

Outdoor Power Equipment Institute

Submitted via www.regulations.gov

November 21, 2025

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

Subject: OPEI comments on CPSC-2012-0058, Agency Information Collection Activities; Proposed Extension of Approval of Information Collection; Comment Request; Safety Standard for Walk-Behind Power Lawn Mowers

Dear Ms. Mills:

OPEI is pleased to submit these comments in response to the subject solicitation providing updated information on the walk-behind power lawn mower industry, which we represent. The solicitation for comments was published in the Federal Register on September 23, 2025 at 90 Fed. Reg. 45751.

OPEI is an international trade association representing more than 100 manufacturers and their suppliers of gas and electric-powered outdoor power equipment (“OPE”), golf cars, and personal transport and utility vehicles. OPEI member products are ubiquitous in U.S. households and businesses, including equipment such as lawnmowers, garden tractors, grass trimmers, chain saws, snow throwers, generators, utility vehicles and other similarly powered lawn and garden and vehicle applications. The industry currently contributes approximately \$16 billion to U.S. GDP, domestically ships nearly 35 million products each year, estimates as many 250 million legacy products in service across the U.S., and sells these products through a diverse network of retail channels.

OPEI also serves its members and the industry as their American National Standards Institute (ANSI) accredited Standards Developing Organization (SDO). In that role OPEI maintains and publishes voluntary industry safety standards for lawnmowers, and also specifically for walk-behind power lawn mowers, also referred to as pedestrian-controlled lawnmowers.¹ OPEI stewardship of this process and publication of the initial standard occurred in 1960, and the standard(s) have been revised and republished 15 times since, to keep pace with market demands with the first priority of consumer safety. In addition to this standard(s), OPEI member products in the walk-behind mower sector also meet the CPSC standard (16 CFR Part 1205) as required under law.

OPEI also serves as the ANSI accredited administrator of U.S. participation in the International Organization for Standardization (ISO) committee ISO TC 23 SC 13, which maintains the international standard(s) for gas-powered walk-behind mowers (ISO 5395-1, 5395-2). Further OPEI helps members coordinate input to and engagement with the International Electrotechnical Commission (IEC) committee TC 116 WG 10, which

¹ ANSI/OPEI 5395-1: American National Standard for Garden Equipment – Safety Requirements for Combustion-Engine-Powered Lawnmowers – Part 1: Terminology and Common Tests; ANSI/OPEI 5395-2: American National Standard for Garden Equipment – Safety Requirements for Combustion-Engine-Powered Lawnmowers – Part 2: Pedestrian-Controlled Lawnmowers; ANSI/OPEI B71.1: American National Standard for Consumer Turf Care Equipment – Pedestrian-Controlled Mowers and Ride-On Mowers – Safety Specifications.



maintains the international standard(s) for electric/battery-powered walk-behind mowers (IEC 62841-4-3, 62841-1).

In total OPEI efforts across all of these standard development fora are aimed at assuring that standards address the current performance and safety needs of individual and global markets. OPEI members also prioritize the harmonization of global standards whenever practical.

The OPEI membership includes 15 original equipment manufacturers (OEMs) of internal-combustion engine (ICE), electric (AC), and lithium-ion battery powered walk-behind power lawn mowers. Included are 9 OEMs manufacturing ICE-powered models and 12 manufacturing battery/AC-powered models. These companies all ship numerous models under various brand names, found in retail locations across the U.S. According to OPEI data, member company shipments constitute more than 90% of the domestic market. Total U.S. shipments in 2024 were 4.1 million, with 1.7 million being battery and/or electric (AC) powered, for a share of 41%. This is a significant shift in power innovation (electrification) since just 2016 when such models constituted only 10% of domestic shipments.

With approximately 4 million mowers tested and labeled to meet the CPSC standard each year, members in most cases employ personnel to exclusively do this work as their sole responsibility, equating to 8 hours per day. Also in most cases, member manufacturers employ multiple such individuals to staff multiple shifts on multiple production lines across multiple production facilities. The reason most manufacturers employ dedicated technicians for these purposes is that the CPSC standard requires multiple tests and labels. These include the testing of mower protective shields using a foot probe and an obstruction test², testing of controls to demonstrate a 3 second stopping time of the blade³ requiring a 6 minute engine warm-up (w/ 20 minute set-up and tear-down), application of a warning label regarding blade contact⁴, testing of sample mowers from each production lot⁵, maintenance of written records for three years for each mower or for a reasonable testing program⁶, and labeling of applicable mowers with a label stating that the machine meets CPSC safety requirements (lot number, location of manufacture, month/year of manufacture, person or firm issuing certificate)⁷. Taken together, the breadth of this testing requires the use of dedicated technicians, which requires considerable employee time per day per establishment. OPEI notes that CPSC's burden estimates assume that there are only 130 yearly production days for mowers, because CPSC assumes that the product is seasonal. While this assumption is true for some manufacturers, it is not true for all. Some OPEI members manufacture lawn mowers year-round, and have approximately 250 business days of production per year. For this reason, the CPSC's burden estimates are on the low end.

