



Graham Owens
Director, Legal & Regulatory Policy

June 13, 2019

The Honorable Janice D. Schakowsky
Chairman
Subcommittee on Consumer Protection & Commerce
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Cathy McMorris Rodgers
Ranking Member
Subcommittee on Consumer Protection & Commerce
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Schakowsky and Ranking Member McMorris Rodgers,

On behalf of the National Association of Manufacturers, the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, we appreciate your Subcommittee's willingness to consider a range of legislative proposals to improve the U.S. Consumer Product Safety Commission's (CPSC) effectiveness in discharging its critical mission of protecting consumers. In particular, manufacturers urge you to give special consideration to H.R. 3169, introduced by Ranking Member McMorris Rodgers (R-WA), which would reform and codify the CPSC's "fast-track" product recall program.

Manufacturers of consumer products, their suppliers, retailers and other key stakeholders are committed to providing safe products. Manufacturers use the so-called "fast-track" process available at the CPSC to voluntarily remove products from the market in light of safety incidents or potential defects. Created in 1995, the fast-track recall program eliminates certain procedural steps from the more traditional and adversarial recall process, such as CPSC staff preliminary determinations that may otherwise take several months to complete. Shortly after its introduction, the fast-track program garnered immense praise for its effectiveness, being named a 1998 winner of Harvard University and the Ford Foundation's prestigious Innovations in American Government award.¹

Despite best intentions, our members have become increasingly concerned that the fast-track program has begun to slow down to the detriment of manufacturers, retailers, and consumers alike. The most effective product safety regime is one that is based on a cooperative relationship between the Commission and stakeholders in the private sector, which enables companies to quickly execute voluntary recalls. This cooperative relationship has become hampered by bureaucratic disagreements over the wording of press releases and other non-substantive concerns that create new hurdles to ensuring safe products on the market.

¹ See Press Release, U.S. Consumer Prod. Safety Comm'n, Fast-Track Recall Program Wins Award (Feb. 14, 2013), available at <https://www.cpsc.gov/Business--Manufacturing/Recall-Guidance/Innovations-in-American-Government-Award-Fast-Track-Recall-Program>.

H.R. 3169 would alleviate bureaucratic and non-substantive red tape by codifying the fast-track program into law, and by preventing the Commission from delaying the posting of public notices of recall plans. These simple steps would immediately speed up voluntary recalls to the benefit of consumers, manufacturers, and even the Commission itself.

Manufacturers stand ready to work with Congress and the CPSC to improve the agency's effectiveness in discharging its critical mission in an efficient, collaborative, and effective manner. Consumer safety is a nonpartisan issue and, as such, we commend the Subcommittee for focusing on common sense reforms. Ultimately, we all share the common goal of ensuring that products on the market are safe, and that consumers can trust the products they purchase.

Sincerely,

A handwritten signature in black ink, appearing to read "Graham Owens", written in a cursive style.

Graham Owens
Director, Legal & Regulatory Policy
National Association of
Manufacturers