



United States

**Consumer Product Safety Commission**

# CPSC at Imports

## Certificate Requirements, eFiling, and 1USG Notifications

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*Disclaimer: This presentation was prepared by CPSC Staff and may not necessarily reflect the views of the Commission.*

# What Must be Certified?

- Any product that is subject to a consumer product safety rule, ban, similar rule, standard, or regulation, and which is imported for consumption or warehousing, or distributed in commerce must be certified.
- Certification is the responsibility of the importer; however, importers and manufacturers should have a clear understanding of exactly which standards need to be met.
- Foreign manufacturers/suppliers should insist on a list of which mandatory and consensus standards apply.

# Types of Certificates

- Children's Product Certificate (CPC) - the manufacturer or importer certifies that its children's product complies with all applicable children's product safety rules (bans, standards, similar rules, or regulations).

<https://www.cpsc.gov/Testing-Certification/Childrens-Product-Certificate-CP-C>

- General Certificate of Conformity (GCC) – the manufacturer or importer that its general use product (non-children's product) comply with all applicable consumer product safety rules.

<https://www.cpsc.gov/Business--Manufacturing/Testing-Certification/General-Certificate-of-Conformity-GCC>



## Products Requiring a Children's Product Certificate

### Children's Products:

ASTM F-963  
 Lead Paint  
 Lead Content  
 Small parts  
 Phthalates (child care)  
 ATVs (Youth)  
 Activity Centers  
 Baby Changing Products  
 Bassinets and Cradles  
 Bedside Sleepers  
 Bicycles (Youth)  
 Bicycle Helmets (Youth)  
 Bouncer Seats  
 Booster Seats  
 Bunk Beds  
 Carpets and Rugs  
 Children's Furniture  
 Children's Folding Chairs and  
 Stools  
 Clacker Balls  
 Clothing & General Wearing  
 Apparel  
 Cribs  
 Dive Sticks  
 Electrically  
 Operated Toys/Articles

Hand-held Infant Carriers  
 Highchairs  
 Frame Child Carriers  
 Gates and Enclosures  
 Infant Bath Seats  
 Infant Swings  
 Infant Walkers  
 Mattresses – Crib and Youth Size  
 (open Flame)  
 Mattresses – Crib and Youth Size  
 (smoldering)  
 Pacifiers  
 Paint and surface coatings  
 Play Yards  
 Portable Bed Rails  
 Portable Hook-On Chairs  
 Rattles  
 Sleepwear sizes 0-6X  
 Sleepwear sizes 7-14  
 Sling Carriers  
 Small Parts  
 Soft Infant and Toddler Carriers  
 Toddler Beds  
 Toys  
 Toys with Magnets  
 Wearing Apparel – Children's  
 Vinyl Plastic Film in Children's  
 Apparel

## Products Requiring a General Certificate of Conformity

Architectural Glazing  
 Artificial Emberizing  
 Materials\*  
 ATVs  
 Bicycles  
 Bicycle Helmets  
 Bunk Beds  
 Candles with Metal Wicks  
 Carpets and Rugs  
 CB Antennas  
 Cellulose Insulation  
 Cigarette Lighters  
 Contact Adhesives  
 Consumer Patching  
 Compounds\*  
 Drywall  
 Fireworks  
 Garage Door Openers  
 Inclined Infant Sleep  
 Products\*

Lawnmowers  
 Lawn Darts\*  
 Matchbooks  
 Mattresses (open Flame)  
 Mattresses (smoldering)  
 Metal Candle Wicks\*  
 Multi-purpose Lighters  
 Paint and Similar Surface Coatings\*  
 Packaging Subject to the  
 Poison Prevention Packaging Act  
 Portable Gas Containers  
 Pool and Spa Drain Covers  
 Refuse Bins\*  
 Refrigerator Doors  
 Swimming Pool Slides  
 Vinyl Plastic Film  
 Wearing Apparel (Flammability)

\*Products subject to ban  
 Updated 9/2/2022

<https://cpsc.gov/Business--Manufacturing/Testing-Certification>



# Certificates Must include

Identification of the finished product

Party certifying compliance

Each consumer product safety rule to which the finished product has been certified

