



# RETAIL INDUSTRY LEADERS ASSOCIATION

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*Submitted via e-mail*

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Alberta E. Mills  
Office of the Secretary  
U.S. Consumer Products Safety Commission  
4330 East-West Highway  
Bethesda, MD 20814

**Re: Agenda and Priorities Fiscal Year (FY) 2026 and/or FY2027; 90 Fed. Reg. 15564 (April 14, 2025)**

Dear Secretary Mills:

The Retail Industry Leaders Association (RILA) appreciates the opportunity to submit written comments on the U.S. Consumer Product Safety Commission's (CPSC or Commission) proposed agenda and budget priorities for FY 2026 and FY 2027. RILA and its members support the Commission's critical consumer safety mission and appreciate the CPSC's leadership on product safety matters, including consumer educational campaigns and stakeholder outreach.

By way of background, RILA is a trade association of the world's largest, most innovative, and recognizable retail companies and brands. We convene decision-makers, advocate for the retail industry, and promote operational excellence and innovation. Our aim is to elevate a dynamic retail industry by transforming the environment in which retailers operate.

RILA members include more than two hundred retailers, product manufacturers, and service suppliers, who together employ over 42 million Americans and account for \$2.7 trillion in annual sales and hundreds of thousands of stores, manufacturing facilities, and distribution centers domestically and abroad. RILA's many retailer member communities include a very active Consumer Products Committee. The Committee routinely gathers 70+ members for monthly calls and two in-person meetings each year, to discuss top-of-mind issues in product safety, hear from subject matter experts and agency officials, and benchmark with their retail peers.

RILA and its members have a long history of collaborating with the CPSC to address consumer product safety issues. RILA members cooperate regularly in implementing product recalls, actively participate in the Commission's industry partnership programs, and promote CPSC's consumer awareness initiatives.

As the Commission finalizes its FY2026 and 2027 priorities, RILA wishes to renew and reemphasize its previous recommendations to the Commission that were raised in written comments on the proposed agenda and priorities for FY2025 and FY2026,<sup>1</sup> (or RILA April 2024 comments) as well as a few additional priority recommendations, detailed below.

**The Commission should:**

- Prioritize adequate technical assistance for the implementation of eFiling, to support the significant system and technological process changes required;
- Increase resources, guidance documents and staff dedicated to eFiling;
- Work collaboratively with the U.S. Customs and Border Protection (CBP) to consider common sense improvements to the *de minimis* shipment provision to protect American retailers and consumers;
- Improve communication and strengthen collaboration with retailers to improve overall recall efficiency and effectiveness;
- Align new rule implementation with supply chain realities, including setting at minimum 180-day standard implementation timeline and ensuring all mandatory standards are clear as to scope of covered products;
- Expand the Retailer Reporting Program (RRP) to allow for additional participants and expand upon the data systems' current limited capacity and capabilities;
- Prioritize improvement and modernization of CPSC maintained webtools and recall search functions; and
- Increase and streamline use of social media for recalls and conduct additional studies into the role of social media on recall effectiveness.

The following input reemphasizes concerns RILA raised in previous conversations and our comments on previous Commission proposed budget and priorities, including RILA April 2024 comments. Each of these recommendations, and their connection to the Commission's priorities set forth in its 2023-2026 Strategic Plan, are discussed in more detail below.

**I. Preventing Hazardous Products from Reaching Consumers**

RILA fully supports the Commission in its long-standing mission to prevent hazardous products from entering our borders and its prioritization of ensuring the agency has sufficient staff, processes, and technology to effectively monitor, on average, the \$2.7 billion<sup>2</sup> in consumer product imports that come across our borders each day. RILA's recommendations below on *de minimis* shipments and increased eFiling support and resources are just a few key areas in which the

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<sup>1</sup> See [RILA Comments re: Proposed Agenda and Priorities Fiscal Year \(FY\) 2025 and 2026; 89 Fed. Reg. 22393 \(April 1, 2024\); Docket ID: CPSC-2024-0011-0002](#).

<sup>2</sup> See [U.S. CPSC Strategic Plan for 2023 – 2026](#) at Strategic Objective 1.3.



agency can work with industry to increase their capacity to prevent hazardous products from reaching consumers.

