



**Written Comments of Consumer Reports to the  
U.S. Consumer Product Safety Commission on:  
“Agenda and Priorities FY 2020 and/or 2021”  
Presented by William Wallace, Senior Policy Analyst**

Submitted to the Office of the Secretary via [cpsc-os@cpsc.gov](mailto:cpsc-os@cpsc.gov)  
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On behalf of Consumer Reports (CR), the independent, non-profit member organization,<sup>1</sup> thank you for the opportunity to testify about the CPSC’s agenda and priorities at the public hearing scheduled for May 1, 2019. We appreciate the chance to present our views to you on the Commission’s agenda and priorities for the next two fiscal years.

Throughout CR’s history, identifying marketplace hazards and improving product safety has always been a core part of our purpose, and it remains just as important today. In carrying out our work, we assess safety risks, investigate their impact on consumers, and inform the public and the CPSC when we find unsafe products—all on a data-driven basis. We push for safety standards to protect consumers from the risk of injury, including both mandatory consumer product safety standards and voluntary industry standards that should be reached through an open, consensus-based process. We support and defend the critical role of the CPSC, not just for consumers, but also for the sake of a fair marketplace in which companies benefit if they meet their responsibilities for their products to be safe.

With these broader objectives in mind, we highlight topic areas in the following comments that we hope the agency will emphasize in fiscal years 2020 and 2021. These topics are divided into two categories: (1) the CPSC’s role and its capabilities; and (2) hazards around the home, including those associated with furniture tip-overs.

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<sup>1</sup> Founded in 1936, Consumer Reports uses its dozens of labs, auto test center, and survey research center to rate thousands of products and services annually. CR works together with its more than 6 million members for a fairer, safer, and healthier world, and reaches nearly 20 million people each month across our print and digital media properties.

## **The CPSC's role and its capabilities**

The CPSC is a critical agency with an indispensable public health and safety mission, and it plays a significant role in protecting U.S. consumers despite lacking many of the tools and resources it would need to carry out all that it is capable of doing. It is essential for the CPSC to make effective use of the tools and resources it has; to leverage actions by companies, standards development organizations, advocates, and consumers to advance the public interest; to maximize the availability of information and accountability to the public regarding product safety; and to identify ways to improve the agency's work in the future. As it pursues these goals, we urge the agency to focus on several topics in particular.

### *Safety leadership and expertise*

It is critical for the CPSC and Commission members to be vocal advocates for consumer safety. This leadership role should include communication of key safety messages on longstanding safety issues, as well as informing the public about new potential product hazards as quickly and prominently as possible. It also should include public and private efforts to push for companies and industry organizations to take key actions in support of safety that they may not want to undertake, and support for mandatory requirements when companies do not act voluntarily. The CPSC should set a high bar for safety culture, safety standards, and responses to safety issues. The agency should repeatedly and consistently urge companies and industry associations to reach that high bar, and require them to do so when they do not act on their own.

Given that the Consumer Product Safety Act generally requires the CPSC to rely on voluntary standards, it is especially important for the agency to help ensure that the voluntary standards-setting process yields timely and significant safety benefits to consumers. The Commission should consider each of the following to be a key agency priority: (1) CPSC testing and other research to provide data and direction to voluntary standard panels; (2) informed, vocal, and influential CPSC staff participation in voluntary standard panels; (3) open and balanced voluntary standard panels and fair standards development processes; (4) continual progress for safety on voluntary standard panels, including timely and robust updates to standards; and (5) retaining the credible use of mandatory standards to achieve safety goals through regulation if voluntary standards would not adequately reduce the risk of injury or if it is not likely that there will be substantial compliance.

In addition, the CPSC must value the safety expertise of CPSC staff. Staff should be empowered to take leadership roles in voluntary standards development, and should be permitted to cast votes on ballot items on the basis of their safety expertise and their independent assessment of the matter at hand. They also should be able to conduct research, educate the public, identify and reduce hazards, and pursue compliance and enforcement actions as the law and their experience dictate. As an independent regulatory agency, the CPSC has been directed by Congress to look out for the safety of Americans in a manner relatively insulated from outside pressures. The work of CPSC staff should always reflect this charge.

