



United States

Consumer Product Safety Commission

U.S. Consumer Product Safety Commission (CPSC)

Office of Import Surveillance

Sabrina Keller, Deputy Director

***Disclaimer:** This presentation was prepared by CPSC Staff and may not necessarily reflect the views of the Commission.*

Prior to 2008

- Limited import surveillance
- Targeting conducted by U.S. Customs and Border Protection (CBP)
- Investigators visited ports on ad hoc basis



Shift in Focus

The value of consumer product imports under CPSC jurisdiction was approximately \$737 billion in 2016. Since 2008, four out of five product recalls in the United States have involved an imported product, making import surveillance a critical focus area for the CPSC.



Source: CPSC Strategic Plan 2018-2022

2008 Changes

- Consumer Product Safety Improvement Act of 2008
 - Section 222
 - Develop a Risk Assessment Methodology (RAM)
 - Use the Automated Commercial Environment/International Trade Data System, ACE/ITDS (Single Window)
 - Cooperate with U.S. Customs and Border Protection (CBP)



2008 Changes (continued)

- Creation of CPSC's Import Division (now the Office of Import Surveillance)
- Creation of the International Trade Data System/Risk Assessment Methodology (ITDS/RAM) Portal
- Collaboration with CBP
 - CPSC Compliance Investigators colocated at major ports alongside CBP
 - Targeting and data sharing: full-time presence at CBP's Commercial Targeting and Analysis Center (CTAC)



Imports Into the United States

- Each year, more than 24 million containers arrive at U.S. borders¹
 - 11 million by ocean
 - 10 million by truck
 - 3 million by rail
- An additional quarter-billion packages arrive by air as air cargo, postal, and express consignment shipments.
- Every product imported is regulated by one or multiple federal agencies.
- CBP is responsible for assisting some 47 federal government agencies exercise their import safety mission at the borders.
- Every day, CBP seizes hazardous imported products at ports of entry on behalf of the federal agencies with jurisdiction over the safety of products.

¹ Source: cbp.gov



Basic Import Process



Cargo loaded onto container ship in foreign port of lading; manifests filed
Ship travels to United States and enters port of unloading (average several weeks)
Entries filed by Customs brokers for all cargo on board
Entries with CBP or other (CPSC included) holds are flagged for examination
Containers unloaded and distributed via truck or rail (direct to importer or to a warehouse for exam)



CBP Overview

- U.S. Customs and Border Protection (CBP)
- Dates back to 1789
- Charged with protecting the U.S. people, economy, and borders
- Dual mission of facilitation and enforcement
- More than 60,000 employees
- More than 320 ports of entry
- Enforces more than 500 statutes on behalf of 47 partner government agencies
- Seven Priority Trade Issues, including import safety and Intellectual Property Rights (IPR)



Ports of Entry



CPSC-CBP Collaboration

- Memoranda and agreements
- Physical colocation at ports
- Targeting; data and information sharing
 - Import Safety Commercial Targeting and Analysis Center (CTAC)
- Joint inspections and audits



Joint CPSC-CBP Exam



Joint CPSC-CBP Exam



Compliance Investigator Responsibilities

- Target incoming shipments
- Examine imported cargo
- Screen consumer products for potential violations
- Collect and process samples of products that failed field screening
- Outreach, training, and coordination with other government agencies and industry
- Monitor and inspect repeat offenders; refer for possible prosecution



Targeting Methodologies

Three main methodologies:

- International Trade Data System/Risk Assessment Methodology (ITDS/RAM) Portal
- CBP's Commercial Targeting and Analysis Center (CTAC)
- Local targeting at individual ports in conjunction with CBP

Targeting can be based on:

- Importer, foreign manufacturer, other entities in the supply chain
- Firms' violation and recall histories
- Commodity, Harmonized Tariff Schedule (HTS) (inherent product risk)
- Agency policy and priorities



RAM – Why?

- Under CPSIA, CPSC was mandated to develop a Risk Assessment Methodology (RAM) to identify shipments having a high risk of containing violative products
- The same section of the law required CPSC to use the International Trade Data System (ITDS) to assess imported shipments



RAM – What?

