



CONSUMER PRODUCT SAFETY COMMISSION

[Docket No. CPSC-2009-0092]

Agency Information Collection Activities; Extension of Collection; Comment Request; Standard for the Flammability of Clothing Textiles, 16 CFR Part 1610; Standard for the Flammability of Vinyl Plastic Film, 16 CFR Part 1611

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of Information Collection; Request for Comment.

SUMMARY: As required by the Paperwork Reduction Act of 1995 (PRA), the Consumer Product Safety Commission (CPSC or Commission) requests comments on a proposed extension of approval of information collection requirements associated with the Standard for the Flammability of Clothing Textiles and the Standard for the Flammability of Vinyl Plastic Film. The Office of Management and Budget (OMB) previously approved this collection of information under control number 3041-0024. OMB's most recent extension of approval will expire on October 31, 2026. The Commission will consider all comments received in response to this notice before requesting an extension of this collection of information from OMB.

DATES: Submit comments on the collection of information by **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: You may submit comments, identified by Docket No. CPSC-2009-0092, within 60 days of publication of this notice by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. Do not submit the following through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. The Commission typically does not accept comments submitted by e-mail, except as

described below.

Mail/hand delivery/courier/written submissions: CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal. You may, however, submit comments by mail/hand delivery/courier to: Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; telephone (301) 504-7479.

Instructions: All submissions received must include the agency name and docket number for this notice. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: <https://www.regulations.gov>. If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to cpsc-os@cpsc.gov.

Docket: For access to the docket to read background documents or comments received, go to: <https://www.regulations.gov>, insert docket number CPSC- 2009-0092.

FOR FURTHER INFORMATION CONTACT: Cynthia Gillham, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814; (301) 504-7791, or by e-mail to: pra@cpsc.gov.

SUPPLEMENTARY INFORMATION: CPSC seeks to renew the following currently approved collection of information:

Title: Standard for the Flammability of Clothing Textiles, 16 CFR Part 1610;

Standard for the Flammability of Vinyl Plastic Film, 16 CFR Part 1611.

OMB Number: 3041-0024.

Type of Review: Renewal of collection.

Frequency of Response: On occasion.

Affected Public: Manufacturers and importers of clothing and fabrics intended for use in clothing, as well as manufacturers and importers of clothing made from vinyl plastic film and

vinyl plastic film intended for use in clothing. This also includes downstream distributors and retailers who handle, sell, or further distribute these products, as they may be impacted by recordkeeping requirements and guaranty provisions under the applicable standards.

General Description of Collection: The Safety Standard for Flammability of Clothing Textiles (16 CFR part 1610) addresses the danger of injury and loss of life by prohibiting dangerously flammable textiles and textile products for clothing use from being distributed in United States commerce. The standard includes methods of testing the flammability of clothing and textiles intended to be used for clothing, establishes three classes of flammability, sets forth the requirements which textiles shall meet to be classified, and warns against the use of those textiles which have burning characteristics unsuitable for clothing.

The Standard for the Flammability of Vinyl Plastic Film (16 CFR part 1611) provides a minimum standard for the flammability of vinyl plastic film for use in wearing apparel. The material covered by the standard is nonrigid, unsupported, vinyl plastic film, including transparent, translucent, and opaque material that is plain, embossed, molded, or otherwise surface treated. This standard prescribes a test to ensure that articles of wearing apparel, and fabrics and film intended for use in wearing apparel, are not dangerously flammable because of rapid and intense burning.