The primary purposes of these comments are two-fold: first, to note that the summary of the burden on the manufacturers is incomplete, and second, to recommend a path to resolving the discrepancy between the burden summary in the public notice and the actual burden on manufacturers.

The summary of the burden on manufacturers is potentially incomplete, because it does not acknowledge that the burdens may be duplicative of the separate rule requiring e-filing of Certificates of Compliance, if that rule is interpreted to apply to walk-behind power mowers. This new rule was published on January 8, 2025 at 90 Fed. Reg. 1800, and will take effect in 2026. This rule imposes additional requirements on manufacturers and importers of regulated products to provide information electronically that confirms

² 16 CFR Part 1205.4

³ 16 CFR Part 1205.5

⁴ 16 CFR Part 1205.6

⁵ 16 CFR Part 1205.33

⁶ 16 CFR Part 1205.34

⁷ 16 CFR Part 1205.35

compliance with applicable standards, notwithstanding that CPSC is already regulating the display of compliance confirming certificates on the products themselves.

Until recently, OPEI members had the understanding that the on-product certification label required by Part 1205 constituted the certificate of compliance required by the Consumer Product Safety Act. See 16 CFR Section 1205.35(a)(***Form of permanent label of certification.*** Manufacturers (including importers) shall issue certificates of compliance for walk-behind rotary power lawn mowers manufactured after the effective date of the mower standard in the form of a label which can reasonably be expected to remain on the mower during the period the mower is capable of being used. **Such labeling shall be deemed to be a “certificate” of compliance as that term is used in section 14 of the act.**) ([15 U.S.C. 2063.](#)))(emphasis added.)

OPEI’s members therefore did not believe that they were required to issue separate “General Certificates of Compliance” under Part 1110 of the Commission’s regulations. This understanding was confirmed by the CPSC’s website explaining the requirements for General Certificates of Compliance (GCC), which contained a list of products covered by the GCC requirements, but contained a qualification (footnote 3) for Power Mowers, noting that they were not required to produce a GCC, per Part 1205.

This qualification was apparently removed without notice sometime in October 2024. Compare this CPSC website screen shot from early October 2024 : [Rules Requiring a General Certificate of Conformity \(GCC\) - General Use/Non-Children's Products | CPSC.gov](#) [also included as **ATTACHMENT 1**, see highlighted] with this screen shot of the same CPSC website from November 2025 [Rules Requiring a General Certificate of Conformity \(GCC\) - General Use/Non-Children's Products | CPSC.gov](#). [also included as **ATTACHMENT 2**]

Through these comments, OPEI is seeking clarification of its members’ obligations and reconciliation of its members’ obligations under CPSC Parts 1110 and 1205.

The U.S. Office of Management & Budget’s (OMB) regulations governing approvals of Information Collection Requirements under the Paperwork Reduction Act require CPSC to certify that the information collection is the least burdensome necessary for the proper performance of the agency’s functions to comply with legal requirements and achieve program objectives, and that it is not duplicative of information otherwise accessible to the agency. See 5 C.F.R. 1320.5(d)(1)(i) and (ii). OPEI assumes that CPSC has made (or intends to make) these certifications to OMB in good faith.

This means that CPSC will be confirming to OMB that the certification requirements contained in Part 1205 are “the least burdensome necessary” for meeting CPSC’s program needs as part of the request for OMB approval that is the subject of the notice seeking comment. OPEI does not disagree with this confirmation; however, it does call into question whether CPSC needs to impose a redundant requirement on the lawn mower manufacturers through Part 1110, that requires additional information to be supplied in a more burdensome manner.

In other words, if the certification requirements of Part 1205 are going to be certified as “the least burdensome necessary” to meet CPSC’s program requirements, then there is no justification for the additional, more burdensome, requirements contained in Part 1110. OPEI seeks clarification that its interpretation is correct, that no GCC requirements apply to the powered walk behind mowers that are otherwise subject to Part 1205, because the plain language of Part 1205 affirms that the on-product label is sufficient to meet the statutory obligations for certification.

To be clear, OPEI does not object to the approval by OMB of the renewal of the certification requirements contained in Part 1205. OPEI seeks a condition on that approval that requires CPSC to confirm that walk-behind power mowers are not subject to the additional, and more burdensome, requirements of Part 1110,

because CPSC has acknowledged that its program needs can be met by the less burdensome requirements of Part 1205.

We appreciate your consideration of this letter, and we look forward to your response and any questions you might have.

Best regards,

A handwritten signature in black ink that reads "Daniel J. Mustico". The signature is written in a cursive, flowing style.

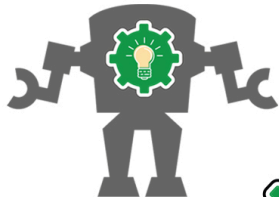
Daniel J. Mustico
Senior Vice President, Government & Market Affairs
(703) 678-2990; dmustico@opei.org

attachments



Rules Requiring a General Certificate of Conformity (GCC) - General Use/Non-Children's Products

What requirements
apply to my product?