- ITDS/RAM portal began as a pilot system in 2010
- Became a full production system in 2017
- Receives a feed of entry data from CBP approximately every five minutes
- Entry lines are risk-scored for investigators' targeting consideration



RAM – Benefits

- Improves effectiveness of import surveillance examinations at ports using targeted risk-based prioritization
- Facilitates movement of legitimate cargo
- Improves coordination with CBP
- Improves internal tracking of status changes and samples
- Allows research and data analysis using import data

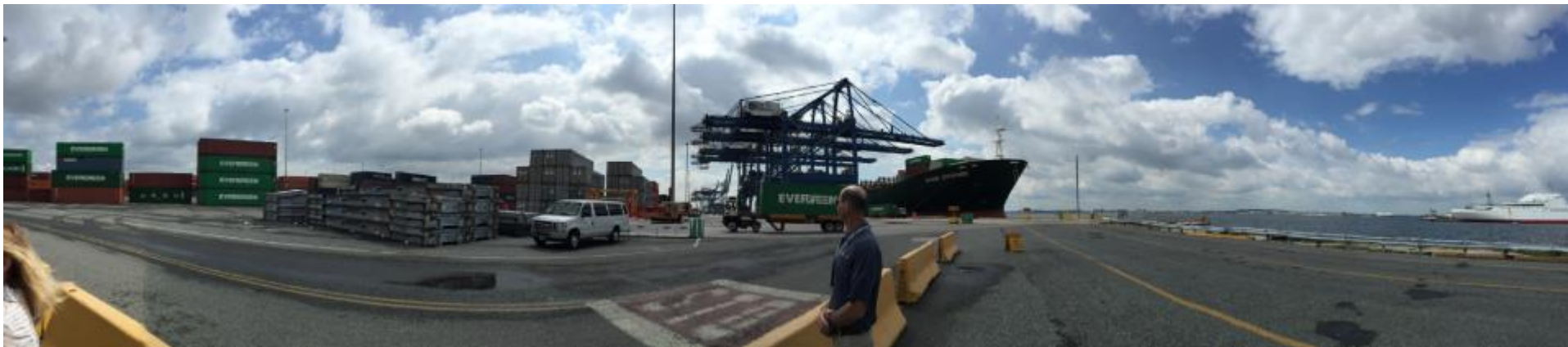


CTAC

- Import Safety Commercial Targeting and Analysis Center (CTAC)
- Operated from CBP Headquarters in Washington, D.C.
- Staffed by CBP, CPSC and 10 other agencies responsible for import safety
- Access to manifest and entry data that assist in targeting
- National targeting criteria and programs



Shipment Arrives



Cargo Moves to Warehouse



Cargo Available for Exam



Products Available for Screening



Screening Products

- Investigators open cargo and screen consumer products for potential substantive and administrative violations
- Over 36,000 products screened in Fiscal Year 2021
- Common import violations (both children's and non-children's products):
 - Certification and labeling
 - Lead content and paint (X-Ray Fluorescence, XRF)
 - Phthalates (Fourier-Transform Infrared Spectrometer, FTIR)
 - Small parts, small balls
 - Drawstrings
 - Toy standard
 - Art materials labeling
 - Fireworks
 - Hairdryers
 - Electrical products (holiday lights, extension cords)
 - Lighters
 - Bicycle helmets
 - Mattresses



