

U.S. CONSUMER PRODUCT SAFETY COMMISSION
LOG OF MEETING

SUBJECT: Commissioners Feldman and Dziak held a teleconference with Mattel, Inc.

DATE OF MEETING: November 26, 2024

LOG ENTRY SOURCE: COPF Staff

LOCATION: Teleconference

CPSC ATTENDEES: Commissioner Feldman, Commissioner Dziak, John Mitchell, Lee Dunn, and Dana Smullen

NON-CPSC ATTENDEES: Heather Bramble (Vice President, Product Safety and Regulatory Compliance, Mattel) and Steve Drosendahl (Senior Manager of Global Quality Systems, Mattel), and Jessica Gilbert (Senior Associate, Arnold and Porter)

SUMMARY OF MEETING: Commissioners Feldman and Dziak held a teleconference with representatives of Mattel to discuss CPSC's rulemaking regarding e-filing of certificates of compliance.

MATERIALS RECEIVED AT THE MEETING: See attached slide deck



CPSC e-Filing - Commissioner Meetings

e-Filing Concerns and Business Obstacles

November 2024

Heather Capell Bramble, VP Product Safety & Regulatory Compliance

Steve Drosendahl, Sr Manager, Global Quality Systems



e-Filing Rule Concerns

Implementation Date: Due to the technical complexity and need for technical guidance this should be a minimum of 18 months.

- Due to the technical complexity of eFiling, we will need to revise current systems and create new technical solutions to ensure that we have accurate and valid data to submit to CPSC.
- We will need to review technical guidance documents to ensure our solutions align with the CPSC tools as well as align amongst our numerous (100s) of retailers and their systems
- The process of reviewing our solutions, our retailers' solutions and ensuring they work seamlessly with the CPSC **will require a minimum of 18 months.**

Enormous Costs: Technical changes are estimated to be initially over \$1,000,000

- After a review of all the updates and revisions to our current systems as well as review of the new tools required to efficiently engage with CPSC and our retailers, we initially estimate that technical and related costs may be over \$1,000,000.



e-Filing Business Obstacles

1. **Business Confidentiality**: Manufacturers have identified a security issue related to their collections.
2. **Additional Data Requirements not in CoC**
3. **Single Product Record**: A Single Product Record needs to be uploaded and then maintained in many Direct Importer Retailer CPSC Portals.
4. **No Common or Universal Product ID Type**
5. **Testing Detail Data Structure Creates Multiple Inefficiencies**
6. **Limited Query Capability**:
 - You can only query on Product ID, Product Name, Trade Name, Manufacture Name, & Lot Number.
 - You can only query on a single primary product reference number, one number at a time.
7. **Download Restrictions**: It is our understanding that the download of data is restricted to your company's portal. Once the manufacturer uploads the data into a retailer's portal, it cannot be downloaded by the manufacturer.