### *Recalls, market surveillance, and enforcement*

Perhaps the most common way that consumers interact with the CPSC is when they learn of product recalls. CR assists the CPSC in its role investigating and overseeing recalls for product safety issues, including by communicating CR's research, comparative testing, and investigative findings to the agency, and by informing consumers of CPSC recalls through social media posts and articles. When a recall is warranted, CR considers it best for consumers if the recall happens as quickly, as completely, and as easily as possible. Recalls vary greatly in how well they fulfill these goals.

In addition, we urge the CPSC to keep up a commitment to market surveillance. It is important for the agency to monitor imports of products at as many ports as possible to prevent entry of dangerous products into the U.S. marketplace. The CPSC should also continue to more broadly monitor the marketplace to ensure that older unsafe products are removed from the second-hand market and childcare facilities, including through close work with online retailers to rid prominent websites of illicit or harmful products.

### *Availability of information and accountability to the public*

Unfortunately, the CPSC operates under severe constraints on its ability to communicate clearly with the public about critical safety issues. The CPSC should be able to inform the public about legitimate safety hazards in a timely and complete manner regardless of whether or not a company wants that to occur. The agency should work to do so as broadly as possible within the confines of the statutory language of Section 6(b) of the Consumer Product Safety Act, while updating agency interpretations of Section 6(b) to maximize public availability of information and minimize internal agency administrative burdens to the greatest extent possible. As much as it can, the CPSC must prioritize its statutory mission to protect consumers over the anonymity of companies when their products have created a substantial risk of injury to the public.

While recognizing the significant effect of Section 6(b) on the agency, we urge the CPSC to take several steps regarding the availability of information and agency accountability to the public. First, it should be an agency priority to reduce Freedom of Information Act (FOIA) backlogs and other factors that cause responses to FOIA requests to be delayed, including beyond the dates by which responses are required. Second, the agency should develop ways for the public to more readily ascertain whether a company is living up to its obligations under a recall and is effectively getting unsafe products off the market and out of homes. This effort should include greater public availability of what has been agreed to under a corrective action plan, and the routine posting of monthly corrective action plan reports on *cpsc.gov*. Third, it is critically important for companies to follow through on their commitments to issue a recall and carry out related actions. Even if it cannot disclose the names of the companies or the products involved, the CPSC has an obligation to the public to push companies to carry out recalls that they have committed to undertake, and to achieve recalls that happen as quickly, as completely, and as easily for consumers as possible.

In addition, we continue to strongly support the *SaferProducts.gov* public database. We appreciated the opportunity to provide comments and recommendations to the CPSC about the

database earlier this year, and look forward to continuing to work with the CPSC to develop and implement enhancements to SaferProducts.gov that would bolster product safety and help protect consumers, including by: increasing reports of harm; taking steps to redesign and clean up parts of the website and ease the reporting process; and improving data source integration and the public availability of SaferProducts.gov data.

### *Funding and staffing*

As we have said previously, and as we have communicated to the House and Senate Appropriations Committees, the CPSC should receive far greater funding and staff to implement more robust programs to prevent consumer harm, including within its hazard identification, voluntary standards development, international outreach, and import surveillance functions. It also should receive additional funding and staff to respond to safety problems in the marketplace, including within its field operations, compliance, and rulemaking functions. We appreciate the efforts of the Chairman and other commissioners to prevent cuts in resources and push for additional funds; at the same time, we recognize that the agency is not currently resourced at a level reflecting that product safety, truly, is a federal priority.

### **Hazards around the home**

In keeping with the overarching recommendations we make, we urge the CPSC to prioritize several hazards that consumers can and do encounter around their home that are hidden, or that may be unknown or poorly understood while still posing a substantial risk.

### *Furniture tip-overs*

CR is continuing its investigation into the dangers of furniture tip-over incidents to young children. Hundreds of deaths involving dressers and other clothing storage units (CSUs) have occurred since 2000, and thousands of emergency room-treated injuries happen each year because of these incidents. This terrible toll on children became a call to action for us, and over the past two years, CR has conducted extensive research, analysis of incident and injury data, and comparative testing of a cross-section of the marketplace to determine whether a given model is more or less likely to tip over relative to other models.