#### **A. Increase Resources and Support for eFiling**

As more pilot program participants and other industry stakeholders begin to ‘scale-up’<sup>3</sup> their operations and begin filing certificates within the eFiling system, it is paramount that the CPSC and/or U.S. Customs and Border Protection (CBP) are adequately prepared to shift into run state. RILA remains supportive of the eFiling rule and wishes to make the following recommendations to the Commission to support industry and ensure smooth implementation. RILA recommends that the Commission:

- (1) Prioritize adequate technical assistance to support the significant system and technological process changes required;
- (2) Increase staff dedicated to eFiling implementation efforts; and
- (3) Provide industry with increased resources and guidance documents related to eFiling.

As detailed in RILA’s April 2024 Comments,<sup>4</sup> implementation of the eFiling rule necessitates significant system and technology process changes, as well as updates for all e-filers to comply with the new requirements. Retailers and other industry stakeholders will not only need to create databases to deliver the required information to the CPSC but will also need to update existing systems and processes to store certificates. To support the robust IT infrastructure changes necessary, RILA recommends that the Commission provide industry with increased technological support, to ensure a smooth transition into eFiling.

Additionally, given the ever increasing number of users for the eFiling systems, RILA urges the Commission to increase both the resources and the number of dedicated agency staff available to support implementation efforts. Furthermore, RILA appreciates the Commission’s eFiling Office Hours Program and encourages the Commission to continue this practice of engaging with industry regarding the rule. By dedicating sufficient staff and resources, the Commission helps ensure product certifications are processed accurately and efficiently, as well as enhance oversight over all inspections and monitoring of imported products into the domestic market. Continued engagement with industry stakeholders, including technical support resources and guidance, will assist the Commission in providing clearer guidance and support to all importers to facilitate a more seamless implementation of the rule.

#### **B. Increase Surveillance of *De Minimis* Shipments**

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<sup>3</sup> See *supra*, footnote 1, RILA April 2024 Comments at Section I.

<sup>4</sup> See *supra*, footnote 1, RILA April 2024 Comments at Section I.



RILA is encouraged by the Commission’s prioritization of expanding surveillance capabilities around *de minimis* shipments, in order to better protect American consumers and ensure the products they are receiving meet U.S. product safety regulations set out by the CPSC. RILA’s members have robust compliance programs and work closely with trusted suppliers to ensure that products they sell adhere to all U.S. laws and regulations, including product safety standards. Unfortunately, current *de minimis* shipment rules allow foreign companies to avoid product safety regulations and circumvent U.S. custom laws by selling directly to American consumers and entering the U.S. under expedited procedures. This not only endangers American consumers but also creates a competitive disadvantage for U.S. companies who play by the rules and strictly adhere to all applicable laws and regulations, including product safety.

RILA urges the Commission to work collaboratively with the U.S. Customs and Border Protection to consider common sense improvements<sup>5</sup> to the *de minimis* shipments provision – section 321 of the Tariff Act of 1930 (19 U.S.C. 321) – to ensure that low-value shipments from large volume sellers are not beyond scrutiny at the border.

## **II. Vigorously Enforce Product Safety Laws**

RILA and its members recognize that there are times when evidence of product safety hazards will necessitate a recall. As such, RILA’s suggestions below aim to improve the overall communication on recalls between the Commission and retailers, as well as the processes involved with the Commission’s vital work to identify and prevent defective products from harming consumers.

### **A. Improve Communication and Strengthen Collaboration with Retailers to Improve Overall Recall Process Efficiencies and Effectiveness**

RILA reiterates its support of the Commission’s goal of warning consumers about product safety issues and implementing effective and efficient recalls. While retailers are supportive of the Commission’s goal, we continue to have concerns regarding the current recall processes and make the following recommendations to improve recall process efficiency and effectiveness. Additionally, RILA always welcomes opportunities to engage in dialogue with the Commission on how these and other approaches to recall processes can improve the efficiency and effectiveness around executing recalls.

