



**UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION**

DIRECTIVE NUMBER: D302

SUBJECT: Internal Procedures for Petitions

DIRECTIVE OWNER: Office of the General Counsel (OGC)

EFFECTIVE DATE: September 10, 2019

CERTIFIED CURRENT DATE: September 10, 2019

1. **PURPOSE.** The purpose of this directive is to establish internal procedures for CPSC to follow to process petition requests.
2. **AUTHORITY.** 16 C.F.R. part 1051, Procedure for Petitioning for Rulemaking; 5 U.S.C. § 553(e) Rulemaking; 15 U.S.C. § 2058(i) Petition to initiate rulemaking (Consumer Product Safety Act); 15 U.S.C. § 1262(j) Petition to initiate rulemaking (Federal Hazardous Substances Act); 15 U.S.C. § 1193 (k) Petition to initiate rulemaking (Flammable Fabrics Act); Directive D100, *System of Internal Directives, Delegations of Authority, Implementing Procedures, and External Forms and Manuals* (Nov. 20, 2018)
3. **DEFINITIONS.**
 - a. Petition – a request for the Commission to issue, amend, or revoke a rule that OGC has docketed as a petition.
 - b. Petition request – a request that OGC has not yet determined whether to docket as a petition, or a request that OGC has determined does not meet the criteria to docket as a petition.
4. **SCOPE.** This directive is intended for the Office of the Secretariat (OS), OGC, and CPSC staff who are involved in docketing, processing, or reviewing petition requests and petitions.
5. **RESPONSIBILITIES.**
 - OS forwards petition requests to OGC.
 - OGC reviews petition requests to determine if they meet requirements for docketing as a petition (as described in 16 C.F.R. part 1051) and prepares the documents specified in the Implementing Procedures.
 - CPSC staff prepares petition briefing packages in accordance with the Implementing Procedures and the criteria in 16 C.F.R. part 1051.9.

