



Consumer Federation of America

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Hearing on

“Protecting Americans from Dangerous Products: Is the Consumer Product Safety Commission Fulfilling its Mission?”

Chairman Schakowsky, Ranking Member McMorris Rodgers, and Members of the Subcommittee, I appreciate the opportunity to provide testimony today about whether American consumers are being protected from dangerous products and whether the CPSC is fulfilling its mission. I am Rachel Weintraub, Legislative Director and General Counsel at Consumer Federation of America (CFA). CFA is a non-profit association of approximately 280 pro-consumer groups that was founded in 1968 to advance the consumer interest through advocacy and education.

The CPSC is an incredibly important independent agency. Its mission impacts every American, every day: to protect the public from unreasonable risks of injury or death associated with the use of consumer products. The CPSC has numerous tools to fulfill this mission and all of these tools must be used singularly or in combination to effectively protect consumers. For the CPSC to fulfill its mission, it relies upon the authority Congress granted to the Agency through the passage of the Consumer Product Safety Act. The CPSC’s mission relies upon Agency action to issue mandatory standards, assess civil and criminal penalties, work on voluntary standards, conduct recalls, and educate consumers. The use of these tools, in combination, has historically led to the most effective consumer protections.

We hope that the Agency increases its focus on mandatory standards. For example, the FY 2019 Op Plan included 12 mandatory standards in various stages of rulemaking, while the FY 2020 Budget Request¹ includes 7 such rulemakings. Acknowledging that some of the rulemakings in 2019 will be finalized, the decrease in the number does indicate that the CPSC can and should dedicate at least the same resources to the same number of rulemaking proceedings, and not less, in FY 2020. It is

¹ https://www.cpsc.gov/s3fs-public/FY%202020%20Congressional%20Justification.pdf?2rDJohfEbN6lAgu5l_kLtcV3W1W_JNqo at 26.

imperative for consumers and for the regulated community that CPSC's laws are enforced rigorously and consistently and that all of the tools Congress gave to the CPSC are used.

I am going to focus my testimony on key product safety issues facing American consumers.

I. Window Coverings

Last December, a new version of the window covering voluntary standard went into effect, which for the first time, requires some window coverings to be cordless. The standard requires window coverings sold as stock products (products sold "as is" in terms of color, design features, size) to be free of dangerous accessible cords. While it is significant that a subset of window coverings will, for the first time, be cordless, there is much more work to do to prevent consumers from the strangulation hazards posed by corded window coverings.

This updated version of the ANSI/WCMA standard was preceded by decades of mounting death and injuries caused by window covering cords, and extensive advocacy efforts by CFA, Parents for Window Blinds Safety, the American Academy of Pediatrics and others to protect children from the strangulation hazard posed by these cords. As a recently published Pediatrics journal article reported, approximately eleven children die and 80 children are treated for entanglement and near fatal injuries every year as a result of window cord strangulation.

We are concerned that non-compliant products could be sold online and that hazardous corded stock inventory will be liquidated throughout 2018 and 2019. Further, the CPSC should rigorously monitor the marketplace to ensure that loopholes do not exist that allow for more products to be considered custom which would minimize the effect of the standard. CFA's initial research has found great inconsistency online with stock products being sold with cords as well as a lack of consistent warnings. The CPSC should prioritize reducing deaths and injuries from corded window coverings and should take steps to ensure that there is widespread compliance with the voluntary standard and work to ensure the immediate development of an effective voluntary standard that limits the strangulations risks posed by custom products

II. Flame Retardants in Consumer Products

Flame retardants can be found in numerous types of consumer products and are chemicals that have been associated with serious human health problems, including cancer, reduced sperm count, increased time to pregnancy, decreased IQ in children, impaired memory, learning deficits, hyperactivity, hormone disruption and lowered immunity. These chemicals migrate continuously out from everyday household products into the air and onto dust. As a result, 97 percent of U.S. residents have measurable quantities of toxic flame retardants in their blood. Children are especially at-risk because they come into greater contact with household dust than adults do. Studies show that children, whose developing brains and reproductive organs are most vulnerable, have three to five times higher levels of flame retardants than their parents.

