

16 March 2020

Ms. Alberta E. Mills
Secretary
U.S. Consumer Product Safety Commission

Ref: "Agenda and Priorities FY 2022" – 86 FR 11509

Dear Alberta E. Mills,

The TIC Council Americas is pleased to provide the attached comments and to provide an oral presentation at the hearing on April 7, 2021 on the CPSC "Agenda and Priorities FY 2022," 86 FR 11509.

TIC Council is the global trade federation representing the independent third-party Testing, Inspection and Certification (TIC) industry which brings together more than 90-member companies and organizations from around the world to speak with one voice. Its members provide services across a wide range of sectors: consumer products, medical devices, petroleum, mining and metals, food, and agriculture among others. Through provision of these services, TIC Council members assure that not only regulatory requirements are met, but also that reliability, economic value, and sustainability are enhanced. TIC Council's members are present in more than 160 countries and employ more than 300,000 people across the globe.

We appreciate the opportunity to present at the hearing and to provide the attached comments. Should you have any questions, please don't hesitate to contact Karin Athanas at +1 240 762 8069 / kathanas@tic-council.org.

Sincerely,



Hanane Taidi
Director General
TIC Council



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Oral Testimony

Karin Athanas, Executive Director, TIC Council Americas
“Agenda and Priorities FY 2022”

Thank you, Commissioners, for inviting me to speak today. The TIC Council has long supported the work of the Consumer Product Safety Commission and we look forward to engaging with you and our fellow stakeholders on these important issues.

General Comments

The TIC Council supports and welcomes CPSC’s outreach to stakeholders in requesting inputs for the Commissions’ Agenda and priorities for FY 2022. TIC Council recently spoke at the CPSC workshop on Artificial Intelligence held on March 2nd of this year and we are thankful for the many opportunities that the CPSC provides its stakeholders to share our insights and feedback. The safety of consumers is paramount in all our minds and through that shared understanding, we as a community can work collaboratively to seek solutions.

TIC Council members have a global footprint with facilities in over 160 countries and have the technical expertise and capabilities in all aspects of product safety. They provide services to confirm the safety and compliance of products across all stages of the supply chain. From the design stages to post-retail and manufacturers, retailers, and importers of all sizes rely on TIC industry as a cost-effective solution to meet their legal obligations and demonstrate compliance with safety standards and regulations around the world.

To further support the CPSC’s work, TIC Council recommends that CPSC consider:

Counterfeits, A Risk to Safety

In 2020, the TIC Council hosted a third-part virtual panel on the affect that counterfeit products are having on consumers and industry and explored the work underway at agencies to address this growing issue. We were honoured to have CPSC Commissioner Baiocco participate as a part of those virtual events and encourage continued collaboration with the CPSC to address this issue. Through virtual events, workshops, round tables and more.

During the pandemic, the purchase of products online has sky-rocketed and reports from fellow stakeholders have identified a proliferation in fake websites, fake products, and on behalf of the TIC industry, fake reports, certificates, and marks. The labelling found on products as an easy and convenient way for consumers to confirm that products are energy efficient, meet safety standards, and have been tested, inspected, and certified. But bad actors continue to degrade consumer confidence when they counterfeit TIC Marks so as to pass off fake products as trustworthy.

We ask the CPSC to work with TIC Council and our industry partners to look for common sense solutions and raise the visibility of this issue with consumers.

Digitalization, Innovating for Safety

During the recent CPSC workshop on Artificial Intelligence, a theme carried throughout the event was innovating for safety. How can the industry as a whole work collaboratively to develop, design, and evaluate digital-capable devices such as those with Internet of Things (IoT) or Artificial Intelligence capability with safety as an integrated feature.

The TIC Council encourages the CPSC to continue robust discussions with the TIC industry and our industry partners and consumers to explore these concepts and to build a framework for measurement, evaluation, and confirmation. Establishing standards for data sets and new approaches for evaluating IoT and AI-capable designs and how best

to manage the compliance of the devices over time when software and other changes can dramatically affect the function of the devices.

The TIC Council looks forward to exploring these issues and seeking solutions with the CPSC and our industry and consumer partners.

Training and Education, Preparing for Tomorrow

During the pandemic, supply chains were disrupted, businesses were forced to modify their work schedules, implement new policies for safe business practices, and some unfortunately were forced to shut their doors. The TIC Council looks forward to 2022 as a year for regrowth, but with that will come the need to retrain new staff who have long been on furlough or have faced a job change and to support new organizations entering the market.

Training early and often builds safety into the earliest stages of the supply chain, and it is a preventive and cost-effective approach will support industry as it rebuilds. TIC Council looks forward to continuing our efforts to support industry in traversing such requirements by offering training and advising manufacturers and designers on best practices across the globe and better preparing them to meet the requirements of the CPSC and others.

TIC Council would welcome future partnership opportunities between CPSC and the private sector to make use of TIC member technical expertise and capabilities to help fulfil its mission.

Confirming Safety, Leveraging the Private Sector

In this turbulent time, the TIC Council members have supported industry and government by confirming the compliance of personal protective equipment and made use of remote options to conformity assessment to support the continued operation of businesses and we look forward to continuing our efforts in partnership with the CPSC in 2022.

Conformity assessment is an effective strategy to reduce cost over time. Identifying and addressing nonconforming products can protect consumers and prevent costly recalls. Manufacturers can shop for services based on price, speed, or location, and not be restricted to a single organization to review products.

Many governments across the globe increasingly rely on private sector third-party conformity assessment to save resources while fulfilling their mission to protect health, safety, and the environment. The CPSC reliance on third-party testing for children's products, along with other measures, is an example of such public-private partnership that has been successful in helping drive compliance and keep children safe. And we look forward to continuing to support industry and the CPSC's mission through our conformity assessment work.

In closing, the TIC Council will publish this year our study on the Value of TIC, an evaluation of the unique and powerful role that Testing, Inspection, Certification and other forms of conformity assessment bodies play in supporting governments and industry by acting to evaluate products, services, and more to confirm their safety and reliability. It highlights that the work ahead requires collaboration and open dialogue and when we work together, beneficial change is possible. The TIC Council looks forward to sharing the study with you upon its publication and to continue our engagement with you the Commissioners, our fellow stakeholders, and others to continue the important work of confirming the safety of consumers.