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February 11, 2025

The Honorable Ted Cruz  
Chairman  
The Honorable Maria Cantwell  
Ranking Member  
Committee on Commerce, Science, and Transportation  
United States Senate

The Honorable Brett Guthrie  
Chairman  
The Honorable Frank Pallone, Jr.  
Ranking Member  
Committee on Energy and Commerce  
House of Representatives

Subject: *Consumer Product Safety Commission: Certificates of Compliance*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Consumer Product Safety Commission (CPSC) entitled "Certificates of Compliance" (CPSC Docket No. 2013-0017). We received the rule on January 21, 2025. It was published in the *Federal Register* on January 8, 2025. 90 Fed. Reg. 1800. For all CPSC regulated consumer products and substances subject to the final rule and required to be certified, except for products and substances imported into a foreign trade zone (FTZ) and subsequently entered for consumption or warehousing, the final rule is effective on July 8, 2026. For CPSC regulated products and substances entered from an FTZ for consumption or warehousing, the final rule is effective on January 8, 2027.

According to CPSC, this rule revises the agency's regulation for Certificates of Compliance (certificates). CPSC stated that the rule aligns CPSC's current certificates rule with other CPSC rules on testing and certification, and implements, for importation of products and substances regulated by CPSC, electronic filing of certificates with U.S. Customs and Border Protection.

Enclosed is our assessment of CPSC's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact Charlie McKiver, Assistant General Counsel, at (202) 512-5992.

Shirley A. Jones  
Managing Associate General Counsel

Enclosure

cc: Mary A. House  
Attorney, Office of the General Counsel  
Consumer Product Safety Commission

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE  
ISSUED BY THE  
CONSUMER PRODUCT SAFETY COMMISSION  
ENTITLED  
“CERTIFICATES OF COMPLIANCE”  
(CPSC DOCKET NO. 2013-0017)

(i) Cost-benefit analysis

In its submission to us, the Consumer Product Safety Commission (CPSC) indicated that it was not required to prepare an analysis of the costs and benefits of this rule. However, CPSC described some of the impacts of the rule in the sections of the preamble discussing the Regulatory Flexibility Act and the Paperwork Reduction Act. See 90 Fed. Reg. 1800, 1828–42 (Jan. 8, 2025).

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

CPSC prepared a Final Regulatory Flexibility Analysis (FRFA) for this rule. 90 Fed. Reg. 1800, 1828–37. CPSC stated that the FRFA concluded that the rule does not impose significant costs to a substantial number of small firms. *Id.* at 1828.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

As an independent regulatory agency, CPSC is not subject to the Act.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On May 13, 2013, CPSC published a proposed rule. 78 Fed. Reg. 28080. On December 8, 2023, CPSC published a supplemental notice of proposed rulemaking. 88 Fed. Reg. 85760. CPSC stated that they received comments from various interested parties. 90 Fed. Reg. 1800, 1805–22. CPSC responded to comments in the rule. *Id.*

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

CPSC determined that this rule contains information collection requirements under the Act. 90 Fed. Reg. 1800, 1837–42.

Statutory authorization for the rule

CPSC promulgated this rule pursuant to section 2063 of title 15, United States Code, sections 3 and 102 of Public Law 110-314 (Aug. 14, 2008), and Public Law 112-28 (Aug. 12, 2011).

Executive Order No. 12866 (Regulatory Planning and Review)

As an independent regulatory agency, CPSC is not subject to the Order's regulatory review procedures.

Executive Order No. 13132 (Federalism)

As an independent regulatory agency, CPSC is not subject to the Order.