Date and place the finished product was manufactured

Date when and place where the finished product was most recently tested for compliance

Contact information for person maintaining test records

## What is eFiling?

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


# Why eFiling?

Currently, CPSC only asks for certificate data once a product has been identified for exam and, therefore, cannot use certificate data in its risk assessment and targeting in advance of a shipment arriving. Once rulemaking is completed, importers of regulated consumer products will electronically file certain certificate of compliance data elements with CPSC via the PGA Message Set at Entry, or at Entry Summary if both and Entry Summary are filed together.



# History

  
2008 CPSIA requires importers to test and certify children's and other general use products and provide certificates upon request (Codified under 16 CFR 1110).

  
2013 NPR published that would, among other things, require the electronic filing of certificates of compliance at the time of entry.

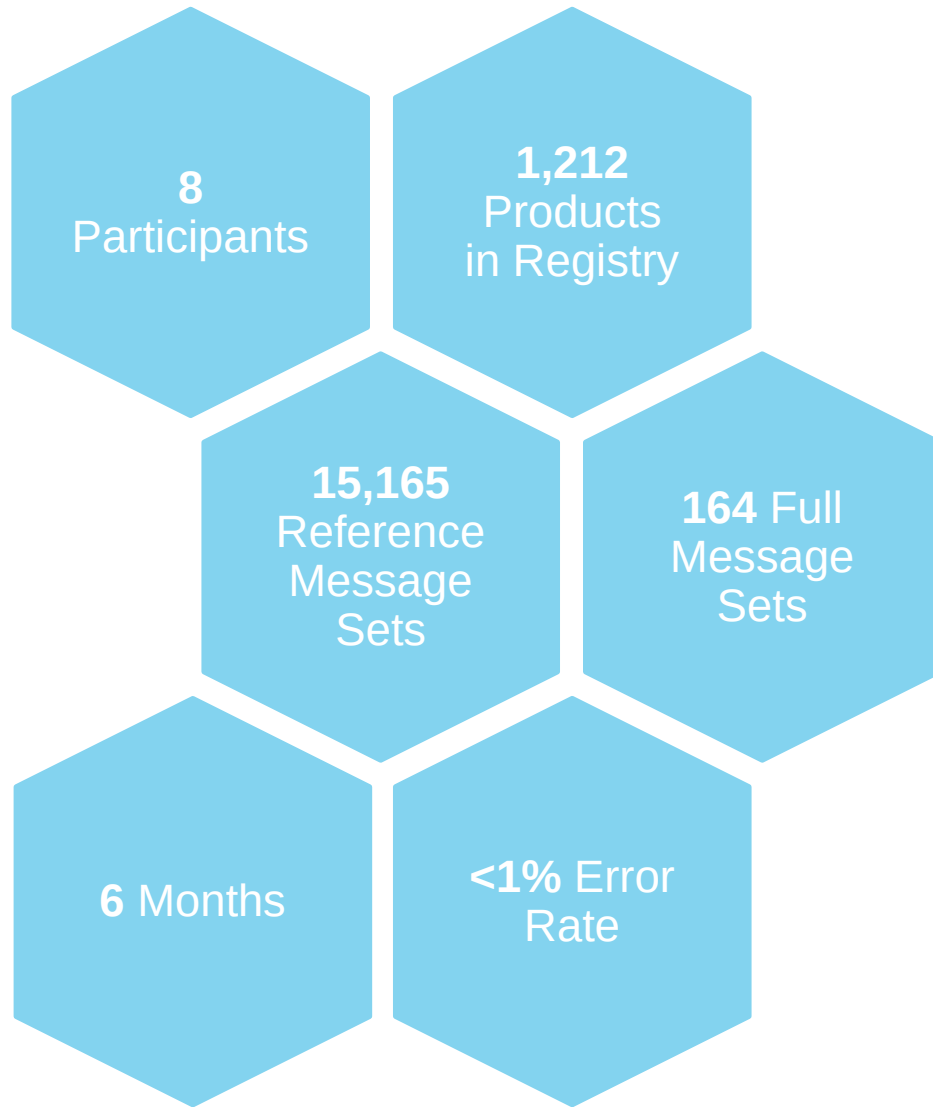
  
2016 Alpha Pilot conducted with eight participants that tested the PGA Message Set and Product Registry.

  
2017 Certificate Study analyzed risk potential of certificate data elements.

  
2020 Commission approves of Staff Briefing Package and Beta Pilot.



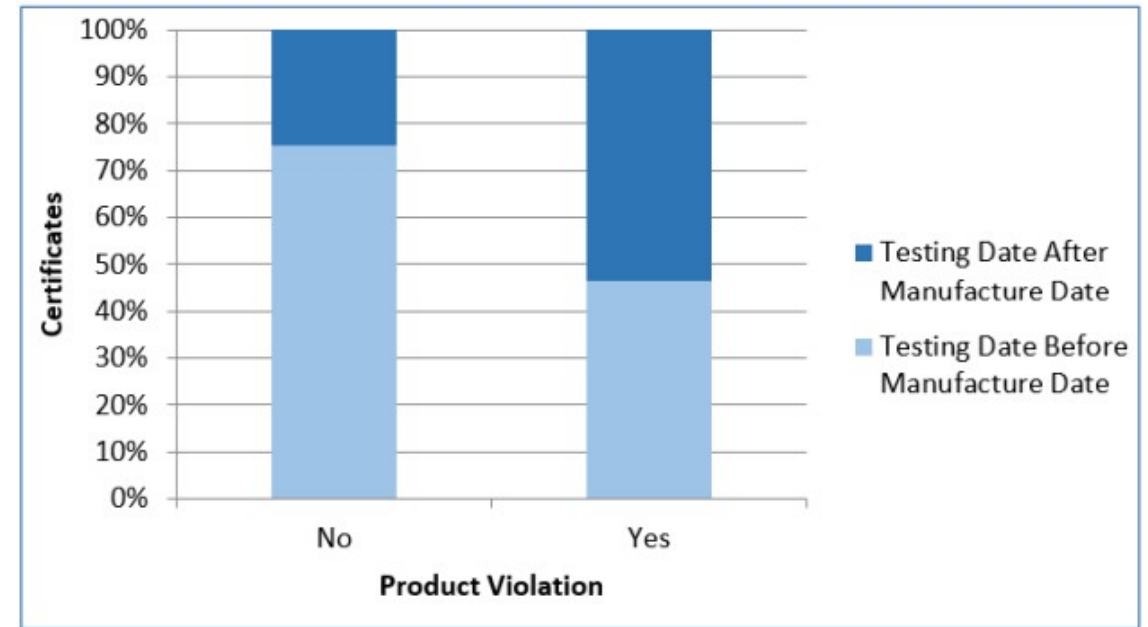
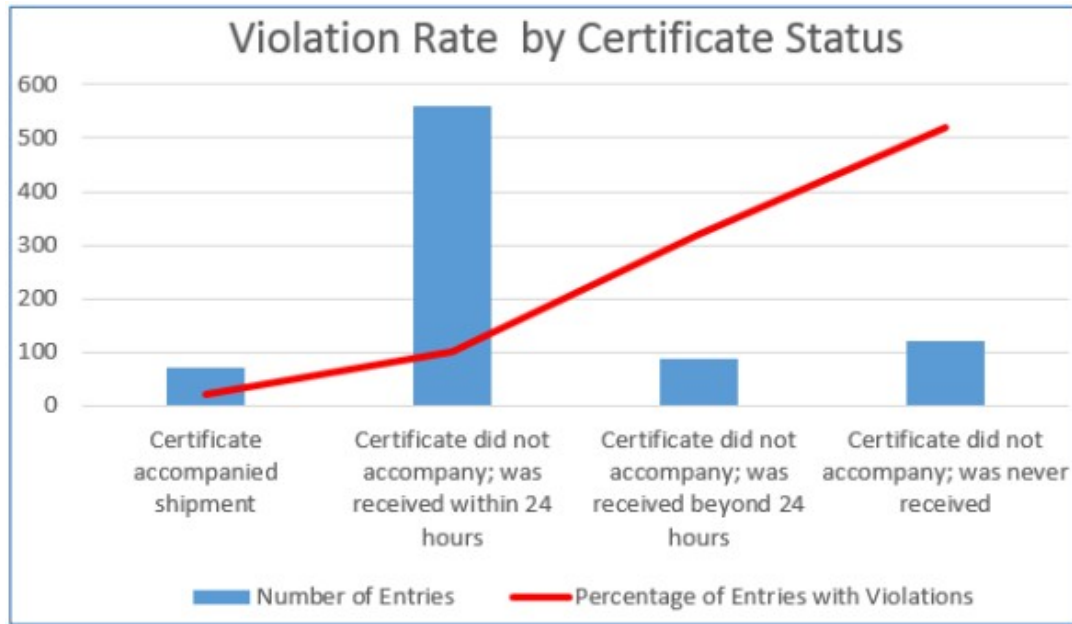




