



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
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COMMISSIONER MARY T. BOYLE

**COMMISSIONER MARY T. BOYLE STATEMENT ON VOTE TO ISSUE  
FINAL E-FILING RULE  
DECEMBER 18, 2024**

Today, I voted to adopt a rule implementing electronic filing (“e-filing”) of Certificates of Compliance required for all products subject to a CPSC regulation. The rule is the culmination of more than a decade of staff work, extended study and testing, and stakeholder engagement. I commend CPSC staff for their hard work and tremendous dedication in bringing this rule to fruition, and I am pleased to support the staff package and recommendations.

It is important, though, to be clear about what this rule does and does not accomplish. Only a fraction of imported consumer products are subject to these new requirements. Consumers will need to remain vigilant about the products they purchase, particularly online.

What the e-filing rule DOES do: the rule leverages technological advances and an enhanced partnership with U.S. Customs and Border Protection (CBP) to improve targeting of noncompliant products before those products can gain entry into the United States and into the hands of unsuspecting consumers. Ideally, this should result in improved focus on higher-risk products, reduced inspection delays for compliant goods, and increased efficiencies for both industry and CPSC.

What the e-filing rule DOES NOT do: the e-filing rule simply does not address the vast majority of products that fall within CPSC’s jurisdiction. The fact of the matter is that most products consumers order online or buy at the mall are NOT subject to a specific CPSC rule and do not require the type of certificate of compliance covered by the e-filing rule. In fact, for the more than 15,000 product types subject to CPSC jurisdiction, fewer than 100 rules are in place that require a certificate of compliance.

To take just one example, defective lithium-ion batteries are known to cause fires in e-bikes, but there is currently no CPSC rule specifying the relevant safety requirements. Without such a rule, the new e-filing regime provides no greater assurance to a consumer ordering online that a faulty lithium-ion battery will be stopped at the ports. Indeed, this example demonstrates why a robust rulemaking agenda goes hand in hand with the aims of e-filing: the adoption of additional safety rules would add to the number of products that can be targeted before entry into

the United States.

To be sure, e-filing will enhance the agency's targeting of products for which regulations are already in place—toys and some durable infant products, for example. Sharpening our detection tools to identify noncompliant toys and infant products represents important progress in an ever-changing electronic global marketplace. But even for regulated products, this rule offers no guarantees. That is, the rule enhances the current targeting approach, but it does not preclude noncompliant products from entering the country. American consumers remain vulnerable to such dangerous products, particularly those sold through e-commerce sites.

Finally, we must be forthright about the budgetary context in which this rule is being adopted. To say the least, the agency is facing a challenging and uncertain funding environment. Adopting this rule is committing the agency to long term IT resource requirements that may be difficult to meet in the future. The short-term funding of the project with ARPA money is expiring, and the agency will need to tap a yet unidentified funding stream to sustain the effort going forward on a long-term basis. With this rule, the agency seeks to mitigate risk—which I fully support—but we are also taking on other risks—financial and programmatic—if we do not receive the funds necessary to sustain a sophisticated technology infrastructure or face sweeping cuts to other vital CPSC program areas to support the e-filing program.

The views in this statement are solely the views of Commissioner Mary T. Boyle and do not necessarily reflect the views of the Commission.