The CPSC received a petition from the American Academy of Pediatrics, American Medical Women's Association, Consumer Federation of America, Consumers Union, Green Science Policy Institute, International Association of Fire Fighters, Kids in Danger, Philip J. Landrigan, M.D., M.P.H., League of United Latin American Citizens, Learning Disabilities Association of America, National Hispanic Medical Association, Earth Justice and Worksafe.

The petition urges the CPSC to adopt mandatory standards under the Federal Hazardous Substances Act to protect consumers from the health hazards caused by the use of nonpolymeric, additive form, organohalogen flame retardants in children's products, furniture, mattresses and the casings surrounding electronics.

While the CPSC has voted to move forward with our petition and has acknowledged that the CPSC has clear authority under the Federal Hazardous Substances Act to regulate potentially toxic chemicals, that there is clear legal precedent for the CPSC to regulate a class of chemicals, and that there is strong scientific evidence documenting the hazards posed to consumers by these chemicals, a CHAP process has been convened to protect consumers from the health hazards posed by flame retardants, while not diminishing fire safety protections. We urge the Commission to take significant steps to reduce the risks posed by these chemicals.

III. Internet of Things

The research firm Gartner estimated that by the end of 2017 there would be 8.4 billion "connected things" in use worldwide, of which more than 5 billion would be consumer applications, and that by the year 2020 these numbers will have more than doubled.² As more and more consumer products are connected, it is imperative that the CPSC lead efforts to address and prevent product safety risks posed by connected products.

While the Internet of Things (IoT) offers many potential benefits for consumers, there are many concerns as well, including concerns about safety and security. It is crucial for policymakers to put adequate protections in place.

The CPSC had a hearing last May which sought to gather stakeholder input about the CPSC's role in regulating connected consumer products. While the hearing was substantive, it is not clear what the CPSC is doing to protect consumers from the risks posed by connected consumer products. At the May hearing, CFA identified product risks and recommended that such risks posed by connected products should be addressed as early as possible in the design of the products. Manufacturers of connected products must show the same commitment to addressing product risks regardless of whether the cause is due to a software, hardware, or other design defect. While mandatory standards are often preferable because they are enforceable, voluntary standards efforts are underway and CFA as well as the CPSC are involved in ASTM's efforts to develop a standard for connected products. We also urged the Commission to create an Interagency Working Group with the Federal Trade Commission, NIST and any other agency that shares jurisdiction over and has knowledge of connected products. The Interagency Working Group should have clear goals, clear deadlines, and a commitment to effectively address the risks posed by connected products.

The public would benefit from the sharing of agency expertise and knowledge and from a joint commitment to addressing the risks posed by connected products. We understand that some interagency efforts have begun but are not aware of the specific agency activity. Commissioner Kaye has released a White Paper on this topic as well.³ Finally, and unfortunately, we know of reports⁴ that an electronic

² Press release February 7, 2017, available at <https://www.gartner.com/newsroom/id/3598917>.

³ <https://www.cpsc.gov/about-cpsc/commissioner/elliott-f-kaye/statements/statement-of-commissioner-elliott-f-kaye-regarding-a>

⁴ <https://www.wired.com/story/xiaomi-scooter-hack/>

scooter's Bluetooth module was hacked and that the hacker was able to control the braking and acceleration of the scooter. The CPSC must take enforcement action to protect consumers from this unequivocal product safety hazard and from all product safety risks posed by connected products.