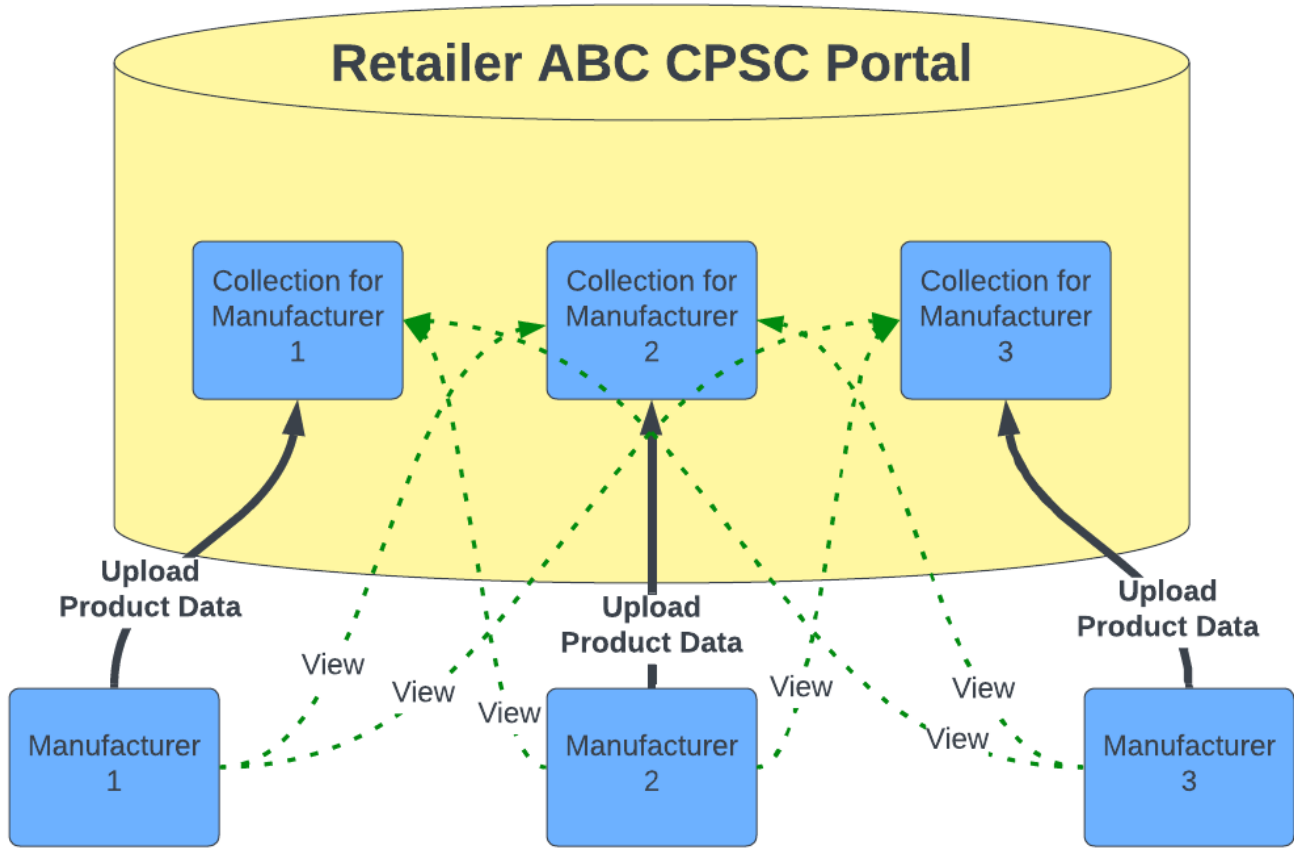
Business Confidentiality

Business confidentiality issue for Manufacturer Collections

- 1. If the owner of the portal creates collections for their manufactures with access to upload product data, each of the manufactures can access and see the other manufactures data.
- 2. This creates a confidentiality issue across different companies which have access to the owner's portal.

Update: It is our understanding that CPSC has acknowledged the confidentiality issue and is hoping to have a fix rolled out by full implementation but cannot provide any timeline for its availability. However, this means


- (1) We will have to develop data transmissions outside of the CPSC portal.
- (2) Due to legal concerns, we will be unable to participate until the issue is resolved.





Additional Data Requirements not in CoC

- Portal requires the place of manufacture as the **Manufacturer** (O&O plants, or vendors), this is not aligned with our current CoCs
 - We currently list the place of manufacture as the "city, country" per 16 CFR 1110.11(e).
- We should only need to list the place of manufacture (city and country) as is currently done. If there is an issue with the product, CPSC will contact Mattel corporate and not the individual plants or vendors.



Mattel, Inc.
333 Continental Blvd. El Segundo,
California, 90245, (310) 252-2000

09405-V1
Incomplete

U.S. CERTIFICATE OF CONFORMANCE

CERTIFICATE DATE: [blurred]

CERTIFICATE NUMBER: [blurred]

IMPORTER/CERTIFIER: MATTEL, INC., 333 CONTINENTAL BOULEVARD, El Segundo, California, 90245, United States

SKU	Product Name
[blurred]	[blurred]

Date of Manufacture
December 2023

Manufacturer Name
Mattel, Inc.

Place of Manufacture
Foshan
China

Product Details

Product ID: [blurred]

Product ID Type: SKU

Additional IDs:

Type	Number
Alternate ID	[blurred]

Product / Model Description:

Product / Model Color:

Product / Model Style:

Manufacturer Details

Manufacturer Name: Mattel, Inc.