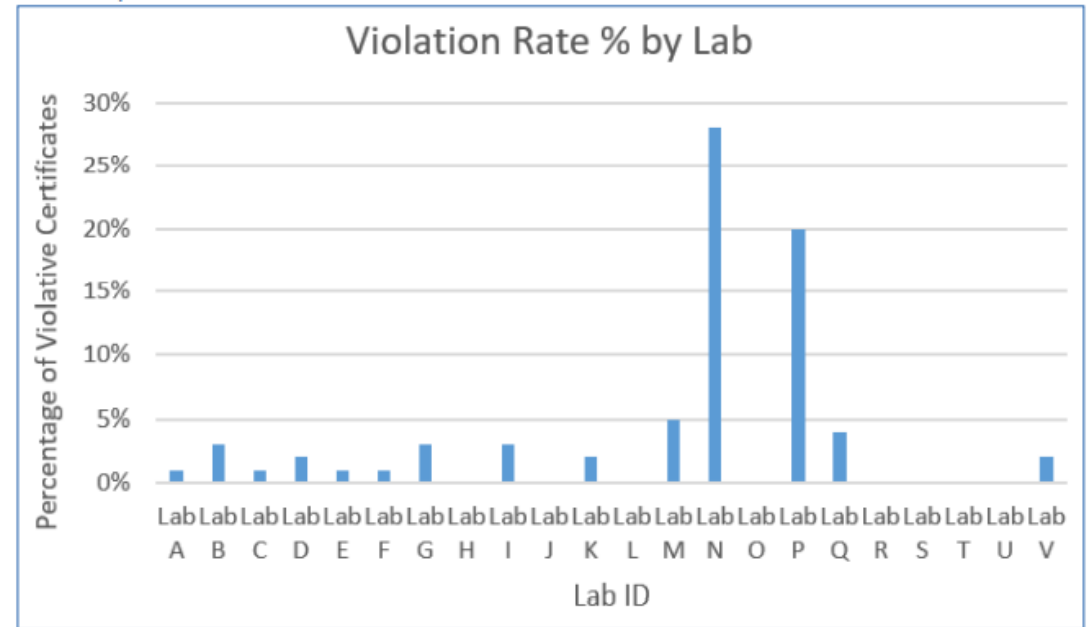
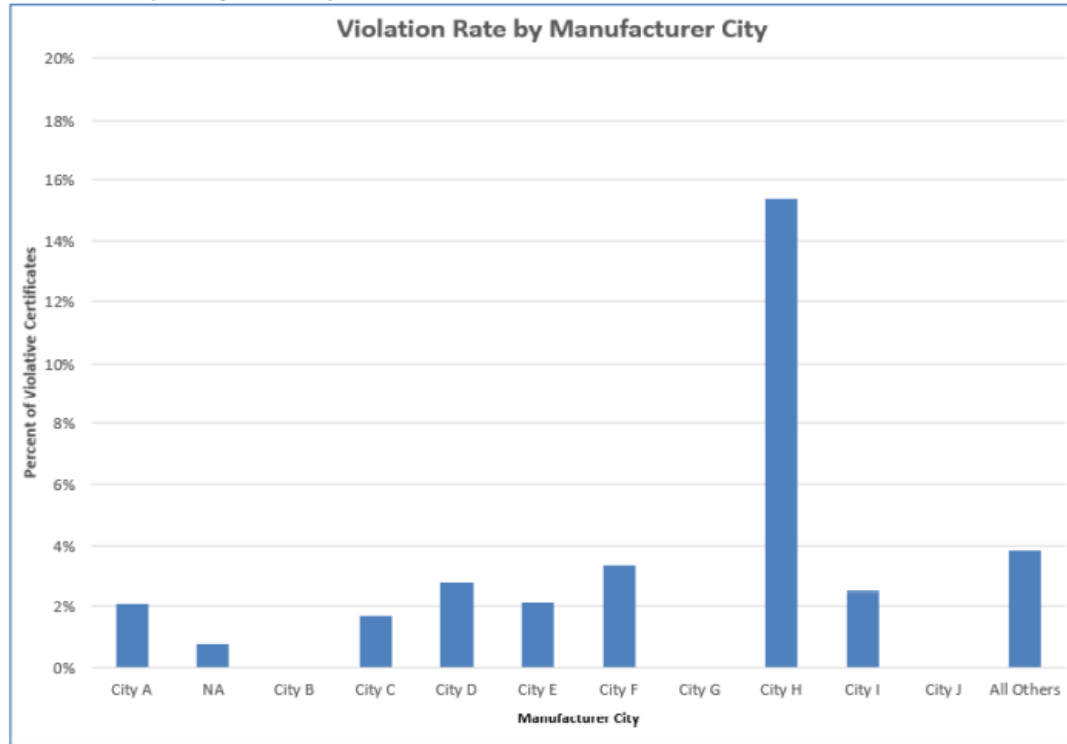
## Alpha Pilot Results

