (15 U.S.C. 1193).
- e. Paperwork Reduction Act of 1995 (44 U.S.C. 3506).
- f. Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472).
- g. Regulatory Flexibility Act (5 U.S.C. 602) and Executive Order 12866, Regulatory Planning and Review.
- h. Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8003).
- i. 16 CFR part 1000, Commission Organization and Functions.



3. **EFFECTIVE DATE.** This directive becomes effective on the first day on which vacancies in the Commission cause the total number of Commissioners serving on the Commission to be less than the number required to constitute a quorum for the transaction of business under section 4(d) of the CPSA. Once in effect, this directive remains effective until such time as the total number of Commissioners serving on the Commission is sufficient to constitute a quorum for the transaction of business under section 4(d) of the CPSA.
4. **SCOPE.** This directive applies agency wide.
5. **CONTINUING DELEGATIONS.** Unless expressly stated herein, this directive does not diminish or supersede any delegation of function previously made or assigned by the Commission in any directive or regulation.
6. **DEFINITION.** As used in this directive, the term Chairman means the principal executive officer of the Commission, appointed by the President, by and with the advice and consent of the Senate, or in the case of a vacancy in the office of the Chairman, the Vice Chairman of the Commission pursuant to section 4(d) of the CPSA, 15 U.S.C. 2053(d).
7. **DELEGATIONS OF AUTHORITY TO THE CHAIRMAN.** Under section 27(b)(10) of the CPSA, as amended, the Commission hereby delegates the following authorities to the Chairman:
 - a. Authority to direct the publication in the *Federal Register* of notices pursuant to statutes administered by CPSC, including, but not limited to, Advance Notices of Proposed Rulemaking, Notices of Proposed Rulemaking, Supplemental Notices of Proposed Rulemaking, Final Rules, Direct Final Rules, Notices of Availability, Requests for Information, Meeting and Public Hearing Notices, System of Records Notices, and Paperwork Reduction Act Notices, to the extent not otherwise delegated in any other directive;
 - b. Authority, on behalf of the Commission, to approve, disapprove or take any other lawful action regarding any petition pursuant to section 9(i) of the CPSA, 15 U.S.C. 2058(i), the Poison Prevention Packaging Act of 1970, 15 U.S.C. 1472; 16 CFR parts 1051 and 1702; and other statutes



administered by CPSC;

- c. Authority, on behalf of the Commission, to approve, disapprove or take any other lawful action regarding any revisions to voluntary standards under 15 U.S.C. 2056 note (portable gasoline containers and automatic garage door openers), 2056a(b)(4) (durable nursery products), 2056b(g) (mandatory toy standards), 2056c(e) (sulfur content in drywall), 2056d (fuel containers), 2056e(f) (button batteries), 2056f(e) (clothing storage unit tipover standard), 2089(b) (all-terrain vehicles), and 8003(b) (Virginia Graeme Baker Pool and Spa Safety Act);
- d. Authority, on behalf of the Commission, to approve, disapprove or take any other lawful action regarding the accreditation of any conformity assessment body as a “firewalled” third party laboratory under section 14(f)(2)(D) of the CPSA, 15 U.S.C. 2063(f)(2)(D), and 16 CFR part 1112; and
- e. Authority under section 27(a) of the CPSA, 15 U.S.C. 2076(a), to conduct, on behalf of the Commission, any hearing or other inquiry necessary or appropriate to the Commission's functions under any of the authorities listed in Paragraph 2.

In exercising these authorities, the Chairman is subject to any applicable laws, administrative rules, and regulations.

- 8. CONCURRENTLY SERVING COMMISSIONER.** If, during any period in which this directive is effective, another Commissioner other than the Chairman is also serving on the Commission, the Chairman must obtain the concurrence of such Commissioner before exercising the authorities delegated to the Chairman herein.
- 9. REDELEGATION OF AUTHORITY.** The Chairman may redelegate any authority delegated herein.



United States
Consumer Product Safety Commission

Peter A. Feldman
Acting Chairman

Douglas Dziak
Commissioner

8-22-25

Date

8-22-25

Date