Based on our investigation, the industry's voluntary standard leaves too many children at risk. Our testing has demonstrated that it is feasible for dressers at all price points to pass a more rigorous test, and our analysis of the injury and fatality data shows why it is necessary for furniture manufacturers to meet a stronger standard. While it is essential, where possible, to help avoid tip-over incidents by securing dressers to walls—as the Anchor It! campaign advocates—we recognize that anchoring furniture is not always an option for tenants or those not handy with tools. Fundamentally, it is the industry's responsibility to ensure safer, more stable dressers, as safety should not rely on consumer skill at anchoring a dresser to a wall.

As a result, CR—in proud partnership with all of the parents who are painstakingly turning their tragedies into progress toward safer dressers—is calling on the CPSC to set a strong, mandatory safety standard, which, among other things, would allow the agency to

enforce the rules and more easily gain industry cooperation for recalls. We appreciate the Commission's recent move to include in the agency's budget request its plans for CPSC staff to complete a notice of proposed rulemaking briefing package addressing furniture tip-overs during FY 2020. We also were pleased to hear Commissioners' comments at the March 13 CPSC meeting regarding the seriousness of the CSU tip-over hazard and the broad recognition by the Commission that the furniture industry is not taking fast enough or strong enough action to improve the voluntary standard for CSU stability.

However—recognizing that developing Section 7 and 9 mandatory standards can take several years—CR also continues to urge furniture companies to take immediate action. We are pushing for the voluntary industry standard overseen by ASTM International to protect more children and cover more dressers by increasing the test weight to 60 pounds and by including dressers 30 inches and shorter in the standard. It is of the utmost importance for Commissioners and CPSC staff to actively support and encourage members of the furniture industry to back these improvements to the voluntary standard, and we thank those who have done so or are doing so.

Separately, to help ensure the fastest possible implementation of a stronger standard, we also are supporting passage of legislation in Congress to establish a strong, mandatory standard for the stability of dressers and other CSUs. We are urging Congress to swiftly pass this bill, known as the STURDY Act, to help prevent avoidable tip-over tragedies.

On the compliance and enforcement side, Acting Chairman Buerkle announced on February 27 that the CPSC will now consider dressers defective if they are within the scope of the current voluntary standard ASTM F2057-17 but fail to meet its provisions, and will investigate and seek corrective action as appropriate. As we have said previously, it is an open secret that there are dressers on the market that don't stay upright when put through basic testing, and yet there was not a single recall in 2018 for an unstable dresser.

We expected recalls of dangerous dressers to occur shortly following this announcement—and we are concerned that did not happen. It is the job of the CPSC and manufacturers to keep all dangerous dressers off the market and out of homes, and accordingly, we urge the CPSC to redouble its efforts to secure recalls and take appropriate enforcement action related to both those dressers that do not meet the current F2057 standard as well as the Ikea 8-drawer Hemnes dresser, which is tied to the death of two-year-old Conner DeLong yet has not been recalled.<sup>2</sup>

### *Portable generators*

CR periodically tests and rates generators, including portable generators, and is exploring potential tests to account for portable generators' carbon monoxide emissions. CR also promotes safety by helping consumers use generators safely, including in stories published on CR.org.

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<sup>2</sup> "Ikea Still Sells a Hemnes Dresser Linked to a Child's Death," Consumer Reports (Jan. 9, 2019) (online at [www.consumerreports.org/furniture/ikea-still-sells-hemnes-dresser-linked-to-childs-death](http://www.consumerreports.org/furniture/ikea-still-sells-hemnes-dresser-linked-to-childs-death)).

CR appreciates the extensive and ongoing work by the CPSC to examine the risk of carbon monoxide poisoning associated with portable generators. As the incident data make tragically clear, education and warning labels alone are not enough to protect consumers from carbon monoxide poisoning. With an average of about 70 deaths and several thousand non-fatal injuries annually<sup>3</sup>—and with at least 16 carbon monoxide poisoning deaths and several hundred injuries related to just one 2017 storm, Hurricane Irma—performance requirements are needed, and the CPSC should implement a mandatory safety standard for portable generators to address the risk of carbon monoxide poisoning and other safety risks associated with the products. Such a standard would apply across the marketplace, make it easier to recall noncompliant products, and more effectively protect consumers.

