

30 March 2022

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

Ref: "Agenda and Priorities FY 2023 and/or 2024" - 87 FR 15209

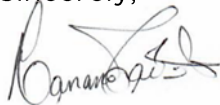
Dear Alberta E. Mills,

The TIC Council Americas is pleased to provide the attached oral testimony to be presented at the hearing on April 27, 2022, on the CPSC "Agenda and Priorities FY 2023 and/or 2024," 87 FR 15209.

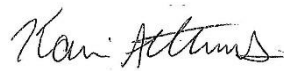
TIC Council is the global trade federation representing the independent third-party Testing, Inspection and Certification (TIC) industry which brings together more than 90-member companies and organizations from around the world to speak with one voice. Its members provide services across a wide range 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,

A handwritten signature in black ink, appearing to read 'Hanane Taidi'.

Hanane Taidi
Director General
TIC Council

A handwritten signature in black ink, appearing to read 'Karin Athanas'.

Karin Athanas
Executive Director
TIC Council Americas
kathanas@TIC-Council.org

Oral Testimony

General Comments

On behalf of the TIC Council Americas, I encourage your continued engagement and outreach to stakeholders such as the TIC Council and its members, to further the mission of the organization and continue to seek out potential risks and solutions to protect the safety of consumers.

The safety of consumers is paramount and drives the work of the TIC industry 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. In our Value of TIC study, which was published last year, our research identified that over one million TIC employees support the independent third-party conformity assessment industry, many of those individuals serve in STEM roles and service industry around the globe.

By tapping into that technical expertise, we feel strongly that solutions to even the most challenging of problems can be found and we encourage the CPSC to take advantage of and to work with the TIC industry to support consumer safety.

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

Counterfeits, A Risk to Safety

First let me thank the commission for its thoughtful feedback and comments to date on addressing the counterfeiting crisis. Each day counterfeit products are sold online and shipped through the US Post directly to consumers. These products pretend to be from reputable companies, but the branding and the very marks on them meant to convey safety have been fraudulently duplicated. The products present a real risk to consumers because they haven't been tested, inspected, and certified as meeting US safety requirements and when those same consumers seek remedy for injuries they sustain, they find it difficult to identify and bring bad actors to justice.

We ask the CPSC to work with the TIC and other industries to promote data transparency to help the industry better identify, track, and report bad actors. We should not allow bad actors to hide in the shadows but work together to identify which countries they reside in, which companies are the big offenders, and which shipping methods they prefer to use and any other data points that will help us collaboratively combat this issue and reduce the number of unsafe products reaching consumers.

Battery Safety

Li-ion battery use is increasing, driven by their ability to store more energy than other batteries. They are available in a wide range of sizes and designs and while this is supporting the innovation and growth of a booming industry of consumer tech including wearables and smart devices, Li-ion batteries present real risks to safety that must be mitigated, removed, or clearly communicated to consumers.

Not only do these batteries need to be designed to prevent overheating which would cause fires and burns, electrical shock, and explosions, but product manufacturers must also consider the batteries' proximity to other components in a product which may cause the battery to overheat or have a structural failure.

While there are standards to address battery safety, these are not consistently applied and there are no mandatory requirements to ensure their use. And when the batteries reach their end of life, guidelines for their safe disposal and recycling are unavailable or unclear.

To address this growing issue, we ask the CPSC to work collaboratively with the TIC Council and its member and with industry to seek solutions and a path forward to protect the safety of consumers. Discussions and collaborations could be through a CPSC workshop, virtual meetings, and more and the TIC Council would be happy to support the CPSC and our industry partners in making that happen.

AI, IoT, and Cybersecurity

As reported in the recently published 'Value of TIC' Study, the size of the global IoT consumer market is expected to grow from \$53bn in 2019 to an estimated \$188bn in 2027. These products will revolutionize the lives of consumers, providing them with solutions to many of life's challenges including cooking, cleaning, scheduling, security and more. But they come with risks that must be explored and where possible eliminated or mitigated.

In May of 2018, the CPSC held a hearing to engage with stakeholders and explore the potential safety hazards and injuries that may be caused by connected devices. With collaboration from the TIC Council, this hearing ultimately led to the publication of a new ASTM standard for IoT safety in connected consumer products that research by the TIC Council estimates would result in a cost savings of \$27 million in injury related costs.

In 2021, the TIC Council was honoured to be a speaker at the CPSC workshop on Artificial Intelligence and we are thankful that the CPSC again held a workshop this year on AI. The TIC Council encourages the CPSC to continue to explore hazardization created by the digitalization of products and the potential risk to consumer safety this presents and to work with the TIC Industry to identify solutions for these unique challenges.

Sustainability

We would also ask the CPSC to work with our TIC Council members and stakeholders to engage the community in an exploration of the life of products to incorporate steps to make them eco-friendly and green, to ensure products can re-enter the market as new or resold products, and when they reach their end of life, can be safely discarded in ways that do not present new and unexpected risks to consumers. Protecting our environment is a long-term human health issue.

Today, many products that would now be considered toxic or unsafe are entering the secondary market. How do consumers identify and remove or recycle these products? How can the CPSC, in coordination with the EPA, encourage industry to use eco-friendly materials in the packaging of those products or in the products themselves? And how - as a community - can we do this while ensuring products continue to be safe for consumers?

As countries around the world pursue low-carbon, green, and circular approaches to products, we encourage the CPSC to be an advocate for future consumer health in these discussions and collaborate with stakeholders to identify common sense solutions.

In closing, the TIC Council thanks the CPSC, its commissioners, and staff for being a force for good in protecting the safety of consumers, for engaging with all stakeholders on

these critical issues, and for working collaboratively with the TIC Council and its members to identify solutions to protect the safety of consumers.

We look forward to exploring these issues and seeking solutions with the CPSC and our industry and consumer partners and thank you for your time today.