

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

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In the Matter of	)	
	)	
	)	
AMAZON.COM, INC.	)	CPSC DOCKET NO. 21-2
	)	
	)	
Respondent	)	
_____	)	

**ORDER GRANTING AMAZON.COM, INC.’S  
MOTION TO STAY THE FINAL ORDER**

On January 16, 2025, the U.S. Consumer Product Safety Commission issued a Decision and Order Approving Notification and Action Plan (January 16, 2025, Decision and Order) regarding over 400,000 hazardous products that American consumers purchased through Respondent Amazon.com, Inc. (Amazon). Dkt. 154. The January 16, 2025, Decision and Order established an effective date of January 26, 2025, unless Amazon filed a motion to stay the Order by January 24, 2025, in which case the Order would be effective on the date the Commission resolved Amazon’s motion or otherwise ordered. *Id.* at 50, Dkt. 154. On January 24, 2025, Amazon filed a Motion to Stay the Final Order.<sup>1</sup> Mot. to Stay, Dkt. 155. On January 31, 2025, Complaint Counsel filed an Opposition to Respondent’s Motion to Stay the Final Order (Opposition). Dkt. 156.

In its Motion, Amazon states that it “will file a complaint in federal district court within

<sup>1</sup> Amazon refers to the January 16, 2025, Decision and Order as the “Final Order.” Mot. to Stay at 1, Dkt. 155. In addition to the January 16, 2025, Decision and Order, Amazon’s request “also extends to any portion of the July 29, 2024, Decision and Order that was incorporated by reference in the Final Order.” *Id.* at n.1, Dkt. 155.

14 days after the Commission resolves this Motion and requests that the stay remain in effect until 14 days after the court issues a final judgment in that action.” Mot. to Stay at 1, Dkt. 155. Amazon further explains that if it “files a complaint in federal district court, Amazon would be willing to stipulate to an expedited briefing schedule for motions for summary judgment in order to facilitate a swift resolution of the litigation.” *Id.* at n.2, Dkt. 155; *see also id.* at n.10, Dkt. 155.

Under 16 C.F.R. § 1025.57(a), “[a]n order of the Commission in proceedings arising under the Consumer Product Safety Act becomes effective upon receipt, *unless otherwise ordered by the Commission*” (emphasis added). Further, section 705 of the Administrative Procedure Act, 5 U.S.C. § 705, authorizes the Commission to stay an order pending judicial review if it finds that “justice so requires.”

This matter raises important issues. If Amazon seeks judicial review of the January 16, 2025, Decision and Order and stipulates to an expedited briefing schedule for motions for summary judgment, as Amazon claims it intends to do, it would be in the interest of justice for those issues to be briefed by the parties and decided by the district court in an orderly fashion, rather than in the context of a motion for emergency relief.

Therefore, upon consideration of Amazon’s Motion to Stay and Complaint Counsel’s Opposition thereto, the Motion to Stay is GRANTED. If Amazon files a lawsuit in federal district court challenging the January 16, 2025, Decision and Order by March 14, 2025, that Order will be effective 14 days after the district court enters final judgment in that lawsuit. If Amazon does not file such a lawsuit by March 14, 2025, that Order will be effective on March 15, 2025.

SO ORDERED this 28th day of February, 2025.

FOR THE COMMISSION,

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Alberta E. Mills  
Secretary  
Consumer Product Safety Commission