

119TH CONGRESS
1ST SESSION

S. _____

To amend the Consumer Product Safety Act to protect Americans from
harmful CCP products.

IN THE SENATE OF THE UNITED STATES

Mr. SCOTT of Florida introduced the following bill; which was read twice and
referred to the Committee on _____

A BILL

To amend the Consumer Product Safety Act to protect
Americans from harmful CCP products.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Americans
5 from Harmful CCP Products Act”.

6 **SEC. 2. AMENDMENTS TO THE CONSUMER PRODUCT SAFE-**
7 **TY ACT.**

8 (a) RECALL OF CHINESE PRODUCTS.—Section 15 of
9 the Consumer Product Safety Act (15 U.S.C. 2064) is
10 amended by adding at the end the following:

1 “(k) RECALL OF CHINESE PRODUCTS.—

2 “(1) IN GENERAL.—Notwithstanding subsection
3 (f), the Commission may issue an order under sub-
4 section (c) or (d), including a mandatory recall,
5 without the consent of the manufacturer or retailer
6 of a consumer product distributed in commerce that
7 presents a substantial product hazard if—

8 “(A) the manufacturer or retailer of the
9 product is located in the People’s Republic of
10 China, including in any of its Special Adminis-
11 trative Regions such as Hong Kong and Macao;

12 “(B) the product is offered for sale directly
13 to United States consumers, including via on-
14 line platforms;

15 “(C) the Commission has requested infor-
16 mation or action related to the potential hazard
17 from the manufacturer or retailer and has not
18 received a timely or adequate response; and

19 “(D) if the Commission determines that a
20 product distributed in commerce presents a
21 substantial product hazard.

22 “(2) REBUTTABLE PRESUMPTION.—There shall
23 be a rebuttable presumption in favor of the Commis-
24 sion’s claim that a product poses a substantial prod-
25 uct hazard under this subsection.

1 “(3) NOTICE.—The Commission shall publish
2 notice of any mandatory recall order under this sub-
3 section, not later than 30 days before the order shall
4 take effect, on its website and transmit such notice
5 to all known distributors, importers, and platforms
6 offering the product for sale within the United
7 States.”.

8 (b) DEFINITION.—Section 3(a) of the Consumer
9 Product Safety Act (15 U.S.C. 2052(a)) is amended by
10 striking paragraph (8) and inserting the following:

11 “(8) DISTRIBUTOR.—

12 “(A) IN GENERAL.—The term ‘distributor’
13 means a person to whom a consumer product is
14 delivered or sold for purposes of distribution in
15 commerce, except that such term shall not in-
16 clude a manufacturer or retailer of the product.

17 “(B) CERTAIN E-COMMERCE PLAT-
18 FORMS.—Notwithstanding any limitation de-
19 scribed in subparagraph (A), an operator of an
20 e-commerce platform that is headquartered in
21 or primarily operates from the People’s Repub-
22 lic of China, including any of its Special Admin-
23 istrative regions such as Hong Kong and
24 Macao, and that facilitates the sale of consumer

1 products to United States consumers, shall be
2 considered a distributor under this Act.

3 “(C) RULE OF CONSTRUCTION.—Nothing
4 in this paragraph shall be construed as having
5 any bearing on whether any non-Chinese per-
6 sons or entities are distributors for purposes of
7 this Act.”.