Section 8 of the Flammable Fabrics Act (FFA), 15 U.S.C. 1197, provides that a person who receives a guaranty in good faith that a product complies with an applicable flammability standard is not subject to criminal prosecution for a violation of the FFA resulting from the sale of any product covered by the guaranty. Section 8 of the FFA requires that a guaranty must be based on “reasonable and representative tests.” For both standards, recordkeeping requirements for firms that issue original and continuing guaranties include maintaining records of tests to support the issuance of guaranties and records of any received guaranties for three years, as set forth in 16 CFR 1610.38 and 16 CFR 1611.38. To file a continuing guaranty with the

Commission, firms may submit a CPSC form with the Office of the Secretary.¹

In addition, CPSC requires manufacturers and importers of general-use products for which consumer product safety rules apply, such as adult wearing apparel, to certify, in a written General Certificate of Conformity (GCC), also based on testing or a reasonable testing program and supported by the test records, that the products comply with 16 CFR parts 1610 and 1611. The majority of GCC burden is captured in OMB control number 3041-0203, Revisions to 16 CFR Part 1110, and the remainder is assumed to be negligible (approaching zero) because it is essentially similar to issuing a guarantee.

Manufacturers and importers of children's wearing apparel, subject to 16 CFR parts 1610 and 1611, must certify in a children's product certificate (CPC) that the product complies with the applicable standards based on testing by a CPSC-accredited third party conformity assessment body. CPC burden is accounted for under OMB control number 3041-0159, Third Party Testing of Children's Products.

Both standards also include a documentation requirement for shipment of wearing apparel or textile fabrics to be treated to reduce their flammability in accordance with the applicable standards. In addition, importers of such shipments must maintain proof of treatment, provide affidavits to U.S. Customs and Border Protection, and, if required, furnish a performance bond to ensure compliance. CPSC assumes that fewer than 10 shipments for the purpose of finishing or processing are received to the United States annually because finishing treatments are typically conducted abroad. Therefore, there is no burden estimate for such shipments.

Estimated Number of Respondents: CPSC estimates 10,000 firms will conduct the required recordkeeping and 160 firms will voluntarily file a continuing guaranty with the Commission, annually. Therefore, the total number of respondents is 10,160 firms.

¹ Continuing Guaranty Under the Flammable Fabrics Act for Filing with the U.S. Consumer Product Safety Commission: <https://www.cpsc.gov/Regulations-Laws--Standards/Statutes/Flammable-Fabrics-Act/Frequently-Asked-Questions-for-Continuing-Guaranties-under-the-Flammable-Fabrics-Act-and-Filed-with-the-Commission>.

Estimated Time per Response: For recordkeeping, CPSC assumes that each record will take one hour to create and maintain. To file a continuing guaranty, CPSC assumes that each form will take one hour to create and submit. Therefore, the estimated time per response for this collection is two hours.

Total Estimated Annual Burden: For recordkeeping, CPSC assumes that there will be 100,000 responses annually (10,000 firms \times 10 fabrics per firm = 100,000 records). CPSC assumes that each record will take one hour to create and maintain, therefore the total burden is approximately 100,000 hours, annually. To file a continuing guaranty, CPSC assumes that there will be 1,600 form submissions annually (160 firms \times 10 forms per firm = 1600 forms). CPSC assumes that each form will take one hour to create and submit, therefore the total burden is approximately 1,600 hours, annually. Accordingly, the total estimated annual burden for the collection is 101,600 hours.

Total Estimated Annual Cost to Respondents: At an average hourly wage rate of \$80.04 (U.S. Bureau of Labor Statistics, “Employer Costs for Employee Compensation,” December 2025, Table 4, Total compensation of all management, professional, and related occupations in goods-producing industries: https://www.bls.gov/news.release/archives/ecec_03202026.htm), the total cost for the collection of information is approximately \$8.1 million, annually (101,600 hours \times \$80.04 per hour = \$8,132,064).

Request for Comments:

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- whether the collection of information described above is necessary for the proper performance of the Commission’s functions, including whether the information would have practical utility;
- whether the estimated burden of the proposed collection of information is accurate;

- whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- whether the burden imposed by the collection of information could be minimized by use of automated, electronic or other technological collection techniques, or other forms of information technology.

Alberta E. Mills,
Secretary,
Consumer Product Safety Commission.

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