#### **i. Increase Advanced Notice or Recalls**

Clear communication in advance of recall announcements and unilateral warnings are essential to protect consumers from recalled hazardous products. RILA wishes to reiterate its recommendation

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<sup>5</sup> RILA also filed comments with CBP in response to two recent notices of proposed rulemaking (NPRM) concerning *de minimis* shipments. You can find RILA’s March 2025 comments on CBP’s NPRM entitled “Entry of Low-Value Shipments” linked [here](#) and RILA’s March 2025 comments on CBP’s NPRM entitled “Trade and National Security Actions and Low-Value Shipments” linked [here](#).



for the Commission to prioritize notifying retailers ahead of public recall announcements. RILA members are committed to removing recalled products from sale/store shelves and informing consumers of recalled products, as efficiently as possible. This becomes increasingly more difficult to do when there is a lack of communication from the agency on recalls and retailers are consistently being surprised by recall announcements. Advanced warning and collaboration ahead of a recall announcements would allow retailers to proactively work through the extensive tasks necessary, related to recall, containment, and disposition activities.

In a similar vein, Retailers have continued to be impacted by surprise unilateral press releases, in which they are named, where the manufacturer of the recalled product was resistant to initiate a recall. In one such case, following the manufacturer's unwillingness to cooperate, the Commission reached out to a RILA member following the public announcement, to act on requested activities within the unilateral press release. Retailers are eager to work with the Commission on ways these communication breakdowns can be avoided in the future.

RILA urges the CPSC to prioritize notifying retailers about recall announcements and unilateral press releases prior to any public announcement, especially for those that they are named in. Doing so would allow retailers to more efficiently mobilize internally to ensure all unsafe products are removed from the marketplace.

## **ii. Inclusion of Universal Product Codes (UPCs) in Recall Notices Facilitates More Efficient Recalls**

In previous discussions with the Commission, RILA was encouraged to hear that the Office of Compliance and Field Operations was working to implement the inclusion of UPCs on recall notices. RILA has stressed the importance of including UPCs and/or other model identification information on recall notices,<sup>6</sup> but wishes to reemphasize the importance of doing so. Including more identifying information on recall notices can help retailers avoid missing or misidentifying any recalled items. Retailers have shared experiences of being penalized for not “finding” that a product they carry or previously carried had been recalled; even though the recall notices published contained incomplete and/or little identifiable information. Additionally, including UPCs would help retail store associates identify if a customer's product is within scope of the recall.

As industry stakeholders work to create technology solutions to integrate into the CPSC's Recall Application Program Interface (API), the technology solution they create to assist with recalls is only as good as the data they can utilize to build the solution. By providing consistent information (UPCs and other model identification information) to identify recalled products, the CPSC would be able to ensure retailers and other stakeholders are efficiently executing recalls to the best of their abilities.

## **iii. Reduce Redundancies and Increase Efficiencies for Corrective Action Plan Negotiations**

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<sup>6</sup> See *supra*, footnote 1, RILA April 2024 Comments at Section II.



Known and established stakeholders, like RILA members, have a long history of working with the CPSC on recalls on a regular basis. In previous comments to the Commission,<sup>7</sup> RILA has shared examples of redundancies and inefficiencies, known and established stakeholders have often experienced, when engaging with the CPSC in recalls. Effectively having to start at square one with filling out the same boilerplate questions about processes and capabilities for recalls, or the inconsistencies with the Corrective Action Plan (CAP) templates and requirements depending on the compliance officer assigned, are just two examples of redundancies and inconsistencies that exist within the recall process. RILA wishes to reraise the recommendation that the Commission find ways to document large stakeholders (e.g., firms, retailers) processes and capabilities, to reduce redundancies in the regular process coordination with the Commission. This approach would save time for both stakeholders and CPSC compliance officers and potentially prevent delays in announcing and executing recalls.

Furthermore, RILA wishes to renew its recommendation that the CPSC publish CAP templates on the Commission's website. The publication of CAP templates is already a practice that is employed by other agencies such as the U.S. Department of Energy. By doing so, the CPSC would raise awareness for retailers and other industry stakeholders on any changes to CAP processes and increase familiarity with any changes, in advance of a recall event.

#### **B. Increase Alignment of New Rule Implementation with Supply Chain Realities; Improve Stakeholder Outreach and Education on New Requirements**

RILA recognizes and appreciates the important work the Commission does to establish mandatory standards that better protect consumers from hazardous goods. In many cases, the Commission incorporates and adopts voluntary standards that RILA members and other industry stakeholders are already in compliance with. However, in cases where the Commission deems establishing a final standard that differs from an established voluntary standard necessary, RILA strongly urges that the Commission incorporate realistic implementation timeframes that align with supply chain realities.

