



# **U.S. CONSUMER PRODUCT SAFETY COMMISSION**

## **2010 PERFORMANCE BUDGET REQUEST**

*Saving Lives and Keeping Families Safe*

**Submitted to the Congress  
May 2009**

**U.S. CONSUMER PRODUCT SAFETY COMMISSION  
2010 PERFORMANCE BUDGET REQUEST**

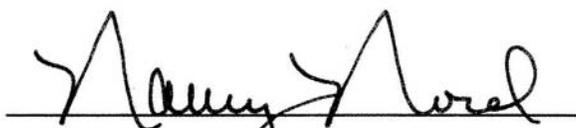
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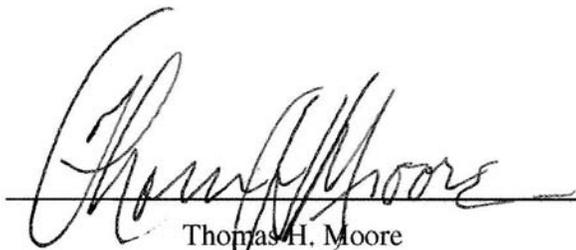


## COMMISSIONERS' TRANSMITTAL STATEMENT

This Performance Budget for Fiscal Year 2010 is submitted by the Commissioners of the U.S. Consumer Product Safety Commission.

A handwritten signature in black ink, appearing to read "Nancy Nord", written over a horizontal line.

Nancy Nord  
Acting Chairman

A handwritten signature in black ink, appearing to read "Thomas H. Moore", written over a horizontal line.

Thomas H. Moore  
Commissioner



## **APPROPRIATION LANGUAGE (Proposed)**

### **CONSUMER PRODUCT SAFETY COMMISSION SALARIES AND EXPENSES**

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed \$2,000 for official reception and representation expenses, \$107,000,000, of which \$2,000,000 shall remain available for obligation until September 30, 2011 to implement the Virginia Graeme Baker Pool and Spa Safety Act grant program as provided by section 1405 of Public Law 110-140 (15 U.S.C. 8004). (*Financial Services and General Government Appropriations Act, 2009.*)



## U.S. CONSUMER PRODUCT SAFETY COMMISSION

### 2010 PERFORMANCE BUDGET OVERVIEW STATEMENT

The U.S. Consumer Product Safety Commission (CPSC or Commission) requests \$107,000,000 for fiscal year 2010. This is an increase of \$1,596,000 over our 2009 appropriation and funds the Agency with 530 FTEs, an increase of 47 FTEs over 2009 staffing. This funding allows the Agency to continue to implement the Consumer Product Safety Improvement Act (CPSIA, effective in August 2008), the most substantial change in CPSC's authorities since the inception of the Agency; the Virginia Graeme Baker Pool and Spa Safety Act (effective in December 2008); and the Children's Gasoline Burn Prevention Act (effective in January 2009), as well as undertake other safety activities.

Implementation of the CPSIA legislation in 2009, along with substantially increased resources, resulted in a watershed year for the Commission. Congress has entrusted this Agency with a large and important mission and the staff has done a remarkable job of meeting the deadlines of the Act. CPSIA mandates about 42 separate rules or related rulemaking activities. Through the first six months after enactment, we did not miss a rulemaking deadline and even accelerated activities that Congress had given us a year to complete. We completed 17 rules and related rulemaking activities or official Commission actions such as limiting lead in children's products; warning labeling for toy and game advertisements; laboratory accreditation and third party testing requirements; and requirements for lead-containing paint and phthalates. Commission staff has asked the Commission to vote on 29 rules and related rulemaking activities or necessary official Commission actions. The Commission staff is actively engaged in more than 60 other related CPSIA activities to be presented to the Commission for vote by August of this year. This is an unprecedented effort for this Agency.

In response to CPSIA, the Agency also published enforcement guidance and policies to enhance compliance with the new law and used a variety of methods to provide stakeholders with information about CPSIA such as holding public briefings to help stakeholders understand their obligations under the law on topics including X-ray fluorescence testing for lead; all-terrain vehicle testing; testing and certification of regulated consumer products, phthalates, books and apparel; holding training sessions with thousands of domestic and foreign manufacturers to educate them on the requirements of the Act; creating a special Web site devoted to posting information and answering questions about the Act, including summaries of the legislation; responding to frequently asked questions and information for small businesses; and responding to thousands of inquiries from affected manufacturers, retailers, resellers and consumers.

