



**Testimony of Richard L. Trumka Jr.
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Hearing on "The Fiscal Year 2025 Consumer Product Safety Commission Budget"

**U.S. House of Representatives
Committee on Energy & Commerce
Subcommittee on Innovation, Data & Commerce
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Chair McMorris Rodgers, Chair Bilirakis, Ranking Member Pallone, Ranking Member Schakowsky, Members of the Subcommittee. Thank you for this opportunity to discuss our Agency's lifesaving mission.

Tomorrow would have been my father's birthday. That's led me to reflect on a core value that he held while he was still with us – that a life of service to others is the most important dedication one can make. I'm proud to serve with the over-500 career staff at the CPSC who embody that ideal every day as we seek to protect the public from hazards in more than 15,000 product categories.

In trying to describe the character of our agency's workforce, I'll borrow a description I heard from a Michigan firefighter. He talked about problem-solvers. And when problem-solvers see death and tragedy that they couldn't prevent, it's like they're adding a rock to an invisible backpack that they will wear for the rest of their lives. The people of the CPSC signed up to shoulder a heavy load because they're committed to finding ways to make the world safer for us all.

The Agency's mission weighs heaviest each time I meet with parents who have suffered the unimaginable tragedy of losing a child, or having them grievously injured, by consumer products. People like Mayra Romero-Ferman, Trista Hamsmith, Linda Kaiser, and Ashley Haugen. I hear them and I stand with them. We cry together, and we look for solutions together. They bear more weight than anyone should, yet instead of being dragged down, they advocate for safety in the hope that they can stop others from carrying the weight that they do.

Every night after I read bedtime stories to my two young kids, I read a report that describes every consumer product-related death that the Agency learned about that day. 25, 30,

sometimes more than 40 deaths. Every night that means learning about babies who died in their sleep. Or people who died from carbon monoxide poisoning. I go to sleep thinking about those lives cut short. About their families' heartbreak. And I ask myself if I've done everything I could that day to carry the weight in service to those that we've lost, and those that we can still protect.

It's important that we lighten those loads too. We do that each time products are made safer. We did that with mandatory safety standards to stop child strangulations in window blinds,¹ to protect kids from death and injury from magnets and button batteries,² to stop dressers from crushing kids,³ to eliminate crib bumpers and inclined sleepers that are unsafe for infant sleep,⁴ and to stop gruesome deaths of Older Americans from bed rails.⁵

And the people of the CPSC are working to finalize rules that could save over 100 more lives per year from carbon monoxide poisoning;⁶ save another 100+ lives per year from toxic

¹ Substantial Product Hazard List: Window Covering Cords, 87 FR 72873 (Nov. 28, 2022) (codified at 16 C.F.R. pt. 1120) (available at: <https://www.regulations.gov/document/CPSC-2021-0038-0029>).

² Safety Standard for Magnets, 87 FR 57756 (Sept. 21, 2022) (codified at 16 C.F.R. pt. 1262) (available at <https://www.federalregister.gov/documents/2022/09/21/2022-20200/safety-standard-for-magnets>); Safety Standard for Button Cell or Coin Batteries and Consumer Products Containing Such Batteries, 88 FR 28403 (Sept. 21, 2023) (codified at 16 C.F.R. pt. 1263) (available at: <https://www.federalregister.gov/documents/2023/09/21/2023-20334/safety-standard-for-button-cell-or-coin-batteries-and-consumer-products-containing-such-batteries>).

³ Safety Standard for Clothing Storage Units, 88 FR 28403 (May 4, 2023) (codified at 16 C.F.R. pt. 1261) (available at: <https://www.federalregister.gov/documents/2023/05/04/2023-08997/safety-standard-for-clothing-storage-units>).

⁴ Ban of Crib Bumpers, 88 FR 54878 (Aug. 14, 2023) (codified at 16 C.F.R. pt. 1309) (available at: <https://www.federalregister.gov/documents/2023/08/14/2023-17355/ban-of-crib-bumpers>); Ban of Inclined Sleepers for Infants, 88 FR 55554 (Aug. 16, 2023) (codified at 16 C.F.R. pt. 1310) (available at: <https://www.federalregister.gov/documents/2023/08/16/2023-17350/ban-of-inclined-sleepers-for-infants>).

⁵ Safety Standard for Adult Portable Bed Rails, 88 FR 46958 (July 21, 2023) (codified at 16 C.F.R. pt. 1270) (available at: <https://www.federalregister.gov/documents/2023/07/21/2023-15189/safety-standard-for-adult-portable-bed-rails>).

