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Office of the Secretary
Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

**Joint Comments to the
Consumer Product Safety Commission on the
Request for Information on Reducing Regulatory Burdens
Docket No. CPSC-2025-0009**

Consumer Federation of America, Consumer Reports, National Center for Health Research, American Academy of Pediatrics, and Safe Infant Sleep welcome the opportunity to submit the following comments to the Consumer Product Safety Commission (CPSC) in response to the request for information on reducing the agency's regulatory burdens without impacting safety. The following recommendations address key areas where the CPSC can enhance its regulatory effectiveness, improve support for US-based businesses, and protect consumers from unsafe products in an evolving marketplace.

1. Reject efforts to weaken or repeal critical safety standards.

Framing essential consumer safety protections as a regulatory burden distorts their societal value and potentially undermines public safety. CPSC product safety rules have substantially reduced deaths, injuries, and medical costs over the past several decades, particularly among children. For example, CPSC regulations implementing the *Poison Prevention Packaging Act* requiring child-resistant packaging for medications and certain household products resulted in an 80% decline in childhood poisonings from 1972 to 2020.¹ Improved safety standards for automatic garage doors have largely eliminated deaths from garage door incidents.² Strengthened standards for baby walkers have reduced walker-related injuries by 88%.³ This small sampling of CPSC's work demonstrates that agency rules have proven their worth in real-world outcomes that have saved lives and prevented injuries. Behind every data point is a child who avoided a trip to the emergency room, a family spared the grief of loss, and a community kept whole. These protections are not abstractions; they are the common-sense guardrails that keep everyday life from turning into tragedy.

¹ U.S. Consumer Product Safety Commission, CPSC Celebrates 50 Years of Making Consumer Safety Our Mission (Mar. 15, 2022), <https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-Celebrates-50-Years-of-Making-Consumer-Safety-our-Mission>.

² Id.

³ U.S. Consumer Product Safety Commission, Final Rule for Infant Walkers under Section 104(b) of the CPSIA and Revocation of the Ban of Certain Baby Walkers in 16 C.F.R. §§ 1500.18(a)(6) & 1500.86(a)(4) (May 26, 2010), https://www.cpsc.gov/s3fs-public/CMM-Final_Rule_for_Infant_Walkers_under_Section_104%28b%29_of_the_CPSIA_and_Revocation_of_the_Ban_of_Certain_Baby_Walkers_in_16_C.F.R._%C2%A7%C2%A7_1500.18%28a%29%286%29_and_1500.86%28a%29%284%29-05.26.2010.pdf?VersionId=iMVRb7XoSMO_23ptXvHNleiuPpK8TvmA.

The Supplementary Information within the agency’s Request for Information presents a fundamental contradiction: acknowledging that deaths, injuries, and property damage from consumer product incidents “cost the nation more than \$1 trillion annually,” while simultaneously suggesting that the regulations designed to prevent these very harms are ideologically driven and unnecessarily burdensome. This trillion-dollar figure represents a clear need for robust regulatory action to protect US consumers from physical harm and financial losses, indicating that the true burden facing Americans is the annual cost of harms, not the regulations that demonstrably mitigate such harms.

For this reason, we strongly urge the CPSC not to prioritize industry convenience over public safety. Such efforts would undermine the very purpose of this indispensable agency and erode public trust. We call on the CPSC to continue to strengthen its regulatory framework with its statutory mandate and mission in mind. Strong, evidence-based regulation is critical to protect consumers from unreasonable risk of injury and death, and represents an essential government function, not ideological overreach.

2. Address small business concerns through tailored CPSC support and fair market enforcement.

Clear and consistent safety rules provide a level playing field for responsible manufacturers and retailers. Without such rules, and the strict enforcement thereof, reputable businesses are undercut by businesses making and selling non-compliant, dangerous, and low-quality goods. To this end, we raise two key ways the agency can support US businesses. First, small businesses based in the US are not demanding a weakening of standards that protect American families, but are instead asking for regulatory guidance, direction, and tailored support that empowers businesses of all sizes to succeed within the framework of strong consumer protections. The CPSC’s Small Business Ombudsman (SBO) played an indispensable role in helping small businesses understand and comply with product safety requirements. The SBO, who served as “the agency’s primary point of contact for small businesses seeking advice and assistance in complying with agency rules,”⁴ created high-quality, accessible, plain-language materials that ensured companies could meet their responsibilities to consumers and bring safe products to market. This office’s work supported a more level playing field and reduced the risk of unintentional violation by promoting a culture of accessibility, accountability and safety. Unfortunately, it remains unclear how the agency plans to support small businesses amidst the apparent elimination of the SBO position. Rather than eliminating a position designed to foster communication between small businesses and agency staff, the CPSC should support the critical work and tailored support to small businesses that the SBO office provided.