Screening – XRF

- X-Ray Fluorescence Analyzer



Screening – XRF

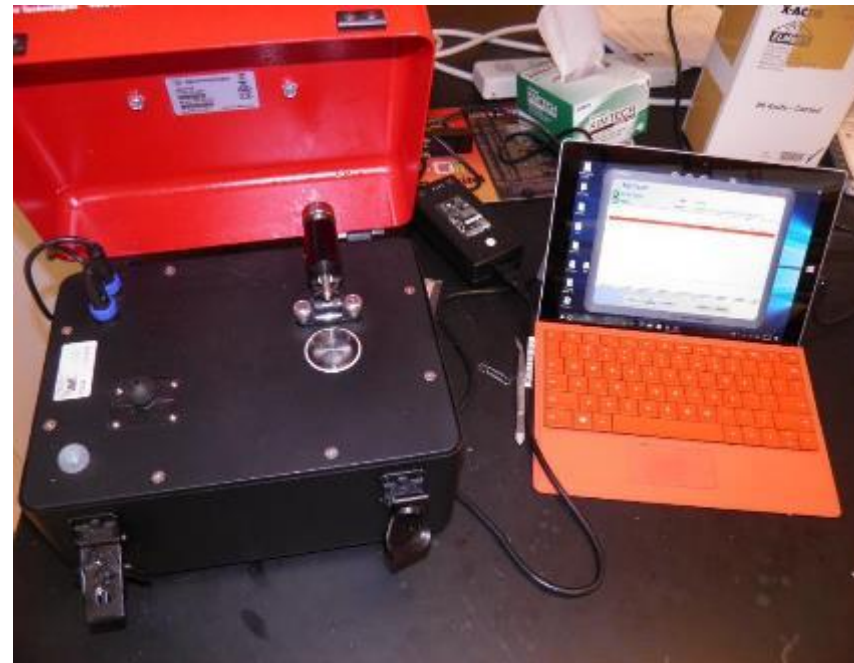


Screening – XRF



Screening – FTIR

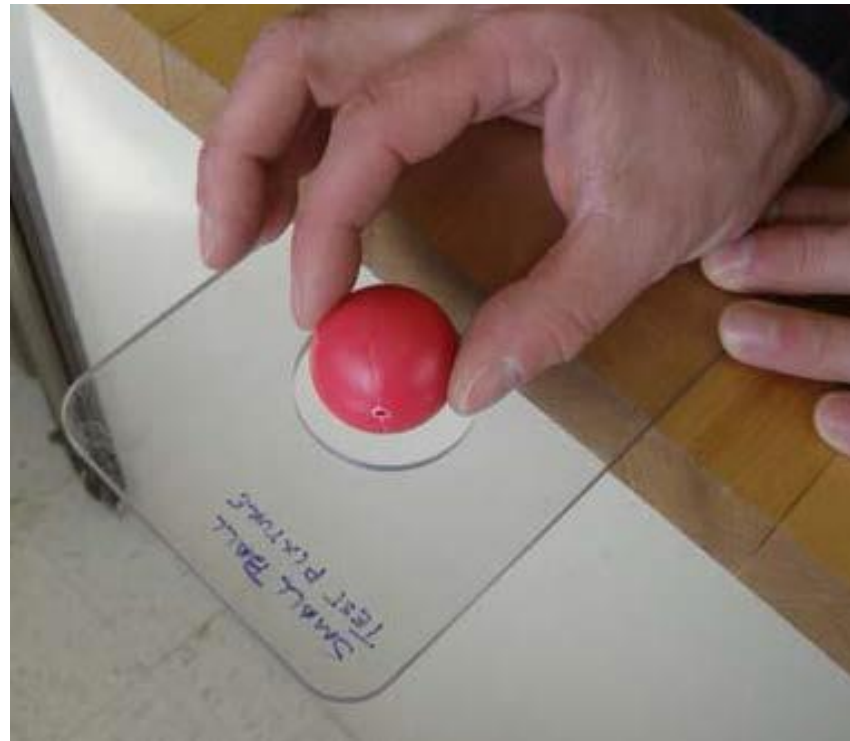
- Fourier Transform Infrared Spectrometer



Screening – Small Parts



Screening – Small Balls



Screening – Electrical



Screening – Electrical



Screening – Hairdryers



Without Immersion Protection

With Immersion Protection



Screening – Drawstrings



Screening – Generators, Mattresses



Screening – Fireworks, Lighters



Possible Exam Outcomes

- Full (unconditional) release
- Sampling
 - Conditional release or detention
 - Age determination, lab testing, Compliance analysis



Possible Sample Outcomes

- Full (unconditional) release
- Correct future production
- Stop sale
- Recall
- Reconditioning
- Destruction
- Export
- Seizure



Witnessing Destruction



Beyond the Port

- Outreach and training
- Domestic follow up on violative imported products (reconditioning, destruction)
- Informed Compliance Inspections (ICIs)
- Establishment Inspections (EIs)
- Joint inspections and audits with CBP
- Case development



Questions?
Thank You

Sabrina Keller
Deputy Director, CPSC Office of Import Surveillance
skeller@cpsc.gov

