

02 February 2022

The Honorable Nancy Pelosi
Speaker of the House
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
Washington, DC 20515

The Honorable Jerrold Nadler
Chairman
House Committee on the Judiciary
Washington, DC 20515

The Honorable Jim Jordan
Ranking Member
House Committee on the Judiciary
Washington, DC 20515

Subject:

TIC Council Americas Supports SHOP SAFE and INFORM

Dear Speaker Pelosi, Minority Leader McCarthy, Chairman Nadler, and Ranking Member Jordan,

The TIC Council Americas representing the Testing, Inspection, and Certification (“TIC”) industry supports the SHOP SAFE Act (H.R. 5374/S. 1843) and the INFORM Consumers Act (H.R. 5502/S.936) and urges your consideration and passage of these two pieces of legislation. These bills are included in the Americas COMPETES Act¹, HR 4521, and would establish needed improvements in e-commerce for secure and safe conduct of online sales of products in the United States.

The INFORM Consumers Act would increase transparency and accountability for online marketplaces and the SHOP SAFE Act of 2021 would establish contributory liability for the use of a counterfeit mark by third parties on electronic commerce platforms. These bills are a critical first step in addressing the growth of counterfeit goods that reach consumers each day, and present real safety concerns as they are not typically evaluated for compliance with U.S. safety regulations.

As outlined in our white paper on counterfeiting in the TIC sector², counterfeit marks have been found on counterfeit products and mislead consumers into believing products are safe when they may not be. To address this growing issue, the TIC Council Americas has published a list of recommendations³ which supports and includes the passage of legislation such as SHOP SAFE and INFORM.

TIC Council is the global trade federation representing the independent third-party Testing, Inspection and Certification (TIC) industry which brings together more than 90-member companies and organizations from around the world to

¹ <https://rules.house.gov/sites/democrats.rules.house.gov/files/BILLS-117HR4521RH-RCP117-31.pdf>

² https://www.tic-council.org/application/files/1216/0078/9309/TIC_Council_White_Paper_of_Identification_of_Falsified_Test_Reports_and_Certificate_s_finalv2.pdf

³ https://www.tic-council.org/application/files/8816/3594/3850/2021October_TIC_Council_Position_on_Addressing_Counterfeiting_in_the_Americas_03.pdf

speak with one voice. Its members provide services across a wide range of sectors: consumer products, medical devices, petroleum, mining and metals, food, and agriculture among others. Through provision of these services, TIC Council members assure that not only regulatory requirements are met, but also that reliability, economic value, and sustainability are enhanced.

We have worked closely with our partners in the Buy Safe and Shop Safe Coalitions, representing U.S. intellectual property (IP) rights holders, manufacturers, and consumer safety organizations to champion this legislation and hope that you will join us in supporting its passage.

We appreciate the opportunity to provide feedback on this important issue. Should you have any questions, please don't hesitate to contact Karin Athanas at +1 240 762 8069 / kathanas@tic-council.org.

Sincerely,



Hanane Taidi
Director General
TIC Council



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