We support the CPSC’s research on portable generators, prior to finalizing the rule, to evaluate the effectiveness of the ANSI/PGMA and UL standards. It is essential to independently evaluate how likely these voluntary industry standards are to eliminate or mitigate generator-related deaths, injuries, and illnesses, and to independently assess their adequacy under section 7(b) of the Consumer Product Safety Act. This research should be made public and can help build toward what we advocate for consumers: a single, strong, enforceable standard that eliminates or significantly reduces deaths and injuries associated with these products.

#### *Internet-connected consumer products*

Internet-connected devices are becoming available in the marketplace at a rapid rate, and they present new safety challenges not adequately addressed by current standards or CPSC tools and resources. As we testified at a CPSC hearing in May 2018, we urge the CPSC, other government agencies, and all stakeholders to live up to a pro-consumer vision for the Internet of Things (IoT), where companies are obligated to take responsibility for product safety through application of safety-protective product design, development, and production processes. The recent IoT report by Commissioner Kaye and Dr. Midgett lays out a similar vision, and we look forward to continuing to work with the CPSC as it further develops its thinking on IoT and ramps up work to protect consumers from associated product hazards.

#### *Safe sleep*

The U.S. has the highest rate of sudden unexpected infant death (SUID) among all developed nations, and we are committed to preventing these tragedies. In February 2018, CR summarized the results of a new Centers for Disease Control and Prevention (CDC) study, outlining why progress has stalled in addressing SUID and what parents can do to keep their babies safer.<sup>4</sup>

The risks to infants from padded crib bumpers are severe.<sup>5</sup> We agree with the November

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<sup>3</sup> CPSC, Proposed Rule: Safety Standard for Portable Generators, 81 Fed. Reg. 83556-83615 (Nov. 21, 2016).

<sup>4</sup> Consumer Reports, “SIDS: What You Need to Know to Keep Your Baby Safe” (Feb. 13, 2018) (online at: [www.consumerreports.org/sudden-infant-death-syndrome-sids-/what-you-need-to-know-to-keep-your-baby-safe/](http://www.consumerreports.org/sudden-infant-death-syndrome-sids-/what-you-need-to-know-to-keep-your-baby-safe/)).

<sup>5</sup> See, e.g., American Academy of Pediatrics, “SIDS and Other Sleep-Related Infant Deaths: Updated 2016 Recommendations for a Safe Infant Sleeping Environment” (Oct. 24, 2016) (online at: [pediatrics.aappublications.org/content/pediatrics/early/2016/10/20/peds.2016-2938.full.pdf](http://pediatrics.aappublications.org/content/pediatrics/early/2016/10/20/peds.2016-2938.full.pdf)).

2016 joint policy statement by several commissioners that there is a “clear risk of injury or death associated with padded crib bumpers” and that parents and caregivers should not use them.<sup>6</sup> The continued presence of padded crib bumpers on store shelves, and especially in-store displays, is misleading to consumers, and we do not support it—in short, the products should not be for sale.<sup>7</sup>

With respect to the products commonly known as inclined sleepers: while it is long overdue, we are pleased that Fisher-Price is recalling all 4.7 million Rock ‘n Play Sleepers on the market or in people’s homes. This action follows calls for a recall by several safety advocacy groups, including CR, as well as the American Academy of Pediatrics. We urge all consumers with a Fisher-Price Rock ‘n Play Sleeper to immediately stop using the product. AAP’s safe sleep recommendations say that babies should be placed alone to bed on a firm, flat surface in their own space, with no extra bedding,<sup>8</sup> and this product conflicts with that advice.

We also are calling for an immediate recall of two inclined sleepers by the company Kids II that are linked to infant deaths and that conflict with expert medical advice. In the longer term, we strongly urge the Commission to set a standard under which any infant sleep product that does not align with safe sleep recommendations can be readily and quickly taken off the market by the agency, so that parents and caregivers do not unwittingly put their babies at risk.