IV. Liquid Nicotine

According to a 2018 article in *Pediatrics*,⁵ there were 8,269 liquid nicotine exposures among children less than 6 years old reported to U.S. poison control centers from January 2012 to April 2017. The Child Nicotine Poisoning Prevention Act became law in January of 2016 and gave the CPSC the authority to ensure that packaging of liquid nicotine comply with the Poison Prevention packaging. Unfortunately, the CPSC has struggled to effectively enforce this law. Initially the CPSC misinterpreted the start date of the law, unnecessarily delaying application of this important rule to all products on the marketplace. Compounding that delay, the CPSC then did not include flow restrictors in its initial 2018 guidance letter to industry. While we are encouraged that the CPSC has since clarified that the law requires flow restrictors and given industry notice of the test it will use for enforcing that standard, we remain concerned about the CPSC's role in enforcing this important law, given that clearly noncompliant products remain ubiquitously available on the market. We urge the Commission to immediately and effectively enforce the law, monitor the market and take enforcement actions for those products that don't comply. We also urge the CPSC's Office of Inspector General to investigate the CPSC's interpretation and enforcement of the law.

V. Electric Scooters

The growth of electric scooter in the world and in states and cities across the United States has been profound. Along with increased numbers of these products across the country are increased reports of injuries. A Consumer Reports investigation identified 1,500 electronic scooter injuries across the country from late 2017, with numerous gaps in data collection and reporting.⁶ The CPSC, however, has not released data on electronic scooters nor publicly announced efforts to take action to monitor, investigate, track or reduce incidents. The CDC has announced that it will conduct an investigation into these incidents with the Austin Public Health Department "after spreading reports of injuries and deaths related to scooters in cities including the District, Los Angeles and Dallas; it also follows recent news of scooter failures and breakdowns."⁷ The CDC investigation will focus on "developing and evaluating methods to find and count the number of injuries related to dockless electric scooters."⁸ The CPSC should be engaging in this type of investigation and leading efforts to enforce reporting obligations, recall unsafe products, track and release incident data and take other actions to protect consumers.

VI. Senior Safety

In 2014, under Commissioner Adler's leadership, the CPSC introduced a Senior Safety Initiative. At that time 65% of product related deaths occurred to seniors who made up 13% of the population. The population of seniors is growing, predicted in 2030 to comprise 20% of the population and the

⁵ Govindarajan P, Spiller HA, Casavant MJ, et al. E-Cigarette and Liquid Nicotine Exposures Among Young Children. *Pediatrics*. 2018;141(5):e20173361

⁶ <https://www.consumerreports.org/product-safety/e-scooter-ride-share-industry-leaves-injuries-and-angered-cities-in-its-path/>

⁷ https://www.washingtonpost.com/transportation/2019/03/15/cdc-is-studying-e-scooter-injuries/?utm_term=.931c039fd4cd

⁸ https://www.washingtonpost.com/transportation/2019/03/15/cdc-is-studying-e-scooter-injuries/?utm_term=.931c039fd4cd

fall death rate for older adults increased 30% in the United States from 2007 through 2016.⁹ The CDC also documents that in 2015, medical costs for falls, just one injury pattern senior's experience, totaled more than \$50 billion.¹⁰ The CDC predicts that since the U.S. population is aging, both the number of falls and the costs to treat fall injuries are likely to rise. Thus, vastly more must be done by the CPSC and others to address this issue. Certain consumer products, such as liquid laundry packets have caused numerous deaths of seniors, yet the current voluntary standard has a focus exclusively on children. CPSC should lead efforts, based on their own data collection efforts, to ensure that voluntary standard effort, mandatory standard efforts, enforcement, other actions, contemplate senior use and injury and death patterns, and revive, update, and prioritize a new Senior Safety Initiative.

VII. Civil and Criminal Penalties

A critical aspect of CPSC's authority is enforcement of CPSC's rules and laws. Based on numerous past recalls, we understand that there are numerous civil penalties that are currently pending but have not yet been assessed. We urge the agency to effectively take actions to protect consumers and enforce its laws. We are concerned that in the last quarter of 2017, there were no civil penalties¹¹ and that in fiscal year 2018 there was one civil penalty.

