

SAMPLE GENERAL CERTIFICATION OF CONFORMITY

CERTIFICATION OF COMPLIANCE

1. Identification of the product covered by this certificate:

2. Citation to each CPSC product safety regulation to which this product is being certified:

3. Identification of the U.S. importer or domestic manufacturer certifying compliance of the product:

4. Contact information for the individual maintaining records of test results:

5. Date and place where this product was manufactured:

6. Date and place where this product was tested for compliance with the regulation(s) cited above:

7. Identification of any third-party laboratory on whose testing the certificate depends:

This form of certificate and instructions are staff interpretations and do not replace or supersede the statutory requirements of the new legislation. They were prepared by CPSC staff, have not been reviewed or approved by, and may not necessarily reflect the views of, the Commission. They may be subject to change based on Commission action.

Instructions for completing the General Certification of Conformity

General Instructions. This sample shows the information that is required for an acceptable certification required by section 14(g) of the Consumer Product Safety Act, 15 U.S.C. § 2063(g).

The required information must be provided in English.

Item 1: Describe the product covered by this certification in enough detail to match the certificate to each product it covers and no others.

Item 2: The certificate must identify separately each rule, ban, standard or regulation under the Acts administered by the Commission that is applicable to the product.

Item 3: Provide the name, full mailing address, and telephone number of the importer or U.S. domestic manufacturer certifying the product.

Item 4: Provide the name, full mailing address, e-mail address and telephone number of the person maintaining test records in support of the certification.

Item 5: Provide the date(s) when the product was manufactured by at least month and year. For the place of manufacture provide at least the city and country or administrative region of the place where the product was finally manufactured or assembled. If the same manufacturer operates more than one location in the same city, provide the street address of the factory.

Item 6: Give the date of the tests or test report(s) on which certification is being based and the location(s) of the testing.

Item 7: If a third-party laboratory tested the product or conducted a testing program on which the certification is based, give the name, full mailing address and telephone number of the laboratory.

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Q. Can electronic certificates be used to meet the requirements of Section 102 rather than paper?

A. The Commission has issued a rule specifically allowing use of an electronic certificate provided the Commission has reasonable access to it, it contains all of the information required by section 102 of the CPSIA, and it complies with the other requirements of the rule. The rule is available on the CPSC World Wide Web site at <http://www.cpsc.gov/businfo/frnotices/fr09/certification.pdf>

Q. Who must issue the certificate?

A. Under the Commission's rule at <http://www.cpsc.gov/businfo/frnotices/fr09/certification.pdf>, for products manufactured overseas, the certificate must be issued by the importer. For products produced outside the United States, the certificate must be issued by the U.S. manufacturer. Neither a foreign manufacturer nor a private labeler is required to issue a certificate. Neither need be identified on the certificate issued by the importer or domestic manufacturer.

Q. Must each shipment be "accompanied" by a certificate?

A. Yes, the law requires that each import (and domestic manufacturer) shipment be "accompanied" by the required certificate. The requirement applies to imports and products manufactured domestically. Under the rule issued by the Commission an electronic certificate is "accompanying" a shipment if the certificate is identified by a unique identifier and can be accessed via a World Wide Web URL or other electronic means, provided the URL or other electronic means and the unique identifier are created in advance and available with the shipment. Certificates can also be transmitted electronically to a broker with other customs entry documents before a shipment arrives so long as they are available to the Commission or Customs and Border Protection staff if the product or shipment is inspected.

Q. Is the importer or U.S. manufacturer required to supply the certificate to its distributors and retailers?

A. Yes. The importer or U.S. manufacturer is required to "furnish" the certificate to its distributors and retailers. The Commission's rule states that this requirement is satisfied if the importer or U.S. manufacturer provides its distributors and retailers a reasonable means to access the certificate.

Q. Must the certifier sign the certificate?

A. No. Issuing the certificate satisfies the new law. It does not have to be signed by the issuer.

Q. On what does my certification have to be based?

A. The general conformity certification must be based on a test of each product or a reasonable testing program.

Q. Where must these certificates be filed?

A. A certificate does not have to be filed with the government. As noted above, the certificate must "accompany" the product shipment, and be "furnished" to distributors and retailers, and be furnished to CPSC upon request.

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