Regarding the Rock ‘n Play recall, Fisher-Price and its parent company Mattel misled parents and caregivers by marketing this product as safe for sleep, and they owe it to their customers to give them full refunds, rather than partial refunds or company vouchers. That should be the case regardless of how long ago the product was bought, and we urge the Commission to press Mattel to provide consumers with these full refunds.

### *Liquid laundry detergent packets*

The safety of liquid laundry detergent packets remains a significant problem—including, as a result of investigative work in 2017 by CR, the risks to cognitively impaired adults.<sup>9</sup> With regard to the risks to young children,<sup>10</sup> the ASTM F3159-15 standard may lead to a meaningful

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<sup>6</sup> Joint statement of CPSC Chairman Kaye and Commissioners Adler, Robinson, and Mohorovic recommending parents and caregivers not use padded crib bumpers (Nov. 3, 2016) (online at: [www.cpsc.gov/s3fs-public/Joint%20Statement%20on%20Padded%20Crib%20Bumpers%20FINAL%2011.3.16.pdf](http://www.cpsc.gov/s3fs-public/Joint%20Statement%20on%20Padded%20Crib%20Bumpers%20FINAL%2011.3.16.pdf)).

<sup>7</sup> See American Academy of Pediatrics, “CPSC Fails to Ban Crib Bumpers Dangerous to Infants” (Nov. 4, 2016) (online at: [www.aap.org/en-us/about-the-aap/aap-press-room/pages/CPSC-Fails-to-Ban-Crib-Bumpers-Dangerous-to-Infants.aspx](http://www.aap.org/en-us/about-the-aap/aap-press-room/pages/CPSC-Fails-to-Ban-Crib-Bumpers-Dangerous-to-Infants.aspx)).

<sup>8</sup> American Academy of Pediatrics, “SIDS and Other Sleep-Related Infant Deaths: Updated 2016 Recommendations for a Safe Infant Sleeping Environment” (Oct. 24, 2016) (online at: [pediatrics.aappublications.org/content/pediatrics/early/2016/10/20/peds.2016-2938.full.pdf](http://pediatrics.aappublications.org/content/pediatrics/early/2016/10/20/peds.2016-2938.full.pdf)).

<sup>9</sup> See “Consumer Reports Finds Liquid Laundry Detergent Pods Pose Lethal Risk for Adults with Dementia,” Consumer Reports (June 15, 2017) (online at: [www.consumerreports.org/media-room/press-releases/2017/06/consumer-reports-finds-liquid-laundry-detergent-pods-pose-lethal-risk-for-adults-with-dementia](http://www.consumerreports.org/media-room/press-releases/2017/06/consumer-reports-finds-liquid-laundry-detergent-pods-pose-lethal-risk-for-adults-with-dementia)).

<sup>10</sup> See “The problem with laundry detergent pods,” Consumer Reports (July 16, 2015) (online at: [www.consumerreports.org/cro/magazine/2015/07/the-problem-with-laundry-detergent-pods](http://www.consumerreports.org/cro/magazine/2015/07/the-problem-with-laundry-detergent-pods)); “Laundry Detergent Pods Caused Surge in Chemical Eye Burns in Children,” Consumer Reports (Feb. 7, 2017) (online at:

drop in injuries, and we currently are working closely with all stakeholders to ensure that there is adequate data and that there are meaningful reduction goals to measure the standard's effectiveness. However, given the demonstrated ongoing threat to young children, the CPSC should consider promulgating an enforceable mandatory standard if the voluntary standard does not soon demonstrate that it is effective. We will continue to urge households where children younger than 6 are ever present to skip these products altogether until there is a meaningful decline in injuries, and in 2017 we extended this recommendation to households with cognitively-impaired adults.

#### *Toys and magnet sets*

CPSC estimated in 2014 that potentially 2,900 emergency-department-treated magnet set ingestions occurred in the United States from January 1, 2009, through December 31, 2013.<sup>11</sup> We supported the strong mandatory safety standard for these products that was returned to the Commission by the Tenth Circuit Court of Appeals in November 2016, and we urge the Commission to expeditiously replace the standard with new measures that will prevent the kind of extensive, severe injuries that occurred in past years.