⁶ Proposed Safety Standard for Portable Generators, 88 FR 24346 (Apr. 20, 2023) (codified at 16 C.F.R. pt. 1281) (available at: <https://www.federalregister.gov/documents/2023/04/20/2023-07870/safety-standard-for-portable-generators>); Proposed Safety Standard for Residential Gas Furnaces and Boilers, 88 FR 73272 (Oct. 25,

inhalation of aerosol dusters;⁷ and save dozens of infants per year from sleep deaths in infant support cushions, nursing pillows, and rockers.⁸ As hundreds of families across the country grow old together instead of facing tragedies from those products, we will lighten that load.

We are also delivering safety faster, without compromise to quality and without limiting the opportunity for input from the public or from industry. In the past, this agency’s rules took years to go into effect – even after being issued. That meant that for years after the agency determined that products were dangerous, they could still be sold. We’re changing that. Recent rules have gone into effect quicker, so that Americans feel the safety benefits sooner.⁹ And it brings us in line with the time limits written into law by Congress.¹⁰ We’ve also stopped hazardous goods from being stockpiled right before rules go into effect to be sold off long after.¹¹

2023) (codified at 16 C.F.R. pt. 1408) (available at: <https://www.federalregister.gov/documents/2023/10/25/2023-23302/safety-standard-for-residential-gas-furnaces-and-boilers>)

⁷ Briefing Package for Notice of Proposed Rulemaking: Banned Hazardous Substances: Aerosol Duster Products Containing More than 18 mg in Any Combination of HFC-152a and/or HFC-134A (July 10, 2024) (available at https://www.cpsc.gov/Newsroom/FOIA/ReportList?month=07&year=2024&nfr_type=commission&title=aerosol+duster+products).

⁸ Proposed Safety Standard for Infant Support Cushions, 89 FR 2530 (Jan. 16, 2024) (codified at 16 C.F.R. pts. 1112, 1130, 1243) (available at: <https://www.federalregister.gov/documents/2024/01/16/2023-27324/safety-standard-for-infant-support-cushions>); Proposed Safety Standard for Nursing Pillows, 88 FR 65865 (Sept. 26, 2023) (codified at 16 C.F.R. pts. 1112, 1130, 1242) (available at: <https://www.federalregister.gov/documents/2023/09/26/2023-20156/safety-standard-for-nursing-pillows>); Proposed Safety Standard for Infant and Infant/Toddler Rockers, 88 FR 73551 (Oct. 26, 2023) (codified at 16 C.F.R. pts. 1112, 1130, 1240) (available at: <https://www.federalregister.gov/documents/2023/10/26/2023-23322/safety-standard-for-infant-and-infanttoddler-rockers>).

⁹ *Compare* Safety Standard for Booster Seats, 83 FR 30837 (July 2, 2018) (codified at 16 C.F.R. pts. 1112, 1237) (available at: <https://www.federalregister.gov/documents/2018/07/02/2018-14133/safety-standard-for-booster-seats>) (18 month effective date) *with* Safety Standard for Adult Portable Bed Rails, 88 FR 46958 (July 21, 2023) (codified at 16 C.F.R. pt. 1270) (available at: <https://www.federalregister.gov/documents/2023/07/21/2023-15189/safety-standard-for-adult-portable-bed-rails>) (30 day effective date).

¹⁰ 15 U.S.C. § 2058(g)(1) (“Each consumer product safety rule shall specify the date such rule is to take effect not exceeding 180 days from the date promulgated, unless the Commission finds, for good cause shown, that a later effective date is in the public interest and publishes its reasons for such finding.”).

¹¹ Safety Standard for Adult Portable Bed Rails, 88 FR 46958 (July 21, 2023) (codified at 16 C.F.R. pt. 1270) (available at: <https://www.federalregister.gov/documents/2023/07/21/2023-15189/safety-standard-for-adult-portable-bed-rails>).

These commonsense moves are delivering efficiency, they're saving lives, and they're lightening the load.

CPSC is also getting more hazardous products out of homes – and doing it collaboratively. Last year, the agency collaborated with companies on 313 voluntary recalls – the most in recent memory. And we're set to shatter that this year, having already collaborated on over 300 recalls.¹² Every time a hazardous product is safely recalled, we lighten the load.

When companies won't collaborate with us on recalls, we're equipping consumers with the knowledge to protect themselves. We're issuing unilateral warnings about hazardous products at a record pace. In the 4 years prior to our arrival, the agency issued 7 unilateral warnings. Since then, we've issued 88.¹³ Public health information belongs to the American people and when we warn the public about hazards that we can't immediately fix, we lighten the load.

I come from a family of coal miners from southwest Pennsylvania. So, I know that working families pay the price when they're kept in the dark on safety issues. Both of my grandfathers suffered and died from black lung that they got in the mines. If they had been warned, they could have protected themselves.

Another group that deserves safety information is the retailers that sell the products. They've proven that they want to keep their customers safe. They stopped selling product

¹² CPSC Recalls Page, <https://cpsc.gov/Recalls>.