##### **i. Implementation Timelines for New Mandatory Standards Should be 180-Days at Minimum**

While RILA and its members are encouraged by the Commission's December 2024 decision to implement an 18-month effective date for the eFiling Certificates of Compliance rule<sup>8</sup>, the Commission has in recent years taken on the trend of implementing significantly shorter 30 to 60-day implementation timelines. The short period of time given to implement final standards is grossly inadequate and does not provide sufficient time for industry to make the design and/or supply chain changes necessary to become compliant. RILA's 2022 Comments on the Safety Standard for Clothing Storage Units (CSUs)<sup>9</sup> described in detail the unique challenges retailers

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<sup>7</sup> Id.

<sup>8</sup> See U.S. CPSC Rule, [Certificates of Compliance; 90 Fed. Reg. 1800 \(January 8, 2025\); Docket ID: 2013-0017.](#)

<sup>9</sup> See [RILA Comments re: Safety Standard for Clothing Storage Units; 87 Fed. Reg. 6246 \(February 3, 2022\) Docket ID: CPSC-2017-0044-0111](#)



face, regardless of size, when attempting to comply with a short effective date. Therefore, RILA wishes to reiterate the importance of providing at least 180 days for implementation and effective dates, to allow for more realistic supply chain transitions.

**ii. Ensure Final Mandatory Standards are Clear as to Scope of Covered Products and Increase Stakeholder Education on New Requirements**

RILA wishes to renew our previous recommendation<sup>10</sup> that the Commission ensure all new federal product safety standards have clear interpretations and guidelines, as well as minimize any ambiguity around what products are within scope of new standards. RILA's April 2024 Comments,<sup>11</sup> highlighted an example where both a retailer and their third-party labs were having to make individual interpretations of the rule, due to being unable to clearly determine what was in scope of a new regulation. To enhance clarity of the rules and avoid the extremely precarious position of stakeholders having to individually interpret the rule, RILA strongly recommends that the Commission ensure that all new federal product safety standards are clear and unambiguous as to what is within scope.

**III. Investigate New, Existing, and Hidden Hazards**

RILA wishes to reemphasize its support of the Commission's Retailer Reporting Program (RRP) and its recommendation that the Commission continue to invest and expand the RRP.<sup>12</sup> The RRP is a tool with great potential to assist the Commission in prioritizing investigating new, existing and hidden hazards.

**A. Expand the Retailer Reporting Program (RRP), Increase Capacity for Data Collection and Analysis**

Data collection and analysis are an integral part of the Commission's core mission and industries' daily operations. RILA wishes to renew its recommendation that the Commission invest in building capacity within its RRP and reopen membership to allow additional retailers to participate. By doing so, the Commission would be able to better utilize data gathered to help identify emerging product safety hazards and protect consumers.

Many RILA members who have participated in the program since the start, have continued to find value in the RRP. Participants have been able to harvest insights to identify early issues and utilize those discoveries to guide their decisions to request fast track recalls, and ensure manufacturers are informed about product issues, which ultimately better protects and benefits consumers. While the program has remained closed to new entrants, interest exists amongst RILA members and other industry stakeholders to participate. RILA recognizes that barriers to accepting new entrants exist,

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<sup>10</sup> See *supra*, footnote 1, RILA April 2024 Comments at Section II.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* at Section III.



including system limitations to being able to manage, analyze and make the best use of data collected, however we urge the Commission to see allowing additional entrants as an opportunity to work collaboratively with retailers towards solutions that will enhance the current program as well as better protect consumers.

Finally, RILA remains ready to engage in dialogue and work collaboratively with the Commission on how to mitigate the current barriers to improving and expanding the RRP. One immediate recommendation to mitigate current barriers is to utilize a more uniform data format that will better align with the current CPSC system capabilities and capacity. The current limitations that exist of being unable to submit using expanded data types in the RRP system hinder users from submitting the most accurate and up to date data.

