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U.S. CPSC eFiling Draft Final Rule Published

16 CFR 1110 eFiling and Certificates for Imported Consumer Products DRAFT FINAL RULE

On November 22, 2024, the DRAFT Final Rule for 16 CFR 1110 was submitted to the Commission for their review and consideration. The full draft can be viewed in full detail here: [DRAFT Final Rule for 16 CFR](#)

Decisional meeting is scheduled for December 18, 2024.

The below is a summary of key takeaways. This is based on industry comments to the [SNPR](#) issued in December 2023 and from the Beta Pilot that concluded in June 2024.

- Effective date extended from 120 days to 12 months after publication of the Final Rule.
 - o This excludes products entered for consumption or warehousing from an FTZ which will have a 24 month effective date.
- Disclaimer Message Set NOT required for products that do not require a certificate.
 - o This includes cases where (1) the product is not within CPSC's jurisdiction; (2) the product or substance is within CPSC's jurisdiction, but no rule, ban, standard, or regulation requiring a certificate applies; (3) the product is a component of a consumer product or substance that is not intended for sale to consumers, but rather for further assembly or manufacturing in the United States; and (4) the product is subject to enforcement discretion and no certificate is required. While importers do not need to submit a Disclaimer Message Set in these situations, they are encouraged to do so.
- Amended the definition of 'finished product' and added guidance to clarify when a part of a consumer product is considered a finished product.
- Clarification on the definition of 'importer'
 - o For purposes of this rule, the "importer" means the importer of record (IOR) eligible to make entry for imported finished products who may be an owner, purchaser, or authorized customs broker. An authorized broker may identify the owner, purchaser, or consignee of the finished products who authorized the customs broker to make entry, as the party responsible for compliance with CPSC certificate requirements. For purposes of this rule, CPSC will not typically consider a consumer purchasing or receiving products for personal use or enjoyment to be the importer responsible for certification.
- Regarding attestation or 'manual certification' in the Product Registry, the CPSC Draft Final Rule indicates 'We (CPSC) agree with the commenters' !!
 - o CPSC will automate attestations for bulk certificate upload into the Product Registry via API or the CSV template and will not require individual attestation of certificates. Bulk attestation options will only apply to users with certification permissions.

How Does This Impact You? Contact Us to Discuss

If you have any comments and/or questions, please contact your Key Account Manager or Customer Service Representative, or email: cps.info@us.bureauveritas.com

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