#### *Pending and future CPSIA Sec. 104 standards*

We strongly support and applaud the agency's ongoing efforts under Section 104 of the Consumer Product Safety Improvement Act, through which a broad group of stakeholders develop strong safety standards in a consensus-based process and the CPSC promulgates a mandatory standard that is either substantially the same or more stringent. As a result of the robust safety standards developed through this process, numerous infant and children's products are manufactured to be far safer than they once were, and compliance must be tested and certified by a third party. We urge the Commission to continue, in fiscal years 2020 and 2021, to make its Section 104 activities a top priority, given the demonstrated record of success.

#### *Smoke alarms, carbon monoxide alarms, and appliance fires*

According to the National Fire Protection Association, working smoke alarms increase the chance of surviving a fire by 50%, and between 2009 and 2013, fires in homes with no smoke alarms caused an average of 940 deaths per year (38% of home fire deaths). An additional 510 people per year (21% of home fire deaths) were fatally injured in fires in which smoke alarms were present but failed to operate.<sup>12</sup> According to the Centers for Disease Control and Prevention (CDC), during 2010–2015, a total of 2,244 deaths resulted from unintentional carbon monoxide (CO) poisoning, with 393 of those deaths occurring in 2015.<sup>13</sup>

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[www.consumerreports.org/product-safety/laundry-detergent-pods-sharp-increase-chemical-eye-burns-in-children](http://www.consumerreports.org/product-safety/laundry-detergent-pods-sharp-increase-chemical-eye-burns-in-children)).

<sup>11</sup> CPSC, Final Rule: Safety Standards for Magnet Sets, 79 Fed. Reg. 59961 (Oct. 3, 2014).

<sup>12</sup> National Fire Protection Association, Smoke Alarms in U.S. Home Fires (online at: [www.nfpa.org/news-and-research/fire-statistics-and-reports/fire-statistics/fire-safety-equipment/smoke-alarms-in-us-home-fires](http://www.nfpa.org/news-and-research/fire-statistics-and-reports/fire-statistics/fire-safety-equipment/smoke-alarms-in-us-home-fires)).

<sup>13</sup> CDC, Quick Stats: Number of Deaths Resulting from Unintentional Carbon Monoxide Poisoning (online at: [www.cdc.gov/mmwr/volumes/66/wr/mm6608a9.htm](http://www.cdc.gov/mmwr/volumes/66/wr/mm6608a9.htm)).



CR often stresses the importance of installing and maintaining smoke and CO alarms, and we at CR look forward to continuing to work with the CPSC to reduce deaths and injuries from fires and carbon monoxide poisoning in the home. The most recent CR buying guide and ratings on these alarms offer consumers comparative information about different products that were tested.<sup>14</sup> To help keep consumers safe, CR also has shared information about how to ensure that smoke and carbon monoxide detectors function properly,<sup>15</sup> and has sought to help prevent home fires in the first place by providing consumers with information on proper precautions to take.<sup>16</sup>

### *Mattress flammability*

According to National Fire Protection Association estimates, home mattress fires caused one-third (3,100) of the 9,400 estimated reported home structure fires that began with mattresses and bedding per year in the 2007-2011 time frame; 16% (52) of the 330 mattress and bedding civilian fire deaths per year; 37% (502) of the 1,350 mattress and bedding civilian injuries per year; and 37% (\$132 million) of the \$361 million in direct property damage per year.<sup>17</sup> Mattress fires continue to pose a significant risk to consumers, and the CPSC should keep prioritizing work to reduce associated deaths and injuries during the next two fiscal years.

### *Window covering cords*

Efforts to address the risk of injury to young children from hazardous, accessible window covering cords have made progress, but there is more to be done. On average, one child dies every month in an incident associated with this hazard,<sup>18</sup> adding up to hundreds of child fatalities in the more than 30 years that the problem has been well understood. CR continues to support the development, by the CPSC, of a mandatory standard to eliminate the risk of strangulation and prevent future tragedies. In the meantime, we urge all window covering manufacturers to conform to the latest version of the voluntary ANSI/WCMA standard and continue to work urgently to bolster the standard so it also requires custom products to be free of accessible cords. For their part, retailers of window coverings should commit, without delay, to only sell cordless products.

