

Committee on Energy and Commerce

Opening Statement

of

Subcommittee on Consumer Protection and Commerce Chair Jan Schakowsky

Protecting Americans from Dangerous Products: Is the Consumer Product Safety Commission Fulfilling Its Mission?

Tuesday, April 9, 2019

Remarks as Prepared for Delivery

Good morning and thank you all for joining us today. Consumer protection is my passion, and what first drew me to public life. As many Members will recall, I like to call our subcommittee the nation's legislative helpline, and nowhere is that more evident than its oversight of the Consumer Product Safety Commission.

The fundamental question we must answer today is found in the hearing's title: is the Consumer Product Safety Commission fulfilling its mission to protect consumers?

Unfortunately for consumers, the data doesn't seem to suggest the CPSC is doing all it can to fulfill its mission. CPSC's ability to protect consumers from unsafe products relies on its ability to conduct effective and efficient investigations and issue recalls. However, over the last three years, CPSC recall actions have slowed dramatically. In 2016, when Commissioner Kaye was serving as Chairman, the Commission issued 332 recalls. In 2017, when Acting Chair Buerkle began leading the Commission, that number fell to 280, and in 2018, it sunk even further to 258 recalls issued.

Don't misunderstand me – I would love to believe that the decrease in recalls was the result of more effective regulation and higher quality, safer products being brought to market. The reality is, however, a survey conducted by Kids in Danger revealed that the number of incidents reported in children's products increased over that time, which suggests that CPSC is moving slowly to open cases and recall unsafe products, or worse, not moving at all.

All of this comes as many of these products are becoming more complex, with new challenges for the agency to tackle. Last year, at the Christmas event I hold on unsafe toys in Chicago, for the first time we talked about connected-toys, and the challenges they can bring.

I commend Chairwoman Buerkle for making statements in support of increased resources for the Commission, in particular a proposed initiative to gather information from urgent care centers in addition to emergency departments and including e-commerce platforms in its marketplace analysis. However, in its budget request submission to Congress, the Commission would be flat-funded, meaning this and other initiatives would remain pipe dreams. I look forward to hearing

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from Chairwoman Buerkle and the other Commissioners as we discuss these and other important issues facing consumers.

I am also delighted to hear from consumer groups in our second panel. Their voice has been missing, unfortunately, the last few years on this subcommittee.

I look forward to working with each of you on the important issues the Commission deals with.

I now yield to Ranking Member Cathy McMorris Rogers for five minutes.

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