- Participants indicated required data was relatively easy to gather.
- Data successfully integrated into RAM.
- Product Registry reduced the burden and time of filing.

# Certificate Study Results



# Certificate Study Results

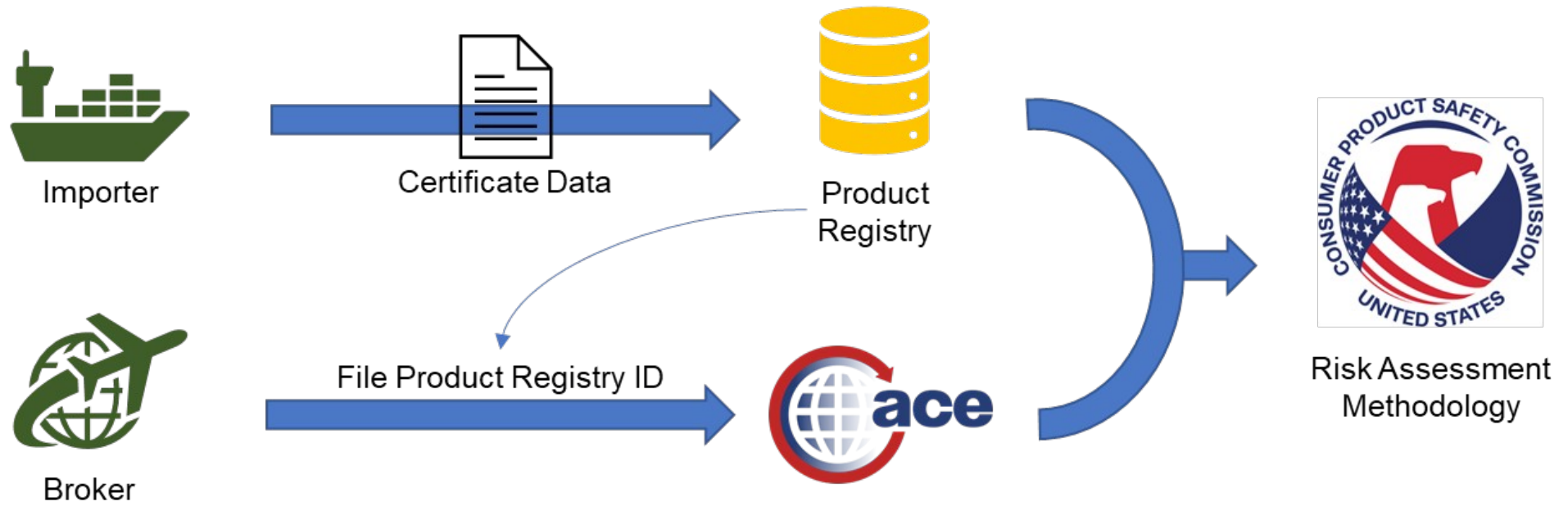


# What is the Beta Pilot?

- CPSC will conduct a Beta Pilot test, in conjunction with CBP, scheduled to begin in **fall 2023**.
- The Beta Pilot test will include up to **50 volunteer participants**, allowing for **more entry lines** than the Alpha Pilot test and for CPSC to develop, test, and implement processes and procedures for an eFiling requirement for imported, regulated consumer products.