In FY 2019, thus far, CPSC has collected 2 civil penalties, ranging from \$3,850,000 to \$1,000,000; and no criminal penalties. In FY 2018, the CPSC collected 1 civil penalty for \$27,250,000; and no criminal penalties. In 2017, the CPSC has collected 6 civil penalties, ranging from \$5,800,000 to \$3,800,000; and no criminal penalties. In 2016, the CPSC has collected 5 civil penalties, ranging from a record \$15,450,000 to \$2,000,000; and no criminal penalties. In FY 2015, the CPSC collected 10 civil penalties, ranging from \$4,300,000 to \$700,000; and no criminal penalties. In FY 2014, the CPSC collected 4 civil penalties, ranging from \$600,000 to \$3,100,000; and no criminal penalties. In FY 2013, the CPSC collected 7 civil penalties, ranging from \$400,000 to \$3,900,000; and one criminal penalty of \$10,000. In FY 2012, the CPSC collected 10 civil penalties, ranging from a consent decree, to monetary penalties ranging from \$214,000 to \$1,500,000 million dollars; and no criminal penalties. In FY 2011, the CPSC collected 14 civil penalties, ranging from a consent decree for a permanent injunction, to monetary penalties ranging from \$40,000 to \$960,000; and one criminal penalty for \$16,000. In FY 2010, the CPSC collected 7 civil penalties, ranging from \$25,000 to \$2,050,000 million; and no criminal penalties. In FY 2009, the CPSC collected 37 civil penalties, ranging from \$25,000 to \$2,300,000; and no criminal penalties.

Of note is the Department of Justice's recent criminal indictment of two officials for failing to comply with the CPSC's rules.¹² This is an important signal to industry.

We are concerned about the recent trend of fewer civil penalties assessed, and expect for the civil penalty asses for numerous vehicles of one manufacturer, the lower civil penalty assessments. Civil and criminal penalties serve an important deterrent effect to non-compliance with the laws enforced by the CPSC and we urge the CPSC to prioritize this important element of its enforcement responsibilities when the violations represent problematic disregard for the CPSC's laws.

⁹ <https://www.cdc.gov/homeandrecreationalafety/falls/adultfalls.html>

¹⁰ <https://www.cdc.gov/homeandrecreationalafety/falls/fallcost.html>

¹¹ See <https://www.stericycleexpertsolutions.com/wp-content/uploads/2018/02/ExpertSolutions-RecallIndex-Q42017.pdf>

¹² <https://www.justice.gov/opa/pr/two-corporate-executives-indicted-first-ever-criminal-prosecution-failure-report-under>

VIII. Section 6(b)

Section 6(b) of the Consumer Product Safety Act is one of the most anti-consumer, anti-transparency provisions in existing laws. Section 6(b) requires that before the CPSC can name a company publicly, it must seek their permission.

The impact of this provision is vast. While the CPSC has historically collected consumer complaints, most are hidden from the public for sometimes long periods of time until and if a recall is announced. This means that too often, consumers are unwittingly using products that CPSC and manufacturers know pose safety hazards. Further, the reach of 6(b) impacts the CPSC's ability to name specific product in their research such as what occurred with lead kits in 2007¹³ when the CPSC found numerous home lead kits unreliable but did not name them, and in a furniture stability study in 2016.¹⁴ The CPSC identified furniture that did not meet existing voluntary safety standards but did not name the products (nor take enforcement action to protect consumers). Section 6(b) also acts as an obstacle to obtaining information from the CPSC through requests through the FOIA process. SaferProducts.gov is written outside of the scope of section 6(b) which provides important information about products that pose a risk of harm. We urge the Subcommittee to evaluate the necessity of 6(b) and the impact it has on consumer safety.

