

# CPSC COALITION



December 15, 2009

## VIA ELECTRONIC MAIL

Office of the Secretary  
U.S. Consumer Product Safety Commission  
4330 East-West Highway, Room 502  
Bethesda, MD 20814-4408

Re: Request for Continuation of Stay of Enforcement (CPSIA §102)

Dear Mr. Stevenson:

On behalf of the NAM CPSC Coalition and the undersigned associations, we are writing to request the continuation of the stay of enforcement of section 102(a) relating to testing and certification requirements under the Consumer Product Safety Improvement Act (CPSIA), effective February 10, 2009 – February 10, 2010. We are requesting an extension of that stay through December 31, 2010.

Consumer product safety is of the utmost importance to U.S. manufacturers and the retail community. Our organizations are deeply committed to ensuring a well-functioning and credible product safety regime – one that gives all stakeholders the confidence they need that products meet all applicable safety standards and regulations. This means having clear and comprehensive rules, combined with a predictable and transparent enforcement regime, so that businesses can make decisions with a reasonable understanding of how to comply with those rules.

The presumed expiration of the current stay is February 10, 2010 – less than 60 days from now - and the agency has yet to finalize a number of important rulemakings and there are still a significant number of unanswered questions regarding testing and certification requirements. We commend the agency for working to provide clarity on many of these new requirements, and for its commitment to ensure a dialogue to receive input from stakeholders. However, we note that there is insufficient time for the agency to promulgate comprehensive rulemaking and for our members' supply chains to absorb and incorporate those new rules before the expiration of the current stay of enforcement.

Accordingly, we recommend that the Commission vote quickly to extend the stay through the end of 2010. We also recommend that the Commission establish an aggressive schedule of outreach and education to make certain that the business community, consumer groups, state governments, and international governments have the fullest possible opportunity to learn about and incorporate these new rules.

We believe that all stakeholders will benefit from this approach. Businesses will have the time necessary to implement changes in their processes, educate their partners, and establish compliant programs and guidelines for the new standards. The Commission, and its partner agencies, will also have the time to develop and publish answers to the many questions that have been raised, share information with all stakeholders, fashion appropriate enforcement strategies, and ensure a level playing field for businesses of all sizes. Finally, consumers will benefit because the product safety regime will be clear and transparent to the public.

Our members are responsible for millions of jobs in large and small businesses spread throughout the country. More importantly, our employees are also consumers, and we also demand that the products we buy – for our families and for ourselves – are safe and compliant.

Requesters hereby respectfully request that the termination date of the stay of enforcement of §102(a) testing and certification requirements be extended to December 31, 2010.

Sincerely,

Alliance for Children's Product Safety  
American Apparel & Footwear Association (AAFA)  
American Fiber Manufacturers Association  
American Forest & Paper Association  
American Home Furnishings Alliance  
Association of Home Appliance Manufacturers  
American Manufacturing Trade Action Coalition  
Carpet and Rug Institute  
Coalition for Safe and Affordable Childrenswear, Inc.  
Consumer Electronics Association  
Consumer Specialty Products Association  
Fashion Accessories Shippers Association (FASA)  
Greeting Card Association  
Handmade Toy Alliance  
Hands on Science Partnerships  
INDA, Association of the Nonwoven Fabrics Industry  
International Association of Amusement Parks and Attractions  
International Sleep Products Association  
Juvenile Products Manufacturers Association (JPMA)  
Manufacturing Jewelers and Suppliers of America

National Association of Manufacturers  
National Council of Textile Organizations (NCTO)  
National Paint & Coatings Association, Inc.  
National Retail Federation  
National School Supply and Equipment Association  
National Textile Association  
Outdoor Industry Association  
Promotional Products Association International  
Real Diaper Industry Association  
Resilient Floor Covering Institute  
Secondary Materials and Recycled Textiles Association (SMART)  
Soap & Detergent Association  
Society of Glass & Ceramic Decorated Products  
Society of the Plastics Industry, Inc.  
Specialty Graphic Imaging Association  
Sporting Goods Manufacturers Association  
The Hosiery Association  
Toy Industry Association  
Travel Goods Association (TGA)  
U.S. Association of Importers of Textiles and Apparel