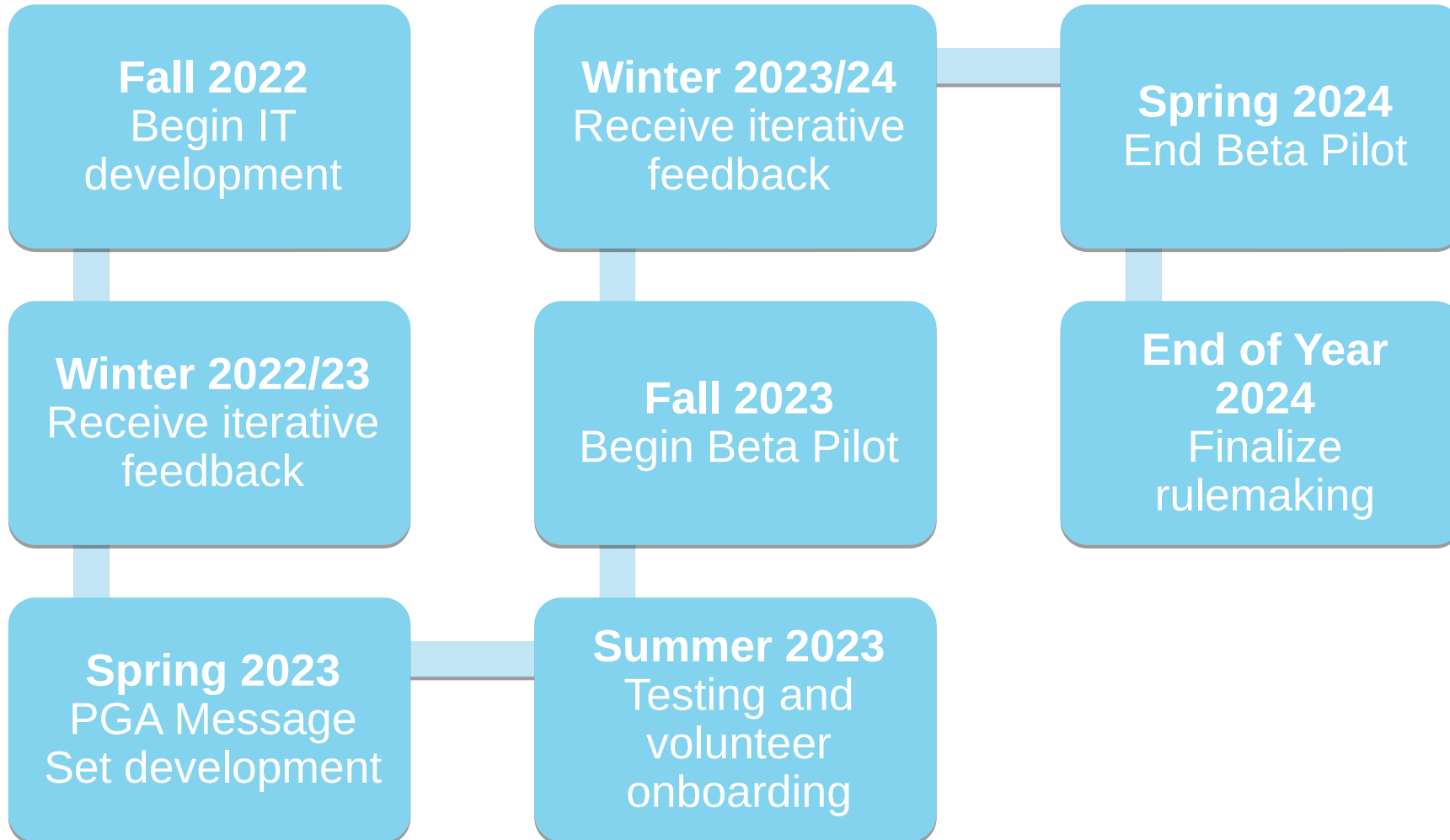
## Option 1: Reference Message Set



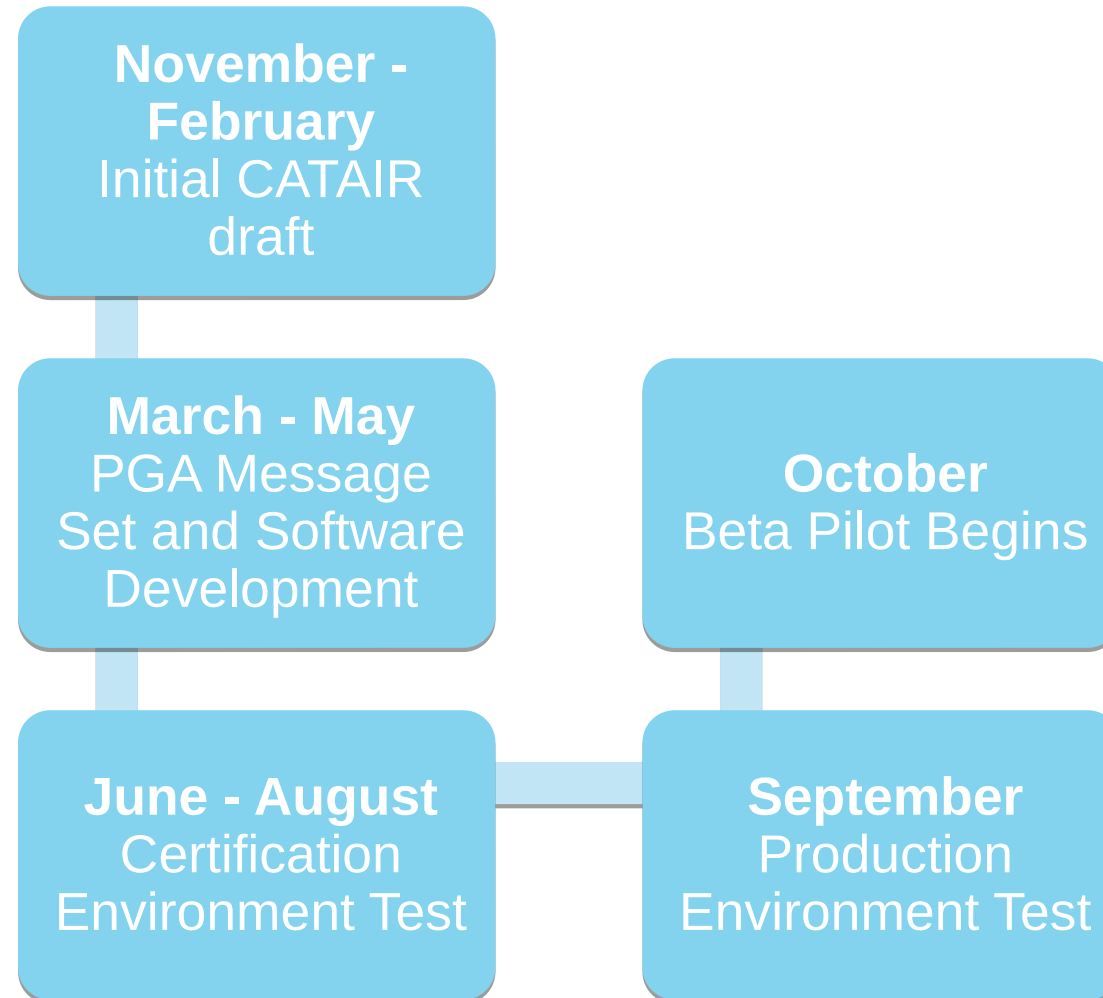
## Option 2: Full Message Set



# Timeline



# PGA Message Set Development



## How will industry benefit?

CPSC expects industry to experience improvements in risk assessment, enforcement, and trade facilitation, because the agency will be better able to incorporate the presence or lack of a certificate, as well as the data elements provided, into CPSC's targeting algorithms. Risk scores will decrease for importers who electronically file valid data elements, resulting in fewer examinations of their cargo at the port.





# Participation in the Beta Pilot

- Email your interest to [eFilingPilot@cpsc.gov](mailto:eFilingPilot@cpsc.gov), including your Importer of Record number and products you primarily import.
- Brokers, software developers, and labs are able to participate, but ideally would do so in collaboration with an importer.
- CPSC is seeking a subset of 9 volunteers to participate in advising the IT development.
- Visit [www.cpsc.gov/eFiling](http://www.cpsc.gov/eFiling) for more information.



# 1USG Notifications via ACE

- CPSC and CBP are modernizing the exchange of messages to coordinate the exam process.