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<sup>14</sup> Consumer Reports, “Smoke & Carbon Monoxide Detector Buying Guide” (June 8, 2018) (online at: [www.consumerreports.org/cro/smoke-carbon-monoxide-detectors.htm](http://www.consumerreports.org/cro/smoke-carbon-monoxide-detectors.htm)).

<sup>15</sup> Consumer Reports, “How to Spot and Stop Carbon Monoxide Poisoning” (Oct. 31, 2017) (online at: [www.consumerreports.org/home-safety/how-to-spot-and-stop-carbon-monoxide-poisoning](http://www.consumerreports.org/home-safety/how-to-spot-and-stop-carbon-monoxide-poisoning)); Consumer Reports, “Check Smoke and Carbon Monoxide Detectors When Moving Into a New Home” (March 9, 2018) (online at: [www.consumerreports.org/smoke-carbon-monoxide-detectors/check-smoke-and-carbon-monoxide-detectors](http://www.consumerreports.org/smoke-carbon-monoxide-detectors/check-smoke-and-carbon-monoxide-detectors)).

<sup>16</sup> See, e.g., Consumer Reports, “How to Prevent Dryer Fires” (Oct. 18, 2018) (online at: [www.consumerreports.org/clothes-dryer/how-to-prevent-dryer-fires](http://www.consumerreports.org/clothes-dryer/how-to-prevent-dryer-fires)).

<sup>17</sup> National Fire Protection Association, RE: CPSC Request for Comments: Review of the Standard for the Flammability (Open Flame) of Mattress Sets under Regulatory Flexibility Act Sec. 610; Docket No. CPSC-2006-0011 (online at: [www.regulations.gov/document?D=CPSC-2006-0011-0010](http://www.regulations.gov/document?D=CPSC-2006-0011-0010)).

<sup>18</sup> CPSC, “Window Covering Cords Information Center” (online at: [www.cpsc.gov/Safety-Education/Safety-Education-Centers/Window-Covering](http://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Window-Covering)).

### *Table saws*

More than 30,000 table saw injuries occur annually, with an average of ten amputations happening every day on the products.<sup>19</sup> CR supports a performance standard to limit the depth of a cut, because it is a sensible approach that is feasible to meet and, according to the agency's estimates, would yield large net benefits. We urge the Commission to keep moving forward on the mandatory safety standard for table saws.

### *Battery and electronics system safety*

CR remains concerned about the potential fire hazards of lithium-ion batteries and faulty electrical systems. The CPSC should continue its important research on battery safety and continue urging manufacturers to build safe electrical systems that meet effective standards.

### *Pressure washers*

Due to an extreme potential risk of laceration, CR does not recommend pressure washers that come with nozzles that produce sprays of less than 15 degrees, and we are asking manufacturers to stop including tips and settings that produce such a narrow spray. The CPSC should make the same recommendation.

### *Bike helmets*

In 2015, more than 1,000 U.S. bicyclists died, and there were almost 467,000 bicycle-related injuries, with approximately 85,000 head injuries attributable to bike accidents. Annually, about 26,000 of these bicycle-related injuries to children and adolescents are traumatic brain injuries treated in emergency departments. As has long been established, bicycle helmets reduce head injuries by up to 50%.<sup>20</sup>

CR promotes bicycle safety, both by monitoring the helmet market and informing consumers of safe practices.<sup>21</sup> In September 2017, CPSC and Pro-Tec announced the recall of the City Lite and Street Lite multi-sport helmets, following CR first discovering this issue in

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<sup>19</sup> Kevin C. Chung and Melissa J. Shauver, *Table saw injuries: epidemiology and a proposal for preventive measures*, National Institutes of Health PubMed Central (Nov. 2013) (online at: [www.ncbi.nlm.nih.gov/pmc/articles/PMC4154236](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC4154236)); Sadeq R. Chowdhury, Ph.D., Caroleene Paul, *Survey of Injuries Involving Stationary Saws, Table and Bench Saws, 2007-2008*, U.S. Consumer Product Safety Commission (March 2011).