In 2010, we expect this workload to continue. For example, to meet the requirements in CPSIA, we will continue to develop new rules and will be enforcing all of the rules in addition to our other statutes. Similarly, unanticipated complexities of certain issues present new challenges to CPSC. Some of these issues include (1) the retroactive application of requirements to inventory; (2) the broad reach of the legislative mandates given that "children's product" is defined as a product for children 12 years of age or younger; and (3) the impact of the new testing and certification requirements for consumer products and the third party testing requirements for children's products to name a few. We will use the new resources appropriated in 2009 and requested 2010 to immediately hire and train technical experts, testing professionals and inspectors so we can move forward quickly to meet the challenges before us.

## ***2009 CHANGES***

In March 2009, Congress appropriated \$105,404,000 an increase of \$25,404,000 over the 2008 appropriation. This appropriation funds a staffing level of 483 FTEs; in terms of actual employees, this funding will allow us to hire up to 530 FTEs (the 2010 requested level) by September 30, 2009. The 2009 Operating Plan is reviewed here in detail because the initiatives begun in 2009 heavily influence our 2010 request. Table A summarizes the 2009 funding changes.

### ***2009 Program Increases and Changes:***

**CPSIA.** The increased 2009 appropriation allows CPSC to implement and enforce the wide-ranging requirements of the CPSIA. Funding of \$7,368,000 (exclusive of IT modernization) has been added to activities and projects to implement the CPSIA for the second half of the fiscal year. This funding includes 28.5 FTEs and full funding of our contract needs for 2009.

**CPSIA Modernization of IT systems.** CPSC annually receives hundreds of thousands of consumer product safety complaints and incident reports from multiple sources. This data is stored in one of several, disconnected databases managed by CPSC staff. CPSIA directed the Commission to develop a database searchable by the public within 18 months after an implementation plan is submitted to Congress and to modernize its information technology (IT) systems. To accomplish both these goals, the Agency is developing a single, integrated Web-based environment, the Risk Management System (RMS) that will (1) accommodate a searchable database for consumers; (2) enhance the efficiency and effectiveness of CPSC staff's consumer product safety work; and (3) enable a more rapid dissemination of information. Because the RMS is a major and critical undertaking for the Agency, we will take all necessary steps available to mitigate risks and maximize the chance of success of this project by following the management controls called for by the Clinger-Cohen Act and the Office of Management and Budget information technology rules. In 2009, \$9,730,000 has been allocated to fund the first phase of the project. In this phase, the core technology needed to consolidate the reporting, storing and searching of new complaint and incident data is being developed.

**Virginia Graeme Baker Pool and Spa Safety Act.** Total funding of \$7,138,000 was appropriated by Congress including funding of \$2,448,000 to provide a State Grant Program; \$4,045,000 for a Public Education Program; and \$645,000 for enforcement efforts. CPSC has no experience with administering grants so is partnering with the Centers for Disease Control and Prevention (CDC) to implement the grant program. The 2009 grant funding is two-year money and can be disbursed by CDC to the States up until September 30, 2010. The Public Education Program targets the pool industry, pool owners and operators, and the national and local media. Staff is also working on a public education campaign that includes the creation of a Web site; public service announcements for dissemination on TV and radio during prime viewing and listening hours; new publications; and hiring a project manager (public affairs specialist) to manage the effort. Enforcement efforts to ensure compliance with the new drain cover mandatory standard will be supplemented by State and local governments through our State designees.

**Children's Gasoline Burn Prevention Act.** All portable gasoline containers for sale in the United States must conform to the child resistance requirements specified in this act. CPSC is enforcing compliance with this new mandatory standard.

**Nanotechnology.** The 2009 appropriation allows CPSC to invest in developing agency expertise in emerging nanotechnology applications to consumer products. Because these materials are so small, current toxicity and risk assessment methodologies, which are those relied upon for "traditional" chemistries, are insufficient for the properties of nanomaterials. In 2009, CPSC entered into an

interagency agreement with the National Institute of Standards and Technology (NIST) to evaluate the flammability performance and exposure potential of selected nanomaterials used as flame-retardants.