IX. Portable Generators

Portable generators in or near homes pose a hidden hazard to consumers who do not realize the serious risk of carbon monoxide (CO) poisoning that these products pose. On average, there are about 70 deaths and several thousand non-fatal injuries every year associated with CO poisoning from portable generators.¹⁵

The CPSC began rulemaking in 2006 and published an ANPR in December 2006 to consider whether there may be an unreasonable risk of injury and death associated with portable generators.¹⁶ Currently two voluntary standards (UL 2201 and ANSI/PGMA G300) address the safety aspects of portable generator carbon monoxide emissions.

We urge the CPSC to expeditiously complete and release the findings of its evaluation of the efficacy of each standard, assess the impact of these standards on the marketplace, take enforcement actions to protect consumers from products that do not comply with an adequate standard, and if the determination is made that neither of the two voluntary standards are adequate or otherwise fail to meet requirements for the CPSC to make them binding and enforceable, we urge the Commission to issue a final mandatory safety standard addressing the risk of carbon monoxide poisoning associated with these products.

X. Recall Effectiveness

The vast majority of consumers who own a recalled product never find out about the recall. Most recall return rates, if publicized at all, hover around the 30% mark. While there are now requirements for recall registration cards and online mechanisms for a subset of infant durable products, much more must be done to ensure that consumers find out about recalls of products that

¹³ <https://www.cpsc.gov/id/node/19866>

¹⁴ https://www.cpsc.gov/s3fs-public/Product%20Instability%20or%20Tip%20Over%20Report%20August%202016_1.pdf

¹⁵ CPSC, Proposed Rule: Safety Standard for Portable Generators, 81 Fed. Reg. 83556-83615 (Nov. 21, 2016).

¹⁶ <https://www.federalregister.gov/documents/2016/11/21/2016-2692/safety-standard-for-portable-generators>

they own and to ensure that consumers effectively repair or remove the hazardous product from their home. We urge the CPSC to prioritize this issue and take actions that will result in recalling companies more effectively recalling their products. We urge the CPSC to work with manufacturers of infant and toddler durable products to maximize awareness about product registration.

The CPSC should lead efforts to increase direct notice to consumers; expand the use of marketing strategies and technology; consider consumer and business incentives to promote effective recalls and consider disseminating additional information on best practices. The Agency should also use all of their tools to communicate about recalls such as sharing every recall on twitter and facebook, something that KID identified, the agency has not been doing.

XI. CPSIA Implementation

The implementation of the CPSIA has been and should continue to be of the highest priority for the CPSC. The CPSC has been effectively prioritizing CPSIA implementation. The CPSC has promulgated more rules that it ever has in its history and has done so in a relatively short period. The rules are substantively strong and have an important and positive impact on consumers.

Because of the rules promulgated by the CPSC, numerous infant durable products including full-size cribs, non-full-size cribs, infant walkers, play yards, and strollers must now meet new robust mandatory standards. The crib standard which went into effect in June of 2011 is of particular significance as it is the strongest crib standard in the world and offers our nation's infants a safe sleep environment, which their parents have a right to expect. For all of these products, third party testing and certification requirements are required.

The CPSC has additional infant durable product rules to promulgate under section 104, the Danny Keysar Child Product Safety Notification Act. We urge the CPSC to continue to commit the staff time and resources necessary to prioritize the promulgation of these rules as quickly as possible, as the CPSC's work has not kept pace with the timeline established by the CPSIA. We have been concerned about CPSC's past delay of the standards for high chairs and stationary activity centers. In addition, the CPSC has the authority to add additional products under section 104 and we urge them to use this authority to protect infants and toddlers. The promulgation of mandatory safety standards for rules under section 104 is a critical component of the CPSIA that consumers recognize as necessary to ensure safety when using children's products.

XII. High Powered Magnet Sets

We were alarmed by the United States Court of Appeals for the Tenth Circuit decision that struck down the CPSC's high powered magnet set rule that we supported strongly. We are concerned by the consequences of that decision. Already, more rare earth magnets are entering the market, creating hidden hazards that could severely injure or even kill children who swallow more than one magnet. We urge that the CPSC take strong action to ensure that doctors and consumers are educated about these hazards as well as work to reissue the rule, carefully monitor the marketplace and incidents and take action, including to promulgate a mandatory rule if the data indicates increasing incidents.

