

**Oral Testimony of Consumer Reports to the  
U.S. Consumer Product Safety Commission on its Agenda and Priorities FY 2021-2022  
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Thank you. On behalf of the independent nonprofit Consumer Reports, thank you for the opportunity to testify about the CPSC's priorities. Improving product safety has always been a core part of CR's mission, and it remains so today as we all manage the impact of the pandemic.

With millions of people and especially children spending most of their time at home, the CPSC's work is as vital as ever -- not just for consumers, but also for the sake of a fairer marketplace in which companies benefit if they meet their responsibilities for their products to be safe. We commend the CPSC's expert staff for their dedication during this challenging period. We also thank the Commission for its leadership, and in particular for the creation of the new Consumer Ombudsman role. We look forward to working together.

Under current circumstances, we understand that the agency's ability to carry out lab testing and other important activities is sharply limited. We further recognize that this comes on top of a status quo under which the agency lacks many of the tools and resources it needs.

Despite these limitations, it's critical for the CPSC to find creative solutions during this time, and for its people to do whatever they can right now to protect the public while also staying safe themselves. At a foundational level, this means Commission members and agency staff should keep several priorities in mind.

First, the CPSC should continue to advocate vocally for stronger safety protections, and to communicate key safety messages clearly and frequently. We particularly appreciate the agency's work to speak out forcefully about the serious and potentially deadly risks of unstable furniture and infant sleep at an incline. We also thank the agency for its recent work to highlight home safety and outdoor safety hazards that people might be exposed to more frequently at present.

Second, the CPSC should set a high bar for companies' safety culture, proactive safety measures, and responses to safety issues. The agency should repeatedly and consistently urge companies and industry associations to reach that high bar it sets for safety -- which often means the CPSC must push publicly and privately for them to take actions they don't want to take -- and require companies to step up when they do not take sufficient action voluntarily. Part of this means strengthening the public expectations the agency sets for recalls, which should be both quick and complete, and as seamless as possible for consumers to participate in. It also means the CPSC should hold companies accountable when they don't live up to their obligations under a recall, or are ineffective at getting unsafe products off the market and out of homes.

Third, the CPSC should push voluntary standard-setting groups to address, expeditiously and completely, known hazards and gaps in protection that leave people at risk. Many dedicated safety professionals contribute their expertise to voluntary standards. But there's an ugly and

unavoidable truth: lately we have seen far too many voluntary standard groups utterly failing to put people's safety first, or to act with the urgency that a product safety hazard demands. This is a broader problem that is not entirely within the CPSC's control. But it remains critical for CPSC staff to be vocal -- and for the Commission to back them up and support them -- when a standard or a standard-setting process is not serving safety.

Fourth, the CPSC should retain the credible use of mandatory standards, legal action to force compliance, and civil penalties at a level that serves as a deterrent. Fundamentally, it is critical for the CPSC to use its whole range of tools to protect the public. And where the agency requires enhanced authorities, Congress should know about it -- especially now, nearly twelve years since passage of the CPSIA.

Finally, CR strongly urges CPSC action on several matters in particular, which we highlight today but should not be considered exhaustive. The agency should finalize the strong safety standard for infant sleep products that it has proposed, which parents, safety groups, and at least 22,000 members of the public have urged the CPSC to implement. It should finalize its proposal to remove hazardous crib bumper pads from the marketplace. As access to its lab permits, the CPSC should prepare strong safety requirements for the stability of clothing storage units so that it can finalize them as quickly as possible with enactment of the STURDY Act. And the agency lastly should implement a strong safety standard for portable generators, to address the risk of carbon monoxide poisoning and other safety risks associated with the products.

## **Conclusion**

In conclusion, CR greatly appreciates everyone at the CPSC's essential work to address hazards associated with consumer products, especially during these challenging times. We look forward to continuing to work with the agency to fulfill its mission in fiscal years 2021 and 2022.