



PREFILLED FUEL CONTAINER INDUSTRY ASSOCIATION



Innovative Products For **Home. Work. Life.**



May 30, 2025

Ryan Cudemus-Brunoli
Compliance Officer
Office of Compliance and Field Operations
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Subject: Request for Extension of Enforcement Discretion for Fuel Additives Subject to
ASTM F3429/F3429M Under the Portable Fuel Container Safety Act of 2020

Dear Mr. Cudemus-Brunoli,

On July 3, 2024, the Consumer Product Safety Commission (CPSC) issued¹ an extension of enforcement discretion for pre-filled portable fuel and fuel additive containers subject to the Portable Fuel Container Safety Act Regulation. Specifically, this enforcement discretion for fuel additives is in effect until July 12, 2025. The Household & Commercial Products Association² (HCPA), the Prefilled Fuel Container Industry Association³ (PFCIA), the Petroleum Packaging Council⁴ (PPC), and the Independent Lubricant Manufacturers Association⁵ (ILMA) are requesting an extension on this enforcement discretion for fuel additives.

¹ <https://www.cpsc.gov/s3fs-public/Pre-filled-Portable-Fuel-Containers-Enforcement-Discretion-Extension-Letter.pdf>

² The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of trusted and familiar products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

³ The Prefilled Fuel Container Industry Association (PFCIA) was established in 2023 to complement the HCPA and support specific product sectors in achieving compliance with the PFCSA through collective development and consolidated communication efforts.

⁴ The Petroleum Packaging Council (PPC) is the premier trade association providing technical leadership and education to the petroleum packaging and blending industry.

⁵ The Independent Lubricant Manufacturers Association is a trade association representing companies that produce and sell more than a quarter of the automotive lubricants and three-quarters of the metalworking fluids in North America for customers who use their products to improve performance and increase efficiency. ILMA supports policies based on sound science, rigorous analysis and common sense that keep our customers, employees and communities safe, while protecting our members' business model — providing individual solutions for customers' needs. ILMA also serves as a technical and educational resource to members, their customers and lawmakers.

As detailed in the petition submitted on February 28, 2025, HCPA and PFCIA have requested that the CPSC exclude fuel adjacent products, such as fuel additives, from the scope of the regulation, as such products fall outside the statutory authority granted under the Portable Fuel Container Safety Act. While our organizations prefer that the petition be addressed by the Commission, time is of the essence with the current enforcement discretion ending after July 12, 2025.

If the petition is not addressed before the expiration of the enforcement discretion, then the companies that manufacture and market fuel additives will need further enforcement relief, given the continued absence of any flame mitigation device suitable for fuel additive packaging. Therefore, our organizations are requesting an extension of the current enforcement discretion for twelve months to allow the Commission more time to consider the petition to exclude fuel adjacent products from the scope of the regulation.

HCPA, PFCIA, PPC, and ILMA greatly appreciate the Commission's attention to our request. If there are any questions or you would like to discuss this request further, please do not hesitate to contact us.

Respectfully submitted,

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PFCIA

Nicholas B. Georges
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HCPA

Holly Alfano
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