



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

CHAIR ALEX D. HOEHN-SARIC

July 13, 2022

Mr. Mark Zuckerberg
CEO
Meta Platforms
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg

The Consumer Product Safety Commission (CPSC) is charged with protecting the public from consumer products that pose an unreasonable risk of injury or death. In addition to enforcement, to keep consumers safe, we rely on companies like yours to monitor their own activities in the online marketplace and proactively take responsible steps to prevent sales of products known to be dangerous.

To that end, I urge you to strengthen Meta's efforts to prevent the posting of banned and recalled consumer products for sale on Meta platforms, including Facebook Marketplace. The number of banned and recalled products offered for sale on Facebook Marketplace, as identified by the CPSC has increased significantly over the past several years. CPSC staff has found that such consumer products constitute a serious threat to the health and lives of consumers, including infants and toddlers, and are appearing with regular frequency on Facebook Marketplace. While Facebook Marketplace currently has policies to stop controlled substances, counterfeit goods, and other illegal products from being listed, they are being widely circumvented or ignored with respect to products under the jurisdiction of the CPSC. Given the resulting threat to the public health and safety, and the considerable resources and technological expertise of Meta, I urge you to take stronger efforts to identify and prevent the listing of such banned and recalled products before they are offered for sale on your site. This would save lives and prevent needless injuries.

When the CPSC identifies the sales of banned or recalled products in the online marketplace, we submit requests to the online marketplace (known as a "take down" request) to remove that product listing. While Facebook is just one player in the online consumer product resale market, it makes up a growing proportion of CPSC's take down requests. In FY20, about half of CPSC's

requests were made to Facebook Marketplace. To date in FY22, approximately 75 percent of CPSC's take down requests have been made to Facebook Marketplace.

I understand that in general Meta has worked well with CPSC staff to respond to our take down requests, and CPSC appreciates that cooperation to protect consumers. However, the goal is to prevent banned and recalled products from ever appearing for sale on Meta platforms. To assist CPSC staff in working with Meta to address this problem, and for Meta's own benefit in improving its practices, I ask that you provide responses to the attached questions from CPSC staff regarding Meta's current processes for protecting consumers. I look forward to receiving your responses to these questions by August 19, 2022, and to continued collaboration with your team to eliminate the sales of banned and recalled products from the Facebook Marketplace or other Meta platforms.

Sincerely,

A handwritten signature in black ink, appearing to read "Alex D. Hoehn-Saric". The signature is fluid and cursive, with a long horizontal stroke at the end.

Alex D. Hoehn-Saric
Chair, CPSC

CPSC STAFF QUESTIONS REGARDING SALES OF BANNED AND RECALLED PRODUCTS

1. Explain the processes Meta employs for screening listings before they are posted on Facebook Marketplace or other Meta platforms (“your platforms”) to identify any proposed listings for consumer products that are banned or recalled, including:
 - a. The role of technical tools, such as artificial intelligence, to identify proposed listings containing banned or recalled products;
 - b. The role individual reviewers perform in identifying these proposed listings;
 - c. The frequency with which you perform these functions, e.g., hourly, daily;
 - d. The process for preventing those listings from appearing on your platforms; and
 - e. Any obligations on sellers for attesting that the products they list are legal to sell.
2. Explain the processes Meta employs for affirmatively identifying banned and recalled consumer products available for sale on your platforms, including:
 - a. The role of technical tools, such as artificial intelligence, to identify these products
 - b. The role individual reviewers perform in identifying these products
 - c. The frequency with which you perform these functions, e.g., hourly, daily
3. Describe any challenges Meta faces in identifying banned and recalled consumer products available for sale on your platforms, and any steps Meta has taken or will take to overcome those challenges. Are there any legal or regulatory hurdles that you face in doing this?
4. Describe all additional sources of information Meta relies on for identifying banned or recalled products sold on your platforms, including any information you may receive from CPSC and reports received from users.
5. Does Meta have a process in place that allows users and/or the general public to report the sale of banned or recalled products on your platforms? If yes, please explain that process.
6. Explain the processes Meta employs for removing banned and recalled products that are for sale on your platforms, including:
 - a. How quickly a banned or recalled product is removed once it is identified (either internally or by an external report/source);
 - b. The process by which you contact and interact with each seller associated with a banned or recalled product listing in connection with the listing’s removal;
 - c. Any additional follow up actions involving a seller who listed a banned or recalled product once that product has been removed, in particular, any actions taken to ensure the seller will not resume the sale of that product or list banned or recalled products in the future; and
 - d. Any communications you have with the seller or the purchaser if a sale is flagged after the banned or hazardous product has been sold.

7. Explain how the processes are similar or different to processes Meta employs to identify and remove other products your platforms restrict the sale of – such as controlled substances and counterfeit goods or recalled products that fall outside of CPSC’s jurisdiction (e.g.: cars, medical devices) – and whether techniques used for the identification of such products could be used or adapted to better identify banned and recalled consumer products.
8. Does Meta use CPSC’s recall API and if so, is it helpful/can it be improved. If not, why not?

Please provide responses to these questions by August 19, 2022, by email to Robert Hull at rhull@cpsc.gov. If you want to discuss these questions, please reach out to Robert Hull at that email address or at (240) 429-4017.