**China Office.** Currently staff is working with the State Department to finalize plans to establish CPSC's first overseas office and to recruit staff located at the U.S. Embassy in Beijing. The two overseas staff will support CPSC efforts to improve consumer product safety by helping to ensure a clear understanding of U.S. product safety requirements by foreign producers.

**Inspector General (IG) Expansion.** With the \$412,000 provided by Congress and additional Commission funding, the IG plans to reach a full staff complement of seven by the end of the 2009 fiscal year. A summary of the IG resources, as required by P.L. 110-409 is shown in Appendix B.

**Other Congressional Direction.** In the Conference Report accompanying CPSC's appropriation, the Agency was directed to consider promulgating regulations that require cribs to be durability-tested and contain warning labels against the use of soft bedding. In 2009, staff sought input from interested stakeholders about their ideas for safety standards.

**Table A**  
**2009 Increases Over 2008**

	<b>Amount</b>	<b>FTEs</b>
<b>2008 Appropriation</b>	<b>\$80,000,000</b>	<b>444.0</b>
<b>2009 Program Increases:</b>		
CPSIA Implementation and Enforcement (Partial year)	\$7,368,000	28.5
CPSIA IT Modernization (First Phase)	\$9,730,000	3.0
Pool and Spa Safety Act State Grants (Full program)	\$2,448,000	--
Pool and Spa Safety Act Information Campaign (Full program)	\$4,045,000	1.0
Pool and Spa Safety Act Enforcement (Full program)	\$645,000	2.0
Children's Gasoline Burn Prevention Act Enforcement (Partial year)	\$58,000	0.5
Nanotechnology research	\$200,000	--
China Office Establishment (Partial year)	\$498,000	0.5
Inspector General Expansion (Partial year)	\$412,000	3.5
<b>SUBTOTAL PROGRAM CHANGES</b>	<b>\$25,404,000</b>	<b>39.0</b>
<b>2009 Appropriation</b>	<b>\$105,404,000</b>	<b>483.0</b>

**Laboratory Modernization.** The 2009 operating plan also included \$6,000,000 to complete the modernization of our testing laboratory to cover CPSC costs in equipping and moving into a new site. In 2010, we will occupy our new laboratory space.

### **2010 REQUEST DETAIL**

The 2010 performance budget is a continuation of the work begun in 2009. CPSC's request of \$107,000,000 for 2010 is an increase of \$1,596,000 over the 2009 appropriation, and an additional 47 FTEs for a total of 530. The increases requested are, however, offset by reductions for one-time expenses in funding originally provided in 2009. These reductions, such as \$6,000,000 for the Laboratory Modernization project, which will now be completed in 2010, and a re-estimate of the IT Modernization costs make it possible to have significant program increases in 2010 while maintaining a small overall funding increase from 2009. Table B summarizes the proposed 2010 changes.

**2010 Current Service Changes:**

The 2010 request fully funds the proposed Federal staff pay increase of \$1,690,000 allowing the Agency a staffing level of 530 FTEs. The 2010 funding also accommodates annual price increases of \$1,136,000 for other pay resulting from an uncontrollable shift to a higher costing retirement system (FERS), scheduled staff promotions, and projected health insurance costs; \$1,200,000 for rent at a new laboratory site for a partial year; and \$188,000 for inflation for non-pay cost items such as travel, contractual services, supplies, etc. Additional information on these increases can be found on page 3.