Manufacture Date: 12/2023

Production Start Date: 2023-12-01

Production End Date: 2024-12-01

Lot Number:

Small Batch Manufacturer:

Certificate Details

Certificate Type: CPC

Completed Versions: 0

Created Date: 2024-09-12

Updated Date: 2024-10-08

Updated By: [blurred]

Testing Details

Lab Name	CPSC ID	Citation Codes	Test URL	Test Report Key	Test Report ID
[blurred]	1272	1223, 1303, 1307, 4.11	[blurred]	[blurred]	[blurred]

Point of Contact Type: MANUFACTURER

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Single Product Record

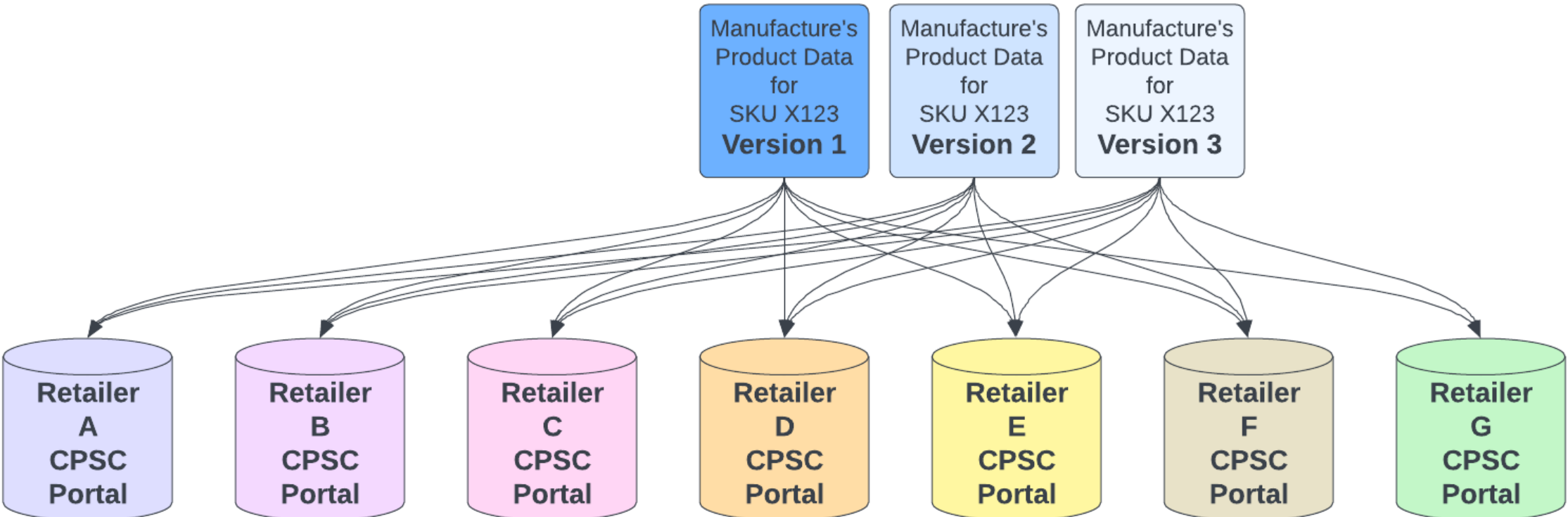
Single product record needs to be uploaded and then maintained in many Direct Importer Retailer CPSC Portals

This will create an extensive amount of data transfers of duplicate data which increases the potential of error.