Find out here



Below is a list of product safety rules that require certification in a [General Certificate of Conformity \(GCC\)](#). Links under "Product or Issue Category" will take you to the respective CPSC business guidance page (if available), and links under "Legal Citation" will take you to the actual text for the citation.

The use of a third-party, CPSC-accepted laboratory to conduct testing pursuant to the product safety rules noted below is not a requirement for general use, or non-children's, products. First-party testing, or testing from any qualified laboratory or test facility, can support a GCC. See "What is a reasonable testing program?" on our [GCC FAQs](#) for more information.

Testing of children's products, on the other hand, does require the use of a [third-party, CPSC-accepted laboratory](#). For more information on children's products, visit our [business guidance page on children's products](#).

Note: CPSC periodically updates existing mandatory rules or publishes new mandatory rules, resulting in new requirements being added. This list is current as of **August 8, 2024**.

Product or Issue Category	Legal Citation
All-terrain vehicles	16 CFR part 1420
Architectural glazing materials	16 CFR part 1201
Adult portable bed rail	16 CFR part 1270
Artificial emberizing materials ^[1]	16 CFR part 1305
Bicycle helmets ^[2]	16 CFR part 1203
Bicycles	16 CFR part 1512
Bunk beds	16 CFR part 1213
Button cell or coin battery	P.L. 117-171 § 3(a) (codified at 15 U.S.C. § 2056e Notes) 16 CFR § 1263.3 16 CFR § 1263.4
Carpets and rugs (large)	16 CFR part 1630
Carpets and rugs (small)	16 CFR part 1631
CB antennas	16 CFR part 1204
Cellulose insulation	16 CFR part 1209
Cigarette lighters	16 CFR part 1210
Clothing storage units	16 CFR part 1261
Consumer patching compounds ^[1]	16 CFR part 1304
Dive sticks and other similar articles	16 CFR § 1500.86(a)(7) 16 CFR § 1500.86(a)(8)
Drywall	15 U.S.C. § 2056c
Fireworks	16 CFR part 1507
Garage door openers	16 CFR part 1211
Lawn darts ^[1]	16 CFR part 1306
Liquid nicotine packaging (CNPPA)	15 U.S.C. § 1472a
Magnets	16 CFR part 1262
Matchbooks	16 CFR part 1202
Mattresses and mattress pads	16 CFR part 1632
Mattresses and mattress sets	16 CFR part 1633
Metal-cored candlewicks ^[1]	16 CFR § 1500.17(a)(13)
Multipurpose lighters	16 CFR part 1212

Product or Issue Category	Legal Citation
Paints and similar surface coatings containing lead [1]	16 CFR part 1303
Portable fuel containers (flame mitigation device)	16 CFR part 1461
Portable fuel containers (special packaging)	16 CFR part 1460
Power lawn mowers (walk-behind) [3]	16 CFR part 1205
Refrigerator doors [4]	16 CFR part 1750
Refuse bins [1]	16 CFR part 1301
Wearing apparel [1]	16 CFR part 1610
Special packaging (PPPA)	16 CFR part 1700
Swimming pool slides (freestanding)	16 CFR part 1207
Toy, look-alike, and imitation firearms	16 CFR part 1272
Vinyl plastic film	16 CFR part 1611
Virginia Graeme Baker Pool and Spa Safety Act Regulations	16 CFR part 1450

[1] For certification to banning regulations, the Commission has provided guidance (78 FR 28080) regarding which bans require certification, recognizing that it may be difficult to distinguish between rules that ban an entire product category, leaving no products left to certify, and rules that ban a subset of the product category and, therefore, require certification. Some bans enforced by the Commission apply to multiple products or more than one product category (pp. 28082 and 28090 of the document).

[2] Per 16 CFR § 1203.34(a), bicycle helmets must bear a label indicating compliance with the applicable requirements. This label acts as the product's certificate of compliance, as that term is used in section 14 of the CPSA, 15 U.S.C. § 2063; therefore, general-use bicycle helmets do not need a separate GCC. Bicycle helmets that are considered children's products are still subject to the certificate requirements because they are subject to additional consumer product safety rules.

[3] Per 16 CFR § 1205.35(a), walk behind power lawn mowers must bear a label indicating compliance with the applicable requirements. This label acts as the product's certificate of compliance, as that term is used in section 14 of the CPSA, 15 U.S.C. § 2063; therefore, walk behind power lawn mowers do not need a separate GCC.

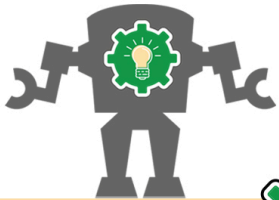
[4] The Commission issued a Statement of Policy ([84 FR 37767](#)) indicating that CPSC will not enforce the certification requirements for household refrigerators that display an appropriate safety certification mark indicating compliance.

[5] The Commission issued a Statement of Policy ([81 FR 12587](#)) indicating that CPSC will not enforce the certification requirements for adult wearing apparel that is exempt from testing pursuant to [16 CFR § 1610.1\(d\)](#). Wearing apparel that are considered children's products are not afforded this enforcement discretion.



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