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**November 11 2008 CLIENT ALERT: CPSC ISSUES FINAL
RULE REGARDING “CERTIFICATE OF CONFORMITY”
REQUIREMENTS – SIGNIFICANT CHANGES ANNOUNCED**

CPSC has just posted a long-awaited immediate Final Rule on its website (www.cpsc.gov) that provides instructions related to the “Certificate of Conformity” requirements for imported and domestically manufactured products subject to the new Consumer Products Safety and Improvement Act of 2008 (“CPSIA”). The CPSIA covers all CPSC regulated products manufactured on or after November 12, 2008 and requires, among other things, that a “Certificate of Conformity” accompany any covered imported product shipment, as well as domestically manufactured regulated products. Publication of the Rule in the Federal Register likely will occur tomorrow in view of the Federal Holiday today.

CPSC Final Rule Significant Changes:

- CPSC indicates that only the importer or domestic manufacturer need provide the Certificate of Conformity for each covered product (prior to the rule, CPSC had indicated that each CPSC regulated import shipment must be accompanied by Certificates from the importer, manufacturer and any private label/trademark holder).
- Certificate Contents: Identification of the foreign manufacturer on the Certificate is no longer a requirement for regulated imported products, although the importer must, at a minimum, provide the date (month and year) and place of manufacture of the regulated product. Other Certificate content remains basically unchanged.
- Electronic Certificates: Permitted as long as the electronic Certificate accompanies the shipment (e.g., a web address for the Certificate on the product or accompanying the product that can be reasonably accessed by distributors or retailers). CPSC indicates in the final rule that they are leaving the door open to additional rulemaking regarding electronic filing of Certificates for imported products should the need arise.

For the complete text of the CPSC Final Rule:

<http://www.cpsc.gov/businfo/cfr111008.pdf>

If you have any questions concerning the above Client Alert, or the potential impact these issues may have on your business, please contact Robert Pisani at (202) 466-0960 or Michael Roll at (310) 826-4410 or send an email to info@worldtradelawyers.com.

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