



# INTERNATIONAL CONFORMITY ASSESSMENT

The U.S. Consumer Product Safety Commission's  
Conformity Assessment Body (CAB)  
Recognition Program

Views expressed in this presentation are those of the staff and do not necessarily represent the views of the Commission

# CPSC Jurisdiction

- ▣ Consumer Product Safety Act (CPSA)
- ▣ Federal Hazardous Substances Act (FHSA)
- ▣ Flammable Fabrics Act (FFA)
- ▣ Poison Prevention Packaging Act (PPPA)
- ▣ Refrigerator Safety Act (RSA)
- ▣ Virginia Graeme Baker Pool & Spa Safety Act
- ▣ Children's Gasoline Burn Prevention Act

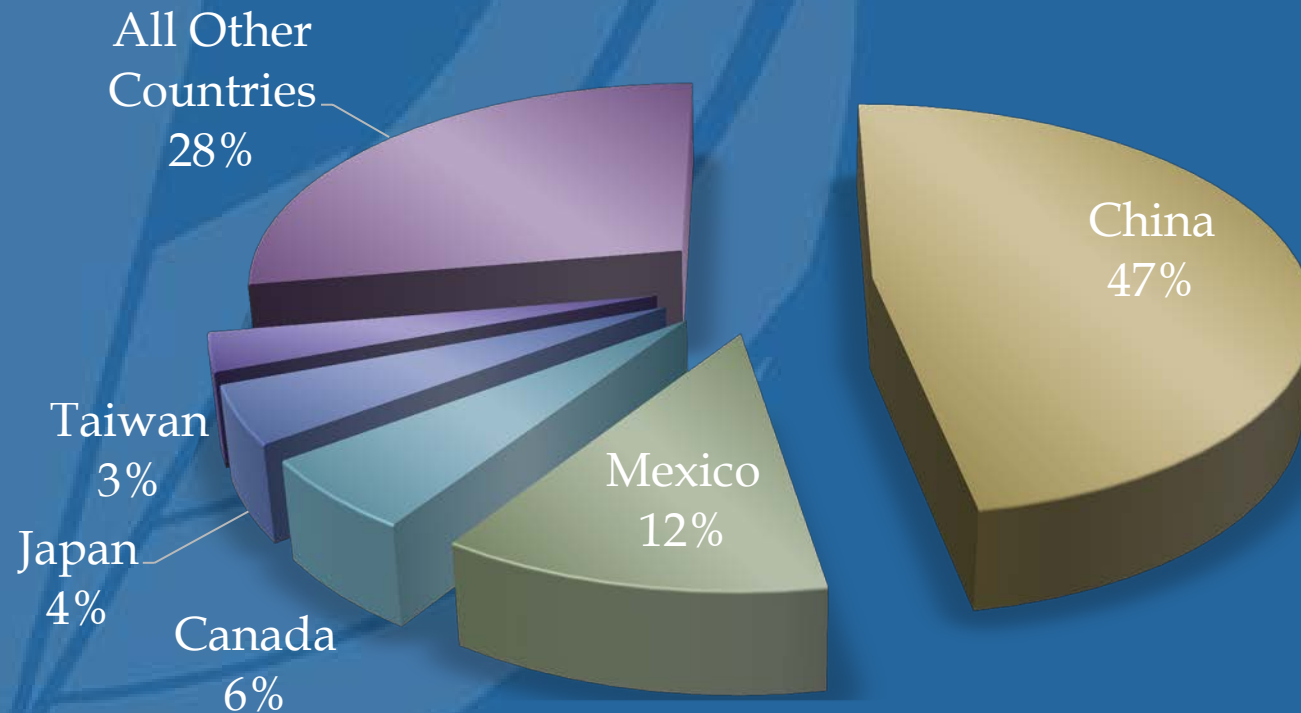
Jurisdiction over thousands of consumer products