<sup>20</sup> CDC, Bicycle Safety (June 5, 2017) (online at: [www.cdc.gov/motorvehiclesafety/bicycle/index.html](http://www.cdc.gov/motorvehiclesafety/bicycle/index.html)); Bicycle Helmet Safety Institute from the Department of Transportation 2017 report on bicycle injuries, "Helmet Statistics" (June 2017) (online at: [www.bhsi.org/stats.htm](http://www.bhsi.org/stats.htm)); CDC, Head Injuries and Bicycle Safety (Jan. 28, 2015) (online at: [www.cdc.gov/healthcommunication/toolstemplates/entertainmented/tips/headinjuries.html](http://www.cdc.gov/healthcommunication/toolstemplates/entertainmented/tips/headinjuries.html)); American Association of Neurological Surgeons, Sports Related Head Injury (online at: [www.aans.org/en/Patients/Neurosurgical-Conditions-and-Treatments/Sports-related-Head-Injury](http://www.aans.org/en/Patients/Neurosurgical-Conditions-and-Treatments/Sports-related-Head-Injury)) (accessed July 11, 2017).

<sup>21</sup> See, e.g., Consumer Reports, "4 Biking Safety Tips for Commuters" (Sep. 22, 2017) (online at: [www.consumerreports.org/safety/biking-safety-tips-for-commuters](http://www.consumerreports.org/safety/biking-safety-tips-for-commuters)).

January 2017 through independent testing.<sup>22</sup> We continue to look forward to working with the agency and all stakeholders to ensure that the CPSC bicycle helmet standard continues to drive the market toward helmets that provide greater protection from impact.

### *Lawn mowers*

According to published academic research, there were 934,394 lawn mower injuries treated in the U.S between 2005 and 2015—an average of 84,944 injuries per year.<sup>23</sup> Between 1990 and 2014, 212,258 children suffered lawn mower-related injuries, many of which resulted in long-term physical, psychological, and financial damage.<sup>24</sup> During these periods, the incidence of lawn mower injuries for children and the general population failed to decline.<sup>25</sup> Considering the severity and persistent incidence of lawn mower-related injuries, the CPSC should dedicate additional staff time and resources to potential design changes and safety equipment that could reduce the risk of injury to consumers.

### *Pool safety*

From 2005 to 2014, an average of 3,536 fatal non-boating-related unintentional drownings occurred annually in the United States, or about ten deaths per day. About one in five people who die from drowning are children 14 and younger. Over 4,100 children younger than age 5 suffer submersion injuries and require emergency room treatment; about half are seriously injured and are admitted to the hospital for further treatment.<sup>26</sup> The CPSC rightly recognizes pool safety as a critical part of its current portfolio, and the subject should remain a priority as long as injuries and deaths remain elevated.

## **Conclusion**

In conclusion, CR greatly appreciates CPSC’s important efforts to address hazards associated with consumer products. We look forward to continuing to work with the agency to fulfill its mission in fiscal years 2020 and 2021.

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<sup>22</sup> Consumer Reports, “Pro-Tec Recalls Bike Helmets After They Fail Consumer Reports’ Tests” (Sep. 28, 2017) (online at: [www.consumerreports.org/bike-helmets/pro-tec-recalls-bike-helmets-after-they-fail-consumer-reports-tests](http://www.consumerreports.org/bike-helmets/pro-tec-recalls-bike-helmets-after-they-fail-consumer-reports-tests)).

<sup>23</sup> Christopher Harris, Jonathan Madonick, and Thomas Ryan Hartka, *Lawn mower injuries presenting to the emergency department: 2005 to 2015*, *American Journal of Emergency Medicine* (Jan. 8, 2018)

<sup>24</sup> Karen Ren et al., *Children treated for lawn mower-related injuries in US emergency departments, 1990–2014*, *American Journal of Emergency Medicine* (Mar. 13, 2017); Marielena Bachier and Alexander Feliz, *Epidemiology of lawnmower-related injuries in children: A 10-year review*, *Society of Black American Surgeons* (2016).

<sup>25</sup> *Id.*

<sup>26</sup> CDC, “Unintentional Drowning: Get the Facts” (Apr. 28, 2016) (online at: [www.cdc.gov/homeandrecreationalafety/water-safety/waterinjuries-factsheet.html](http://www.cdc.gov/homeandrecreationalafety/water-safety/waterinjuries-factsheet.html)).