XIII. Furniture Tip-Overs

According to the CPSC’s most recent data, every two weeks, a child dies as a result of a piece of furniture, appliance or television falling on him or her. Further, each year, more than 38,000 children are injured as a result of a piece of furniture, appliance or television tipping over. Between 2000 and 2011, there were 363 tip-over related deaths. Eighty-two percent of those deaths involved children younger than 8 years old.¹⁷ While the ASTM standard for furniture has been modestly strengthened, much more needs to be done to improve the standard. Further, increased efforts are necessary to bring all of the stakeholders together to collectively address this increasingly problematic, multifaceted and dangerous injury pattern. We support the #anchorit campaign that seeks to educate consumers about the need to secure furniture to the wall. Further, while we applaud the recall last year of 29 million IKEA dressers associated with 7 deaths, we are deeply concerned about the inadequacy and ineffectiveness of the recall and urge the CPSC as well as IKEA to do much more to reach out to consumers to encourage them to return the dressers and obtain a refund. We support that the CPSC is moving forward with a rulemaking to address these serious issues. We also support legislation, such as the Sturdy Act, to require the CPSC to promulgate a strong mandatory standard that will reflect real world use, make furniture stable, and prevent tip-overs.

XIV. Laundry Packets

Highly concentrated single-load liquid laundry detergent packets pose a serious risk of injury to children when the product is placed in their mouths. According to the American Association of Poison Control Centers (AAPC):

“Some children who have put the product in their mouths have had excessive vomiting, wheezing and gasping. Some get very sleepy. Some have had breathing problems serious enough to need a ventilator to help them breathe. There have also been reports of corneal abrasions (scratches to the eyes) when the detergent gets into a child’s eyes.”¹⁸

In 2019, thus far, according to the American Association of Poison Control Centers, there have been 2,097 children 5 and younger exposed to laundry packets, in 2018 there were 9,445,¹⁹ in 2017, 10,883²⁰ children 5 and younger were exposed²¹ to laundry packets, in 2016, 13,004 children 5 and younger were exposed to laundry packets.²² In 2015, there were 13,112 exposures and in 2014 there

¹⁷ CPSC Report, Preliminary Evaluation of Anchoring Furniture and Televisions Without Tools, May 2015.

Available on the web at: <http://www.cpsc.gov/PageFiles/182505/Tipover-Prevention-Project-Anchors-withoutTools.pdf>

¹⁸ Laundry Detergent Packets, American Association of Poison Control Centers, <http://www.aapcc.org/alerts/laundry-detergent-packets/>

¹⁹ See <https://aapcc.org/track/laundry-detergent-packets>

²⁰ See <https://aapcc.org/track/laundry-detergent-packets>

²¹ The American Association of Poison Control Centers defines “exposure” to mean when someone has had contact with the substance in some way; for example, ingested, inhaled, absorbed by the skin or eyes, etc. Not all exposures are poisonings or overdoses., <https://aapcc.org/track/laundry-detergent-packets>

²² <https://aapcc.org/track/laundry-detergent-packets>

were 12, 204.²³ In 2013, poison centers received reports of 10,777 exposures to highly concentrated packets of laundry detergent by children 5 and younger.²⁴

According to a Consumer Reports article from 2017,²⁵ laundry pods pose risks of death to adults with dementia. Consumer Reports includes CPSC data indicating “8 deaths related to ingesting liquid laundry packets in the U.S. between 2012 and early 2017 that have been reported to the Consumer Product Safety Commission. Two of the cases were young children and six were adults with dementia.”²⁶

According to a 2016 *Pediatrics* study,²⁷ child exposures to laundry detergent packets rose 17% from 2013 to 2014. Children exposed to laundry detergent packets were 5 to 23 times more likely to be hospitalized and 8 to 23 times more likely to have a serious medical outcome than children exposed to other detergent types or forms. In addition, the deaths of two children were associated with laundry detergent packets.

