

*** CONSUMER FEDERATION OF AMERICA * CONSUMERS UNION ***
*** KIDS IN DANGER ***
*** NATIONAL RESEARCH CENTER FOR WOMEN & FAMILIES ***
*** PUBLIC CITIZEN ***
*** UNION OF CONCERNED SCIENTISTS ***
*** U.S. PUBLIC INTEREST RESEARCH GROUP ***

June 15, 2011

The Honorable Jo Ann Emerson
Chairman

The Honorable José E. Serrano
Ranking Member

Subcommittee on Financial Services and General Government
Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Dear Chairman Emerson and Ranking Member Serrano:

Our organizations write to you in opposition to several provisions of the Fiscal Year 2012 Financial Services Appropriations Bill, which would significantly impact the Consumer Product Safety Commission's work to protect the public from unsafe products. These provisions will result in the waste of government resources and will take away important public health protections.

The bipartisan Consumer Product Safety Improvement Act (CPSIA), signed into law in 2008, strengthened the authority of the Consumer Product Safety Commission (CPSC), the federal agency that oversees the safety of approximately 15,000 consumer products.

Among numerous important provisions, the law directed the CPSC to design a publicly accessible database. The database provides a mechanism for consumers both to report harms (or risks of harms) associated with consumer products, and to research risks associated with particular products. The database will also help the CPSC to identify trends in product hazards much more quickly and efficiently.

Section 622 of the Fiscal Year 2012 Financial Services Appropriations Bill undermines safety because it would halt this public safety information database, which has been up and running since March of this year. Without the CPSC database, consumers will remain in the dark about products that harmed other consumers. And without the CPSC database, the agency will be forced to continue its outdated and inefficient method of searching a variety of "silos" for emerging product hazard trends.

To shut this database down now, after resources have been already spent on design and implementation, and to take away this tool for the CPSC, would waste limited resources. Further, the Full Year Continuing Resolution for FY 2011 already required the Government Accountability Office (GAO) to study the database. This GAO study is currently in progress, and GAO will report

back to Congress on its findings later this year. Gutting funding for the database now would render those resources wasted as well.

Sections 624 and 627 undermine safety because they would require resource-consuming and unnecessary studies of the CPSIA and CPSC regulation. The CPSIA was a bipartisan response to the recall of millions of children's products for lead and other hazards. Rather than giving the CPSC additional resources to implement the CPSIA in a way that addresses the concerns of very small manufacturers and others in a responsible, narrowly tailored way, this bill seeks to spend government resources, and valuable CPSC staff time, on unnecessary studies.

Section 630 undermines safety because it addresses a significant specific matter, the applicability of the CPSIA limits on lead in children's products to off-road highway vehicles, on an appropriations bill. This issue is one that deserves separate discussion and consideration, and should not be dealt with on this legislation.

We urge you to protect children – the most vulnerable consumers – and to oppose these provisions.

Sincerely,

Rachel Weintraub
Director of Product Safety and Senior Counsel
Consumer Federation of America

Ami Gadhia
Policy Counsel
Consumers Union

Nancy Cowles
Executive Director
Kids In Danger

Paul Brown
Government Relations Manager
National Research Center for
Women & Families Cancer Prevention
and Treatment Fund

Christine Hines
Consumer and Civil Justice Counsel
Public Citizen

Celia Wexler
Washington Representative
Scientific Integrity Program
Union of Concern Scientists

Elizabeth Hitchcock
Public Health Advocate
U.S. Public Interest Research Group