

***Consumers Union * Consumer Federation of America *
* Kids in Danger * Union of Concerned Scientists *
* U.S. Public Interest Research Group * Public Citizen *
National Research Center for Women & Families ***

February 26, 2008

Dear Senator:

Our organizations are writing to urge you to **support S. 2663**, the Consumer Product Safety Commission (CPSC) Reform Act. S. 2663 has been introduced by Senator Pryor, Senator Stevens, Senator Inouye, Senator Collins, Senator Bill Nelson, and Senator Klobuchar. This bill, which represents a careful compromise and the hard work of a bipartisan group of Senators, is expected to come to the Senate floor shortly. It will give much-needed resources to the CPSC, and will significantly improve our current product safety system. We urge you to vote in favor of S. 2663 and to oppose any weakening amendments.

The record number of recalls in 2007 – 473 in the last fiscal year, especially those recalls of popular children’s toys with excessive levels of lead – shattered the illusion of our nation’s effective safety set and highlighted the many significant flaws in our product safety system. S. 2663 would directly address many of those flaws in the following important ways:

- **Create a Consumer Database of Product Hazard Information:** Product hazard information should not be kept secret. Though provisions maintaining the secrecy of health and safety information have been retained in this bill, S. 2663 creates a database of consumer and third party complaints about consumer products. Consumers will benefit from a new database where they can learn more information about unsafe products and thus make informed purchasing decisions.
- **Give Greater Resources to the CPSC:** S. 2663 authorizes appropriation increases for the CPSC over the next seven years, rising to \$155 million. Such increases are critical for an agency that is currently so vastly underfunded and understaffed.
- **Create Mandatory Toy Safety Standards:** S. 2663 makes the industry’s voluntary toy safety standard mandatory – and, therefore, would ensure that all toys are tested to comprehensive criteria, including requiring that strong magnets do not fall out of toys. (When more than one magnet is ingested by children, these magnets can rip through their stomach lining and pose life threatening injuries).
- **Establish Third -Party Testing of Children’s Products:** Pre-market testing of children’s products is critical to identifying dangers in the future. The bill would require manufacturers and others to certify that their products have been tested to safety standards by a third-party laboratory.
- **Establish Meaningful Civil Penalties That Will Deter Wrongdoing:** Although a higher cap would better deter legal violations that place millions of people in danger, S. 2663 does improve the current limit on civil penalties by raising it to \$10 million for most violations and raising the cap to \$20 million if there are “aggravating circumstances.”

- **Give State Attorneys General Tools to Protect their Residents:** State Attorneys General serve important roles as “cops on the beat” enforcing laws to protect consumers. Though scaled back from an earlier proposal, S. 2663 gives Attorneys General narrowly-tailored, but important, watchdog powers over product safety hazards that residents in their states may encounter.
- **Lower Lead Levels:** S. 2663 closes a gaping loophole in current law by creating uniform limits on the levels of lead permissible in children’s products and in paint. By lowering lead levels in children’s products – without creating loopholes and unnecessary exceptions – this bill will help address the serious health and cognitive problems associated with long-term and repeated exposure to dangerous lead.
- **Protect CPSC Employees Who Blow the Whistle on Wrongdoing:** S. 2663 includes an important whistleblower protection provision that would protect public and private-sector employees from reprisals from their employers if they warn about unsafe products. Such protections will result in safer products in the marketplace.

S. 2663 is a thoughtful, bi-partisan measure that will help improve our current product safety system. Favorable and prompt Senate action on this measure is urgently needed to restore consumers’ faith in the safety of the products they bring into their homes and expose to their families.

Sincerely,

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