# Consumer Products NOT under CPSC's Jurisdiction

- ▣ Airplanes (FAA)
- ▣ Automobiles (NHTSA)
- ▣ Foods, drugs, cosmetics, medical devices (FDA)
- ▣ Pesticides, rodenticides (EPA)
- ▣ Tobacco products (FDA)
- ▣ Firearms (BATF)

# Imports of Consumer Products Under CPSC Jurisdiction

## Percentage of Total Imports by Country of Origin for 2010



Sources: Tariff and trade data from U.S. Department of Commerce and the U.S. International Trade Commission, CPSC Directorate for Economic Analysis Calculations. Based on NAICS codes most likely to include consumer products under the CPSC's jurisdiction; China statistics include import data for Hong Kong

# CPSIA

- ▣ The Consumer Product Safety Act (CPSA) Section 14 [15 U.S.C. § 2063] as amended by the Consumer Product Safety Improvement Act (CPSIA) Section 102, *Product Certification and Labeling*, enacted August 14, 2008:
  - Requires certification of regulated products by the manufacturer (includes importers)
  - General use consumer products
    - ▣ Children's products
  - Requires certification based on product testing
    - ▣ A test of each general use consumer product or a reasonable test program
    - ▣ Third party testing of a sufficient number of samples of a children's product

# Product Certification

- ❑ Children's products certification supported by testing by a CPSC-accepted laboratory
  - Initial certification required before product enters stream of commerce
- ❑ Requirement for continued testing and recertification of children's product
  - Event-triggered testing
    - Material change in:
      - manufacturing process
      - sourcing of materials
      - product design
  - Periodic testing
    - Frequency
    - Sampling Plan
      - representative samples
      - sample size

# CPSIA- Specified CAB Classification

- ▣ Third party
  - a conformity assessment body that is not owned, managed, or controlled by the manufacturer or private labeler of a product assessed by such conformity assessment body
  
- ▣ Firewalled
  - a conformity assessment body that is owned, managed, or controlled by a manufacturer or private labeler
  
- ▣ Governmental
  - an entity that is owned or controlled, in whole or in part, by a government

# Program Development Challenges

- ❑ Lack of expertise in CAB accreditation
- ❑ Limited resource availability
- ❑ Broad and expanding number of regulations with aggressive timeframe for implementation
  - ❑ CPSIA required the publication of the first notice of requirements (NOR) for accreditation of third party conformity assessment bodies (to assess conformity with 16 CFR part 1303, lead in paint) within 30 days after the date of enactment of the CPSIA
  - ❑ Four additional NORs, each released every 30 days, covering eight consumer product safety requirements
  - ❑ All others within 10 months
  - ❑ Introduce two durable nursery product rules every six months



# Factors for Consideration

- ❑ Laboratory accreditation process
- ❑ Identification of required standards
  - ISO – 17025 requirement for testing laboratories
  - ISO – 17011 requirement for accreditation bodies (AB)
  - Specified CPSC regulations and standards
- ❑ Existing accreditation system
- ❑ International in scope
- ❑ Global recognition
- ❑ Demonstrated competence, peer-reviewed
- ❑ Open membership