#### **IV. Accelerate Necessary Modernization of Mission Critical Technology**

RILA supports the Commission's dedication to communicating actionable information about consumer product safety issues, quickly and effectively with consumers. As RILA shared in April 2024 comments to the Commission,<sup>13</sup> the pace, reliability and accuracy of relaying recall information to the public plays a key role in reaching several of the Commission's priorities. The current agency notification systems in place are often unreliable in terms of finding timely, accurate and complete information on the Commission's recall activities. RILA wishes to renew the recommendations below, to encourage the continuation of the Commission's prioritization of improving and modernizing their CPSC maintained webtools and recall search functions, conducting additional research into the effectiveness of social media on recalls, and reaching a more diverse audience through timely non-English recall postings. By prioritizing the improvement of digital recall notification systems, the Commission will be able to ensure that the information it shares out with consumers is timely, reliable, and widely accessible across all platforms.

##### **i. CPSC Maintained Webtools and Recall Search Functions**

RILA wishes to strongly reemphasize the need for and importance of CPSC accelerating necessary modernization of mission-critical technology through improvement of CPSC maintained webtools and recall search functions. The webtools and search functions currently in use by the agency routinely make searching for past recall events an extremely difficult and frustrating process. Many retailers have shared experiences of where website search functions for recall information failed to return any useful or related information. If retailers struggle to locate the necessary information, it can only be assumed that consumers face more substantial hurdles when attempting to locate the same information.

Additionally, RILA recommends that CPSC improve their recall processes, through investing in a system which can share live recall alerts with retailers and consumers alike. By doing so, interested

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<sup>13</sup> Id at Section IV.



parties would not have to source out their own tools to try and catch recall information sooner than the late Friday recall summary emails that are currently sent by the Commission. As it stands, the most reliable method of finding up-to-date information on recalls, is still to do manual daily checks of the CPSC recall webpage, or to utilize a paid third-party service (e.g., web-scraping tools) to monitor the site and share any new information or changes made.

## **ii. CPSC Website and Social Media Communication Channels**

With more than half of U.S. adults<sup>14</sup> and an increasing number of younger generations<sup>15</sup> utilizing various social media platforms (e.g., X [Twitter], TikTok, Facebook, Truth Social, etc.) to receive their news updates, it has become more important than ever to ensure that there are no gaps or delays in the CPSC's communications channels. While the Commission has historically posted recall information on their main webpages promptly, postings to social media have often been posted hours, if not days after the information on the agency webpage. The delay in communication creates significant gaps in communication channels, as well as hinders the timely dissemination of important information to consumers about newly identified dangers associated with products. RILA is supportive of the Commission's use of social media to expedite communication of recall information to consumers and recommends that all recall information to social media be posted in tandem with postings to the main page to ensure no gaps in communication.

Furthermore, RILA encourages the Commission conduct additional research into the effectiveness of social media on consumer awareness of product safety recalls, as there is not currently enough data on the role social media plays in recall effectiveness.

## **iii. Non-English Translations**

Additional and more extensive delays and gaps in communication also exist in the CPSC's non-English recall announcement postings. While previous delays mentioned above for social media communications are delays of a couple hours to a couple of days; non-English translations have often been posted weeks after their English equivalent. RILA is supportive of the CPSC's goal to increase and enhance communication to all communities, and as such, encourages that the CPSC strive to post non-English recall announcements at the same time as their English counterparts to ensure that reliable, accurate and timely information reaches a broader range of consumers.

## **Conclusion**

In conclusion, RILA and its members support the Commission's safety mission to protect consumers by ensuring that all products meet or exceed safety standards. RILA values the longstanding relationship with the Commission and offers these comments to continue the partnership and dialogue between RILA, our retailers, and the Commission moving forward.

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<sup>14</sup> See Pew Research Center fact sheet, [Social Media and News Fact Sheet](#).

<sup>15</sup> See Pew Research Center article, [More Americans – especially young adults – are regularly getting news on TikTok](#).



If you have any questions or need any additional information, please contact Luisa Lobo at [luisa.lobo@rila.org](mailto:luisa.lobo@rila.org) / (202) 866-6811 and Susan Kirsch at [susan.kirsch@rila.org](mailto:susan.kirsch@rila.org) / (202) 866-7477.

Sincerely,

A handwritten signature in black ink, appearing to read "Luisa Lobo". The signature is stylized with a large initial "L" and "L" and a small "L" at the end.

Luisa Lobo  
Senior Manager, Legal & Regulatory Affairs  
RILA

A handwritten signature in blue ink, appearing to read "Susan Kirsch". The signature is written in a cursive style.

Susan Kirsch  
Vice President, Regulatory Affairs  
RILA