**Table B  
2010 Increases Over 2009**

	AMOUNT	FTEs
<b>2009 APPROPRIATION</b>	<b>\$105,404,000</b>	<b>483.0</b>
<b>NON-RECURRING COSTS FROM 2009:</b>		
Laboratory Modernization (Project completed)	-\$6,000,000	--
China Office (One-time set up costs)	-\$171,000	--
<b>SUBTOTAL, NON-RECURRING COSTS</b>	<b>-\$6,171,000</b>	<b>--</b>
<b>2010 CURRENT SERVICES CHANGES</b>		
Federal Pay Increase with related benefits	\$1,690,000	--
Other Pay Increases (Retirement, health insurance, etc.)	\$1,136,000	--
Laboratory Rent Increase at New Site (Partial year)	\$1,200,000	--
Other Non-pay Inflation	\$188,000	--
<b>SUBTOTAL, CURRENT SERVICES</b>	<b>\$4,214,000</b>	<b>--</b>
<b>2010 PROGRAM CHANGES</b>		
<b>CONTINUATION FROM 2009:</b>		
CPSIA Implementation and Enforcement (Full funding increment)	\$4,200,000	28.0
CPSIA IT Modernization (Second Phase, \$8,512,000 funded)	-\$1,218,000	--
Pool and Spa Safety Act Information and Education (\$1,000,000 funded)	-\$3,045,000	--
Child Gas Burn Prevention Enforcement (Full funding increment)	\$58,000	--
China Office (Full funding increment)	\$298,000	0.5
Inspector General (Balance of FTE increase funded in 2009 base)	--	0.5
<b>NEW INITIATIVES:</b>		
Additional Staffing at Ports	\$1,560,000	10.0
Staff Development, Recruitment and Retention Incentives	\$200,000	--
Two Commissioners' Offices and Staff	\$1,500,000	8.0
<b>SUBTOTAL, PROGRAM CHANGES</b>	<b>\$3,553,000</b>	<b>47.0</b>
<b>2010 PRESIDENT'S REQUEST</b>	<b>\$107,000,000</b>	<b>530.0</b>
<b>TOTAL REQUESTED CHANGE FROM 2009</b>	<b>\$1,596,000</b>	<b>47.0</b>

**2010 Program Changes:**

In 2010, we continue many of the activities we began in 2009. The President's Request fully funds CPSIA implementation and enforcement at \$4,200,000 with an additional 28 FTEs (see page 14 for CPSIA work in 2010). The Request also funds the second and final phase of the IT Modernization and Public Database effort at a revised cost of \$8,512,000 and fully funds the Children's Gasoline Burn Prevention Act enforcement, the China Office, and the expansion of the IG's office.

The proposed President's Request also fully funds the Grant and Enforcement components of the Virginia Graeme Baker Pool and Spa Safety Act. While additional funding was requested from the Office

of Management and Budget by the Commission, the total funding under the President's Request only permits funding the 2010 Public Education Program component at \$1,000,000. However, because the \$4,045,000 funded in 2009 will be obligated late in the fiscal year, there will be a robust campaign for both 2009 and 2010. If the Commission has any savings in 2010, additional funding for this program can be considered.

***2010 New Initiatives:***

The new initiatives for 2010 are: \$1,560,000 for our Import Safety Initiative begun in 2008 by increasing staffing at the ports by 10 FTEs; \$1,500,000 for two new Commissioners' offices and 8 FTEs to staff those offices authorized under CPSIA; and \$200,000 for enhancement of staff expertise by providing increased training opportunities and recruitment and retention incentives.

***CONCLUSION***

Congress has provided the U.S. Consumer Product Safety Commission with substantial increases in its resources and reversed the resource decline for the Agency. The enactment of the 2009 appropriation for CPSC and the passage of the CPSIA were a vote of confidence for the Agency. The impact of the increased resources for 2009 and funding of the 2010 Request will give the nation a more robust safety program which implements the new tools provided by CPSIA and other legislation.



**TABLE 1**  
**2008 TO 2010 RESOURCES BY PROGRAM AND ACTIVITY**  
**(DOLLARS IN THOUSANDS)**

	<u>2008 Actual</u>		<u>2009 Plan</u>		<u>2010 Request</u>		<u>2010 Change from 2009</u>	
	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>	<u>FTEs</u>	<u>Amount</u>
<b>REDUCING PRODUCT HAZARDS TO CHILDREN AND FAMILIES:</b>								
Fire Deaths.....	120	\$20,811	105	\$16,783	110	\$18,427	5	\$1,644
Carbon Monoxide Poisoning .....	6	1,118	8	1,303	8	1,423	0	120
Children's and Other Hazards* .....	<u>188</u>	<u>32,572</u>	<u>280</u>	<u>53,541</u>	<u>321</u>	<u>59,565</u>	<u>41</u>	<u>6,024</u>
<b>Subtotal.....</b>	<b>314</b>	<b>\$54,501</b>	<b>393</b>	<b>\$71,627</b>	<b>439</b>	<b>\$79,415</b>	<b>46</b>	<b>\$7,788</b>
<b>IDENTIFYING PRODUCT HAZARDS</b>	<b>82</b>	<b>\$17,447</b>	<b>90</b>	<b>\$27,777</b>	<b>91</b>	<b>\$27,585</b>	<b>1</b>	<b>-\$192</b>
<b>LAB MODERNIZATION .....</b>	<b>--</b>	<b>\$8,000</b>	<b>--</b>	<b>\$6,000</b>	<b>--</b>	<b>\$0</b>	<b>--</b>	<b>-\$6,000</b>
<b>TOTAL COMMISSION .....</b>	<b><u>396</u></b>	<b><u>\$79,948</u></b>	<b><u>483</u></b>	<b><u>\$105,404</u></b>	<b><u>530</u></b>	<b><u>\$107,000</u></b>	<b><u>47</u></b>	<b><u>\$1,596</u></b>