  - Automates the notification using ACE protocols and CBP messaging structures.
  - Allows CPSC the necessary time to indicate that an examination is required.
  - May delay the notification of a 1USG release for these products.
    - Does not impact the flow of goods through the border, unless CPSC determines that an intensive examination is required at the port.
- The HTS codes for product groupings affected are listed in guidance on our website – [www.cpsc.gov/imports](http://www.cpsc.gov/imports).

# Methods Message Flow

- Filer receives an “Under Review” message from ACE signifying that CPSC is electronically reviewing that entry.
  - At the same time, CPSC will receive notification of an incoming product of interest.
- If, after review, CPSC determines that a shipment requires examination, either at the port or at the importer’s premises, trade will receive additional messaging through ACE.
- If, after review, no such determination is made, a “May Proceed” will be sent by CPSC through ACE to the trade.



# Methods

- The vast majority of shipments will receive a “May Proceed” message. They will be automated system-to-system messages.
- During their review, CPSC staff co-located at the ports, or in coordination with CBP, can signal an intent to examine through either a:
  - Hold Intact Notice,
  - Document Review (a type of Hold Intact),
  - Intensive Exam Request,
  - Documents Required Request (a type of Intensive Exam).



# Automated Clock

	Entry Filed: 3 or more Business Days Before Est. Date of Arrival	3 or more Business Days Before Actual Arrival	Fewer than 3 Business Days Before Actual Arrival
	Entity with: Compliant CPSC History	Unknown or Poor CPSC Compliance History	Unknown or Poor CPSC Compliance History, OR Entry has additional risk factors
<b>Air and Truck</b>	8 Business Hours after Entry is Filed	5 Minutes after Actual Arrival event message received	8 Business Hours after the latter of Actual Arrival or CPSC receiving the Entry
<b>Ocean</b>	16 Business Hours after Entry is Filed	5 Minutes after Actual Arrival event message received	16 Business Hours after the latter of Actual Arrival or CPSC receiving the Entry
<b>Other</b>	Not Subject to CPSC 1USG		

# Thank You!

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Questions about the eFiling Beta Pilot: [www.cpsc.gov/eFiling](http://www.cpsc.gov/eFiling) or [eFilingPilot@cpsc.gov](mailto:eFilingPilot@cpsc.gov)

Questions about 1USG Notification and other inquiries: [www.cpsc.gov/imports](http://www.cpsc.gov/imports) or [ImportTeam@cpsc.gov](mailto:ImportTeam@cpsc.gov)

