

In the context of OMB approval of CPSC's "Verification of Compliance Form" as a collection of information under the Paperwork Reduction Act, you asked several questions relating to the CPSC's inspection authority, including the agency's authority to conduct inspections with respect to statutory provisions added in the Consumer Product Safety Improvement Act of 2008 (CPSIA) such as section 104, which calls for crib-related standards, among other things.

In enacting the CPSIA, Congress intended to improve the consumer product safety system as a whole, rather than to add individual provisions that would be implemented separately from the then-existing Consumer Product Safety Act (CPSA) framework. Indeed, the U.S. Code codifies section 104 as part of the CPSA and denotes it as 15 U.S.C. § 2056a, supporting CPSC authority to enforce CPSIA provisions under the CPSA. See Pub. L. No. 110-314, 122 Stat. 3028 (2008); <http://www.gpo.gov/fdsys/pkg/USCODE-2011-title15/pdf/USCODE-2011-title15-chap47-sec2056a.pdf>.

In the specific context of cribs, the CPSC also has inspection authority under the Federal Hazardous Substances Act (FHSA), providing another basis for CPSC crib inspection programs. See 15 U.S.C. § 1270. Finally, exercising inspection authority with respect to cribs in day care settings is consistent with other CPSC programs to inspect non-crib products that are regulated under provisions of the CPSIA and with CPSC inspection activities in other end-use site contexts.