Based on two years of data, the National Poison Data System (NPDS) reported that 769 children required hospitalization for injuries that included seizures, vomiting blood, fluid in the lungs, dangerously slow heartbeats, respiratory arrest, gastric burn, and comas, as a result of ingesting the contents of these packets. An analysis of this data published in the November 14, 2014, edition of *Pediatrics*²⁸ found that in 900 NPDS cases, 42% involved packets that were stored within sight or left out, 11% of cases involved temporarily open outer packages, and another 9% of cases involved improperly stored packets.

In a policy statement issued by the AAPC on laundry packets they stated: “The American Association of Poison Control Centers (AAPCC) supports rigorous safety efforts pertaining to single-load liquid laundry packets (Laundry Packets), e.g., through packaging, labeling, product design, information dissemination, storing, handling and usage education, or otherwise.”²⁹

While the voluntary standard addresses the packaging container of the packets to some degree, the burst strength and flavor of the packets and includes warning labels, more should be done. CFA and other organizations have urged that the voluntary standard not only ensure that the outer packages are child resistant, but also require that the packets are individually wrapped to prevent ingestion or eye. Multiple layers of safety are needed to protect children from hazards posed by laundry packets – particularly given

²³ Laundry Detergent Packets, American Association of Poison Control Centers, <https://aapcc.org/track/laundry-detergent-packets>

²⁴ American Association of Poison Control Centers <https://aapcc.org/track/laundry-detergent-packets>

²⁵ <http://www.consumerreports.org/laundry-cleaning/liquid-laundry-detergent-pods-pose-lethal-risk/>

²⁶ Ibid.

²⁷ Pediatric Exposures to Laundry and Dishwasher Detergents in the United States: 2013-2014; Gary A. Smith Mallory G. Davis, Marcel J. Casavant, Henry A Spiller, Thiphalak Chounthirath ; OI: 10.1542/peds.2015-4529 *Pediatrics* 2016;137; originally published online April 25, 2016; Available on the web at:

<http://pediatrics.aappublications.org/content/pediatrics/137/5/e20154529.full.pdf>

²⁸ Pediatric Exposure to Laundry Detergent Pods, Amanda L. Valdez, Marcel J. Casavant, Henry A. Spiller, Thiphalak Chounthirath, Huiyun Xiang and Gary A. Smith, *Pediatrics*; originally published online November 10, 2014;

<http://pediatrics.aappublications.org/content/early/2014/11/05/peds.2014-0057>

²⁹ AAPCC Position Statement on Single-Load Liquid Laundry Packets

https://aapcc.s3.amazonaws.com/files/library/AAPCC_Laundry_Packet_Position_Statement.pdf

that a significant number of children have gained access to loose detergent packets, and when they do, injury can be almost immediate. Critically, all relevant data should be reviewed to determine whether the voluntary standard is effectively reducing incidents.

In addition, CFA believes that the most effective way to prevent laundry packet incidents is to require child-resistant packaging to cover liquid detergent packets; address the design and color of the packets, so that they aren't as attractive to children or adults; address the composition of the packets, so that the consequences of exposure are less severe; and ensure the adequacy of the warning labels, to properly inform consumers about the risk.

We further urge the CPSC to carefully monitor the incident data to ensure that incidents are decreasing. If the data indicates that the voluntary standard is not successfully addressing the hazard posed by laundry packets, we urge the CPSC to move forward with an effective mandatory standard.

XV. Conclusion

The CPSC plays a critical role ensuring that consumers are safe from product hazards and this Subcommittee plays an important CPSC oversight role. We urge the Commission to use all of the tools Congress gave it to protect consumers from potentially hazardous consumer products. We urge the Commission to address the issues we outlined today as soon as possible as many pose urgent hazards to consumers. We look forward to working with this Subcommittee and with the Commission to address these issues.