Second, US businesses, particularly small businesses, would benefit significantly from increased oversight and regulation over online platforms and their marketplaces. The CPSC should put in place clear guidelines and any necessary regulations that would help to hold online marketplaces accountable for unsafe and non-compliant products from third-party sellers to create a fair, competitive environment for small businesses based in the US. It is fundamentally unfair that US-based small businesses are complying with safety standards and testing requirements, while

⁴ U.S. Consumer Product Safety Commission, “Small Business Ombudsman Mission,” (Oct. 2024) (https://www.cpsc.gov/s3fs-public/pdfs/blk_pdf_SBOmissionFinal3.pdf)

online marketplaces host overseas third-party sellers that disregard regulations and flood the market with potentially dangerous products at artificially low prices. When marketplaces are not held responsible for properly vetting the third-party sellers operating on their platforms, it creates an uneven playing field in which responsible US businesses are undercut by non-compliant competition. It is in the interest of US businesses, as well as the consumer interest, to eliminate this unfair advantage that also poses serious safety risks to consumers.

3. *Enhance data collection capacity for transparent, evidence-based regulations.*

If the CPSC is seeking to improve regulatory efficiency, it must prioritize strengthening its data collection and analysis capabilities so that its regulations are consistent, transparent, and grounded in evidence. Robust data systems enable the agency to identify emerging safety trends and quantify risks accurately. Enhanced data capabilities would also ensure that all stakeholders, including Standards Development Organizations (SDOs), manufacturers, retailers, consumer advocates, policymakers, and the public, have access to the same factual foundation when participating in standards development or regulatory discussions. Further, strong data collection enables the CPSC to more precisely measure the effectiveness of regulations, make evidence-based modifications, and protect consumers, all while minimizing unnecessary economic impacts on businesses that are working to comply with safety standards.

4. *Modernize regulations implementing section 6(b) of the Consumer Product Safety Act.*

The regulations implementing Section 6(b) of the *Consumer Product Safety Act* have not been substantially updated since their initial promulgation over forty years ago.⁵ The current process, designed in a vastly different marketplace, long before the advent of e-commerce platforms and irresponsible third-party sellers, results in lengthy delays and leaves Americans exposed to known dangers while bureaucratic procedures unfold. Tasked with protecting the public from unreasonable risks of injuries and deaths associated with consumer products, the CPSC must be able to inform the public readily about legitimate safety hazards, unencumbered by such a resource-intensive regulatory burden.

Modernizing Section 6(b) as outlined in comments from some of our respective organizations' to the CPSC's proposed updates to Section 6(b) regulations stated in 15 CFR 1101 could streamline the process, establish clearer timelines, and create more balanced procedures that protect both consumer safety and business interests. This would also ensure a more level playing field between responsible US-based businesses and foreign-based businesses selling non-compliant or dangerous products.

5. *Continue CPSC engagement in the voluntary standards development process.*

In many cases, the CPSC is required to defer to voluntary standards, which are developed in large part by industry representatives. The agency is only able to overcome this deference when mandated explicitly by law, or if the agency has determined that a voluntary standard does not eliminate or adequately reduce the risk of injury or death. As such, the mandatory standards currently in effect reflect standards necessary to keep the public safe. For these reasons, the

⁵ 48 Fed. Reg. 57406 (Dec. 29, 1983).

CPSC must remain engaged in the voluntary standards development process to ensure that safety requirements reflect both industry knowledge, and the agency's data and regulatory expertise into actual product failure and consumer injuries. This consensus-based approach benefits US-based businesses by creating clearer, predictable safety requirements that companies can use from the outset. Additionally, CPSC involvement in developing voluntary standards means that performance requirements are more likely to be safety-oriented and based on injury data and foreseeable consumer use. This framework creates a more robust safety framework that can protect consumers while also giving domestic businesses the certainty they need to innovate and compete effectively.

Conclusion

Decades of CPSC regulation have led to dramatic declines in preventable deaths and injuries in the US. These life-saving outcomes demonstrate the critical and ongoing need for strong consumer safety standards and enforcement.

We appreciate the opportunity to provide input in response to the CPSC's Request for Information. Our recommendations address the key areas in which the CPSC can enhance its regulatory effectiveness, strengthen its support for US-based business, ensure a more level playing field, and better protect consumers from unsafe products in an evolving marketplace.

Respectfully submitted,

Consumer Federation of America
Consumer Reports, National Center for Health Research
American Academy of Pediatrics
Safe Infant Sleep