

U.S. Consumer Product Safety Commission



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**Impact of Voluntary Standards:
Pros, Cons and Best Practices**

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The U.S. Standards System

- Is private and voluntary
- Works through cooperation and communication among:
 - Standards organizations
 - Industry
 - Government
 - Academia
 - Special Interest Groups

Government's Role

- Standards user:
 - In product purchases
 - Through incorporation into regulations
- Participant in standards development through the voluntary process
- Contributor to the technical underpinning for standards
- Advocate for the U.S. system



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Federal Agency Use of Voluntary Consensus Standards

- U.S. law and policy* require Federal agencies to:
 - Use voluntary consensus standards to the extent practicable
 - Report development of agency-unique standards
 - Participate in the development of voluntary consensus standards relevant to their needs

* Public Law 104-113 and OMB Circular A-119

Goals of the Government in Using Voluntary Standards

- Eliminate the cost to the government of developing its own standards
- Decrease the cost of goods procured and burden of complying with agency regulations
- Promote efficiency and economic competition through harmonization of standards
- Further the policy of reliance on the private sector to supply government needs for goods and services

CPSC Comparison: Mandatory vs. Voluntary Standards

- 1990 – 2004
 - 276 voluntary standards
 - 35 mandatory rules
- Ratio is almost 8 to 1
- CPSC supports 67 standards development activities in FY 2004



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Government Perspective: Factors for Consideration

Voluntary

- Reasonable time to completion
- Few staff required
- Balanced expertise
- Automatic updates

Openness

**Due
process**

Mandatory

- Three-part rulemaking
- Extensive staff dedication
- Government-driven
- Government review more cumbersome

Criteria for CPSC Participation in Voluntary Standards Activities*

- Eliminates or reduces risk and substantial compliance with standard
- Developed in a reasonable time period
- No anticompetitive effects
- Performance oriented requirements
- Compliance verification
- Product identification
- Openness



* 16 C.F.R., §1031.5

Principles Necessary for Development of National and International Standards*

- Consensus
- Openness
- Balance
- Transparency
- Due Process
- Flexibility
- Timeliness
- Coherency

* Principles based on the National Standard Strategy for the United States developed in public/privacy setting (August 2000).

Results of Standards Process

- Successful standards processes yield the right results...
 - Standards are *relevant*, meeting agreed criteria and satisfying real needs by providing added value.
 - Standards are *responsive* to the real world; they use available current technology and do not unnecessarily invalidate existing products or processes.
 - Standards are *performance-based*, specifying essential characteristics rather than detailed designs.

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