



July 9, 2019

The Honorable Jan Schakowsky  
United States House of Representatives  
2367 Rayburn House Office Building  
Washington, DC 20515

The Honorable Cathy McMorris Rodgers  
United States House of Representatives  
1035 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Schakowsky and Ranking Member McMorris Rodgers,

We write to you to express our support for six bills that will be marked up by the Consumer Protection and Commerce Subcommittee of the House Energy and Commerce Committee on Wednesday, July 10, 2019. Our organizations, Consumer Federation of America, Kids In Danger, Consumer Reports, and Public Citizen have worked together in support of these bills and each piece of legislation solves a significant product safety hazard.

We express our support for six important bills: three critical children's product safety bills and three necessary product safety bills:

1. The [STURDY Act \(H.R.2211\)](#), would direct the U.S. Consumer Product Safety Commission (CPSC) to create a mandatory clothing storage unit standard to prevent tip-overs. According to the CPSC, one child dies every ten days from a tip-over. This bill is critically important because it will establish a strong mandatory standard for furniture stability. The STURDY Act would require the CPSC to create a mandatory rule that would: cover all clothing storage units, even those under 30 inches; require testing to simulate the weights of children up to 72 months old; require testing measures to account for scenarios involving carpeting, loaded drawers, and the dynamic force of a climbing child; mandate strong warning requirements; and require the CPSC to issue the mandatory standard within one year of enactment.
2. The [Safe Cribs Act \(H.R.3170\)](#), would ban crib bumper pads. Bumper pads have led to dozens of infant deaths from asphyxia, and do not offer protection to babies. A number of cities and states have taken action to protect babies and when this bill becomes law all

babies in the United States will be similarly protected. For almost a decade our organizations have warned parents against using crib bumper pads and supported state and local actions to ban their sale. This legislation would help prevent more families from experiencing the tragedy of losing a child to crib bumper pads by banning their manufacture, import, and sale altogether.

3. The [Safe Sleep Act \(H.R.3172\)](#), would ban infant inclined sleep products such as the recently recalled Fisher-Price Rock 'n Play and Kids II Rocking Sleeper which have been linked to the deaths of at least 50 infants. While there have been three recalls related to this product type, this unsafe product can still be manufactured and this bill will prevent more of these products from coming onto the market. Our groups have long been sounding the alarm on the dangers of infant inclined sleep products, and have been urging retailers to remove them from sale. These products are deadly, and their design is inherently unsafe. This legislation would help prevent more families from experiencing the tragedy of losing a child by banning their manufacture, import, and sale.
4. The Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019 ([H.R. 1618](#)), would establish a grant program, administered by the CPSC, that would encourage states to require the installation of residential carbon monoxide detectors for vulnerable populations. According to the CDC, during 2010–2015, a total of 2,244 deaths resulted from unintentional carbon monoxide (CO) poisoning, with 393 of those deaths occurring in 2015.
5. The Portable Fuel Container Safety Act of 2019 ([H.R. 806](#)), would help prevent flame-jetting incidents through establishing a mandatory standard that would require flame mitigation devices, or flame arrestors, on portable fuel containers to prevent flames from entering these containers and igniting the gases inside. According to National Fire Protection Association estimates, fire departments responded to an average of 160,910 fires per year between 2007 and 2011 that started with ignition of a flammable or combustible liquid, resulting in an estimated 454 civilian deaths, 3,910 civilian injuries, and \$1.5 billion in direct property damage per year.
6. The SOFFA Act ([H.R. 2647](#)), would adopt a California flammability standard as a Federal flammability standard to protect against the risk of upholstered furniture flammability. Today's California standard, TB 117-2013, is currently the strongest measure U.S. consumers have to keep them protected from purchasing upholstered furniture that is either highly flammable or loaded with flame-retardant chemicals. We urge members to amend the bill so that other states retain the ability to exceed TB 117-2003's level of protection if they so choose.

In addition, while we understand that H.R. 3169, the FASTER Act, will not be marked up this week, we wish to express our concerns about how the bill is currently drafted. We agree that our consumer product recall process needs to be improved, but how this bill currently goes about it is not the way to do it. This bill creates a vast imbalance of power, giving the recalling company all the leverage at the expense of the CPSC and consumers. This bill would result in more recalls

that would not effectively remove dangerous products from use. We would welcome continuing to work on this bill to make sure that consumer protections are not weakened.

These bills will protect the safety of infants, children, and consumers and we urge you to support their passage.

Sincerely,

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CC: Members of the Consumer Protection and Commerce Subcommittee