For Example:

$$(\# \text{ Retailers}) \times (\# \text{ Products}) \times (\# \text{ of Versions}) = (\# \text{ of Data Transfers})$$

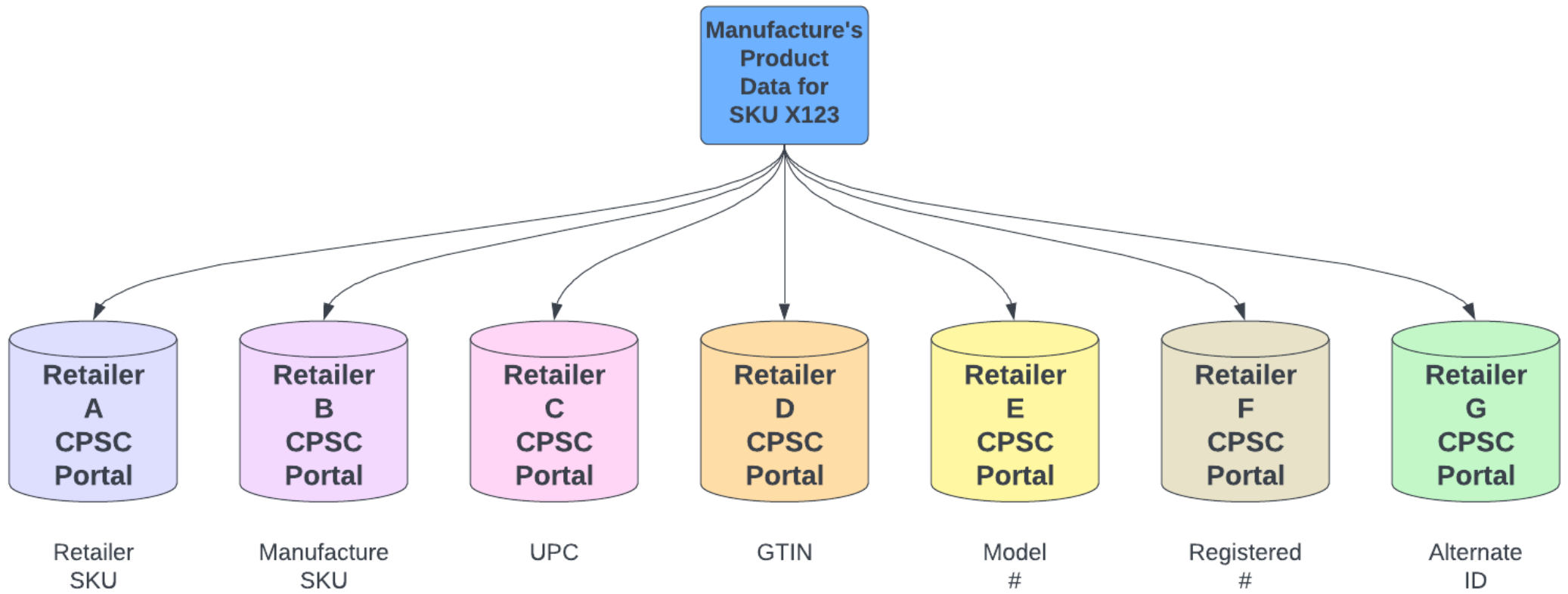
$$100 \text{ Retailers} \times 2000 \text{ Products} \times 3 \text{ Versions} = 600,000 \text{ Data Transfers}$$



No Common or Universal Product ID Type

Comments:

- Different retailers want to use a different Product ID Types
- Even the same retailer with different business segments want a different Product ID Type or Identifier for the same product in each business segment.





Testing Detail Data Structure Creates Multiple Inefficiencies

- If product is tested by one lab with multiple test reports, the test report IDs will need to concatenate (separated by semicolon) because the system does not allow to list the same lab more than once.

Testing Date	Certified Lab (Name, Address & Phone #)	Report ID
Dec 06, 2023	[Blurred]	4825852
Dec 13, 2023	[Blurred]	4825063
Dec 13, 2023	[Blurred]	4825041

The product(s) listed above are hereby certified by Mattel, Inc. to meet the applicable U.S. Consumer Product Safety Commission standards listed below:

Lead in Children's Metal Products	15 USC 1278a
Determination of Phthalates in Toys and Certain Children's Products	CPSIA 108
Small Parts Rule	16 CFR 1501
Toys (ASTM F963-23)	CPSIA 106
Flammability of Solids (Children's Product)	16 CFR 1500.44
Lead in Non-Metal Children's Products	CPSIA 101
Lead in Surface Coating (Children's Product)	16 CFR 1303
Lead in Substrate (Children's Product)	CPSIA 101

Testing Details					
Lab Name	CPSC ID	Citation Codes	Test URL	Test Report Key	Test Report ID
[Blurred]	1272	1223 , 1303 , 1307 , 4.11			4825852, 4825063, 4825041

Point of Contact Type: MANUFACTURER



Testing Detail Data Structure Creates Multiple Inefficiencies

- Citations of regulations are tied to testing lab. So, if multiple labs are used for testing, the citations will need to be broken up by lab.