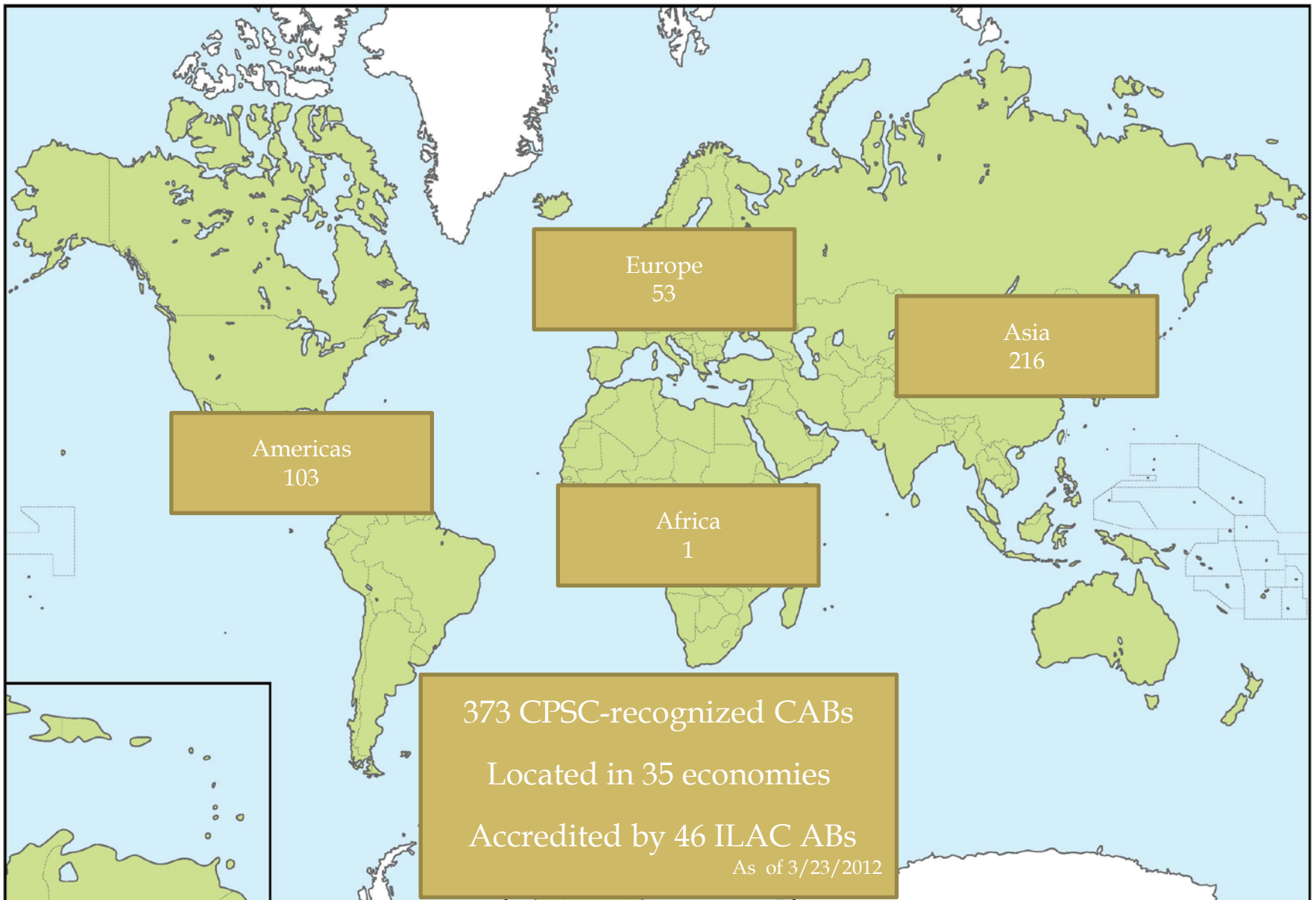
# Benefits to CPSC

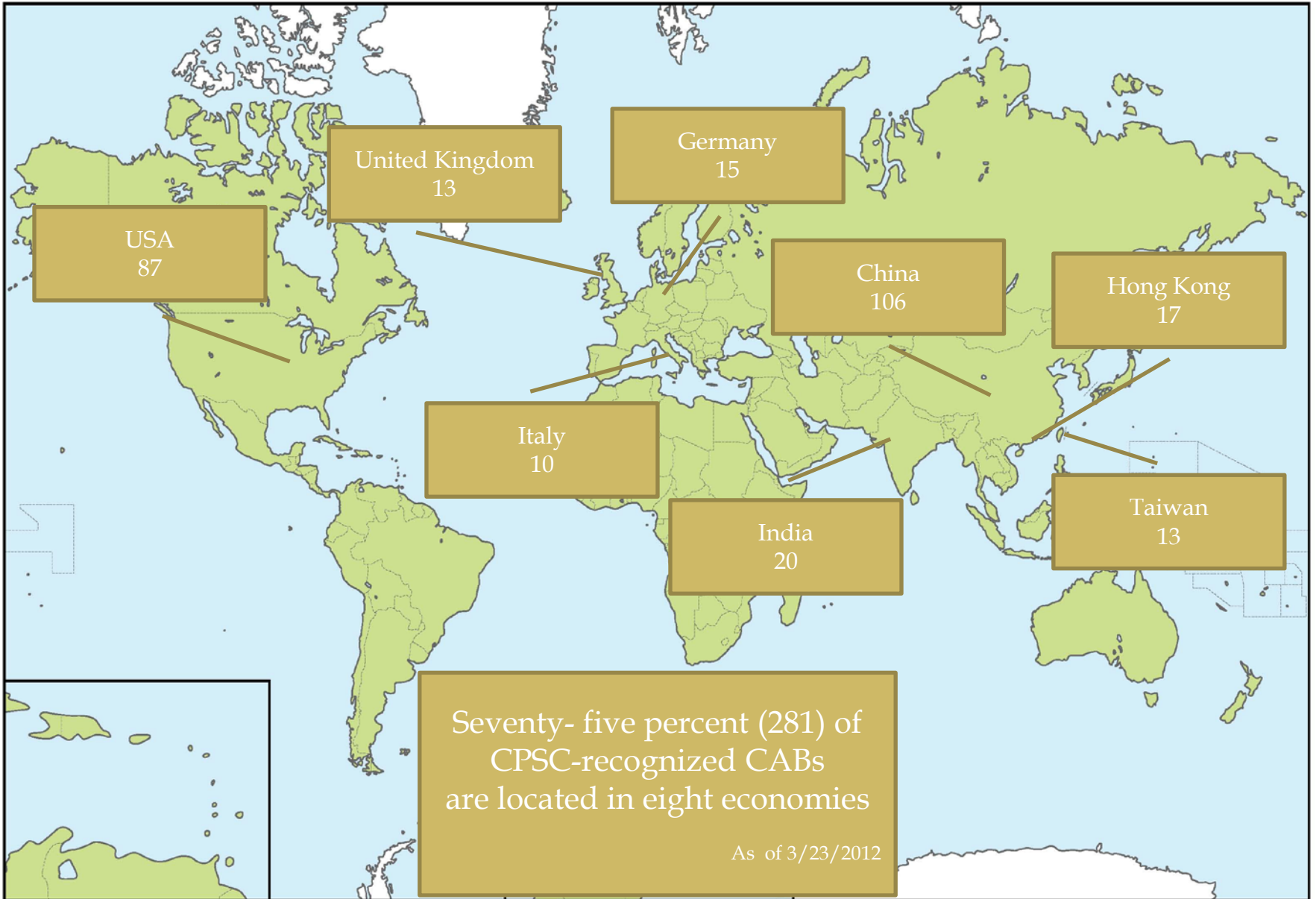
- ▣ Allows CPSC to leverage resources
  - Acknowledges the expertise and experience of an international organization comprised of accreditation bodies (ABs) from over 60 different countries and was the reasonable approach to provide confidence, transparency, and control of the laboratory accreditation acceptance process for the CPSC.
  - CPSC does not have the resources for evaluating the merits and procedures used by individual accrediting organizations on a case-by-case basis.