¹³ CPSC Newsroom News Releases, https://cpsc.gov/Newsroom/News-Releases?tabset=on&month=all&year=all&nnr_type=All&nnr_search=%22CPSC+warns%22.

categories like water beads and weighted infant swaddles, when they learned of CPSC warnings for consumers not to use them.¹⁴ And they've lightened that load.

Some of the most important work this agency does is at the ports of entry. Every day, our port inspectors scan shipments of consumer products, like pacifiers, pajamas, and infant sleepers. They collaborate with our federal partners to predict which shipping containers¹⁵ are most likely to contain violative products. And they seize dangerous products coming in disproportionately from China.

The agency also holds bad actors accountable and deters others from following in their footsteps by using our civil penalty authority, which sends significant sums to the U.S. Treasury. For example, we secured a \$19 million dollar penalty from Peloton for failing to report a treadmill hazard that saw 29 children pulled under and injured, and one child's death.¹⁶ Other penalties include \$7.5 million dollars from Vornado for failing to report a fire hazard that killed

¹⁴ CPSC, Water Beads Page, <https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Water-Beads-Information-Center>; CPSC, "Remember CPSC's 'Dos and Don'ts' For Baby Sleep Spaces," <https://www.cpsc.gov/SafeSleep>.

¹⁵ Each day 100,350 shipping containers enter the country. U.S. Customs and Border Patrol, CBP Snapshot: A Summary of CBP Facts and Figures (June 21, 2024) (available at <https://www.cbp.gov/document/stats/cbp-snapshot>).

¹⁶ CPSC Press Release, "Peloton Agrees to Pay \$19 Million Civil Penalty for Failure to Immediately Report Tread+ Treadmill Entrapment Hazards and for Distributing Recalled Treadmills" (Jan. 5, 2023) (available at <https://cpsc.gov/Newsroom/News-Releases/2023/Peloton-Agrees-to-Pay-19-Million-Civil-Penalty-for-Failure-to-Immediately-Report-Tread-Treadmill-Entrapment-Hazards-and-for-Distributing-Recalled-Treadmills>).

one Older American,¹⁷ and a \$13 million dollar civil penalty against TJ Maxx for selling dangerous recalled products like the Fisher Price Rock N Play.¹⁸

To more effectively combat the worst actors – those who would willfully expose others to hazards – we’re also using our criminal penalty authority. Within the last year, we’ve seen the first convictions ever secured under our Act.¹⁹ A jury found that executives at a company selling dehumidifiers knew that their products were defective and could catch fire, and knew that they were required to report that to CPSC, but did not. Four people died in house fires that may be tied to those products.²⁰ Deterring others from ignoring safety will lighten that load.

I started by mentioning the importance of a life of service and I am constantly inspired by both the people of the CPSC, and an example set in my own family. My wife is brilliant. She has a Cornell Biology degree. She could be doing anything she wants. But she felt called to serve our community as an educator in a Special Education classroom. She was just recognized as the Montgomery County, Maryland paraeducator of the year. In a job that’s too often thankless, our kids got to see her recognized for her amazing contributions. And it means something to show the next generation the importance of service.

¹⁷ CPSC Press Release, “Vornado Agrees to Pay \$7.5 Million Civil Penalty for Failure to Immediately Report Space Heaters Posing a Fire Hazard,” (July 7, 2022) (available at <https://cpsc.gov/Newsroom/News-Releases/2022/Vornado-Agrees-to-Pay-7-5-Million-Civil-Penalty-for-Failure-to-Immediately-Report-Space-Heaters-Posing-a-Fire-Hazard>).

¹⁸ CPSC Press Release, “TJX Agrees to Pay \$13 Million Civil Penalty for Selling, Offering for Sale and Distributing Recalled Products,” (Aug. 2, 2022) (available at <https://cpsc.gov/Newsroom/News-Releases/2022/TJX-Agrees-to-Pay-13-Million-Civil-Penalty-for-Selling-Offering-for-Sale-and-Distributing-Recalled-Products>).

¹⁹ U.S. Department of Justice Press Release, “Two Corporate Executives Convicted in First-Ever Criminal Prosecution for Failure to Report Under Consumer Product Safety Act,” (Nov. 17, 2023) (available at <https://www.justice.gov/opa/pr/two-corporate-executives-convicted-first-ever-criminal-prosecution-failure-report-under>).

²⁰ CPSC Press Release, “CPSC Warning: Stop Using Recalled Gree Dehumidifiers Due to Fire Hazard; 4 Deaths May be Tied to Recalled Units,” (Aug. 16, 2023) (available at <https://www.cpsc.gov/Newsroom/News-Releases/2023/CPSC-Warning-Stop-Using-Recalled-Gree-Dehumidifiers-Due-to-Fire-Hazard-4-Deaths-May-be-Tied-to-Recalled-Units>).