<u>Testing Date</u>	<u>Certified Lab (Name, Address & Phone #)</u>	<u>Report ID</u>
Nov 23, 2021	LAB 1	4323721
Nov 26, 2021		4326292
Nov 26, 2021	LAB 2	4326295
Nov 24, 2021		4326590

The product(s) listed above are hereby certified by Mattel, Inc. to meet the applicable U.S. Consumer Product Safety Commission standards listed below:

Flammability of Solids (Children's Product)	16 CFR 1500.44
Lead in Non-Metal Children's Products	CPSIA 101
Lead in Surf:	{ 1303
Lead in Subs:	101
Pacifiers (Ch	{ 1511
Rattles (Chil	{ 1510
Toys (ASTM F963-17)	CPSIA 106
Determination of Phthalates in Toys and Certain Children's Products	CPSIA 108
Small Parts Rule	16 CFR 1501

Citations will need to be broken up by each lab that performed the testing



Limited Query Capability

Can only query on Product ID, Product Name, Trade Name, Manufacture Name, & Lot Number

The screenshot shows the CPSC eFILING interface for Mattel Inc. The search bar is highlighted with a red box, and a dropdown menu is open, listing the following query options: All, Product ID, Product Name, Trade Name, Manufacturer Name, and Lot Number. The table below shows product data with columns for Product ID, Product Name, Trade/Brand Name, Last Test Date, Manufacturer Name, Status, and Action.

Product ID	Product Name	Trade/Brand Name	Last Test Date	Manufacturer Name	Status	Action
JDV98	BONESH...		2024-09-08	Mattel - MBK	Complete	...
HLM44	Fisher-Pr... Learn® P... Player		2023-12-06	Mattel - MFC	Incomplete	...
HWX69	MBX 70 D... RALLY		2024-02-07	Mattel - MBK	Incomplete	...
JCB81	VW BEETLE		2024-09-08	Mattel - MBK	Complete	...

Limited Query Capability

Can only query on a single primary product reference number, one number at a time.

The screenshot shows the CPSC eFILING interface for Mattel Inc. The search filters are: Product ID: JDV98, Last Test Date: (empty), Status: All. The table below shows one product: JDV98, BONESHAKER TROPHY, Version 09405-V1, Last Test Date 2024-09-08, Manufacturer Name Mattel - MBK, Status Complete.

CPSC eFILING

Company name: Mattel Inc. Certifier ID: Mattel Inc.

Manage Users Invite a User Trade Parties

ALL PRODUCTS Import Export Add Products

Search JDV98 Product ID Enter a date range Last Test Date Status All Active P

Bulk selected: (0) Search (Product ID): JDV98 Status: All

Product ID	Product Name	Version	Trade/Brand Name	Last Test Date	Manufacturer Name	Status	Action
JDV98	BONESHAKER TROPHY	09405-V1		2024-09-08	Mattel - MBK	Complete	...

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Download Restrictions

- It is our understanding that the download of data is restricted to your company's portal. Data you upload into a retailer's portal cannot be then downloaded by the manufacturer.

Proposal

1. Implementation Date is 18 months after Final Rule with robust technical guidance document form CPSC staff and meetings to discuss final implementation.
2. A single product's data should only be in one CPSC Registry.
 - The product data should be uploaded by the party that is responsible for the testing and validation of that product.
 - When the data has been uploaded and verified in the CPSC portal, a unique identifier/link would be provided to the party responsible for testing and validation.
 - The unique identifier then can be shared to any other party needing the testing and validation for that product.
3. Resolve technical issues prior to implementation such as limited queries, multiple test reports, multiple labs, and multiple ASTM requirements (as explained previously).