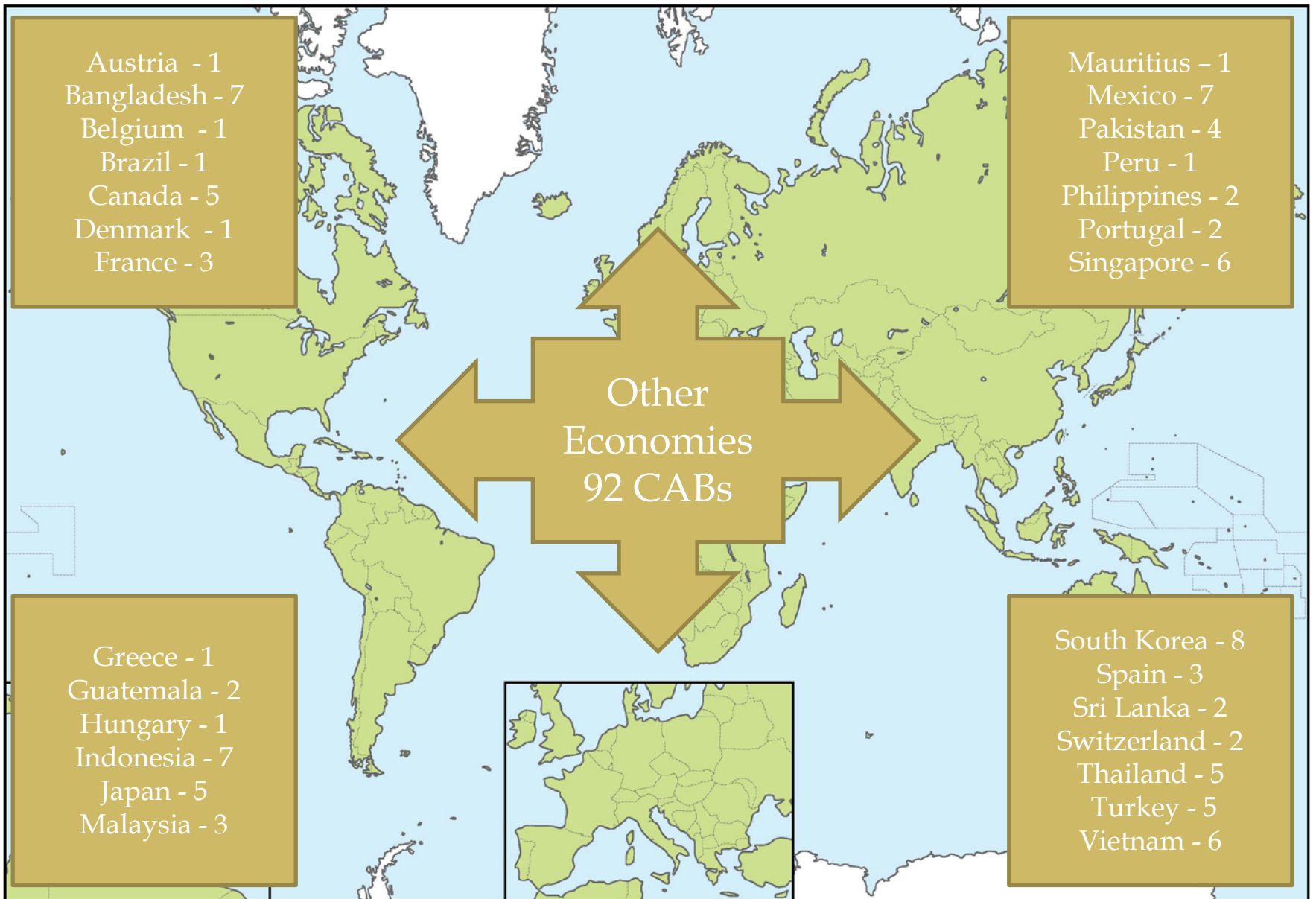
# CAB Recognition Requirements

- ▣ The laboratory must be accredited by a laboratory accreditation body that is a signatory to the International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement (MRA).
- ▣ The scope of accreditation must include the test methods required by CPSC laws and regulations.
- ▣ The laboratory must apply to the CPSC for recognition and must agree to fulfill the requirements of the CPSC program.
- ▣ CPSIA provides for periodic review and revision of the requirements.

Provides for the participation of domestic and foreign ABs and CABs







DEWANE RAY, P.E.  
ASSISTANT EXECUTIVE DIRECTOR  
OFFICE OF HAZARD IDENTIFICATION AND REDUCTION  
U.S. CONSUMER PRODUCT SAFETY COMMISSION

[jray@cpsc.gov](mailto:jray@cpsc.gov)