\* Children's Hazards include CPSIA activities except for the Consumer Product Safety Risk Management System (RMS), which is included in Identifying Product Hazards.

**TABLE 2**  
**2010 SUMMARY OF REQUIREMENTS**  
**(DOLLARS IN THOUSANDS)**

	<u>AMOUNT</u>	<u>FTEs</u>
<b>2009 APPROPRIATION</b> .....	<b>\$105,404</b>	<b>483.0</b>
<b>NON-RECURRING COSTS FROM 2009:</b>		
Laboratory Modernization (Project completed) .....	-\$6,000	--
China Office (One-time set up costs) .....	-\$171	--
<b>SUBTOTAL, NON-RECURRING COSTS</b> .....	<b>-\$6,171</b>	<b>--</b>
<b>2010 CURRENT SERVICES CHANGES</b>		
Federal Pay Increase with related benefits .....	\$1,690	--
Other Pay Increases (Retirement, health insurance, etc.) .....	\$1,136	--
Laboratory Rent Increase at New Site (Partial year) .....	\$1,200	--
Other Non-pay Inflation .....	\$188	--
<b>SUBTOTAL, CURRENT SERVICES</b> .....	<b>\$4,214</b>	<b>--</b>
<b>2010 PROGRAM CHANGES</b>		
<b>CONTINUATION FROM 2009:</b>		
CPSIA Implementation and Enforcement (Full funding increment) .....	\$4,200	28.0
CPSIA IT Modernization (Second Phase, \$8,512 funded) .....	-\$1,218	--
Pool and Spa Safety Act Information and Education (\$1,000 funded) .....	-\$3,045	--
Child Gas Burn Prevention Enforcement (Full funding increment) .....	\$58	--
China Office (Full funding increment) .....	\$298	0.5
Inspector General (Balance of FTE increase funded in 2009 base) .....	--	0.5
<b>NEW INITIATIVES:</b>		
Additional Staffing at Ports .....	\$1,560	10.0
Staff Development, Recruitment and Retention Incentives .....	\$200	--
Two Commissioners' Offices and Staff .....	\$1,500	8.0
<b>SUBTOTAL, PROGRAM CHANGES</b> .....	<b>\$3,553</b>	<b>47.0</b>
<b>2010 PRESIDENT'S REQUEST</b> .....	<b>\$107,000</b>	<b>530.0</b>
<b>TOTAL REQUESTED CHANGE FROM 2009</b>	<b>\$1,596</b>	<b>47.0</b>

## DETAIL OF 2010 CURRENT SERVICES CHANGES

1. **Federal Pay Increase** - \$1,690,000. This estimate reflects the Office of Management and Budget (OMB) guidance of 2 percent for the proposed Federal pay increase scheduled for January 2010.
2. **Other Pay Increases** - \$1,136,000:
  - **Staff Retirement Benefits Increase** - \$265,000. We have seen a net increase in agency retirement contributions as more of our staff becomes covered by the more costly Federal Employees Retirement System (FERS) instead of the Civil Service Retirement System (CSRS) that is being phased-out government-wide. As our older employees retire, the older CSRS costs decrease while the newer FERS costs increase. This change has been accelerated at CPSC because of the two successive years of staff reductions involving buyout programs that attracted older employees who were members of CSRS and the recent growth in new FERS hires. The greater costs of the growing proportion of FERS costs exceed the savings from the reduced CSRS costs.
  - **Staff Career Ladder and Retention Promotions** - \$471,000. We established a career ladder promotion program for our scientific and technical staff in response to our need to recruit and retain staff in the highly competitive job market in which we have to recruit. These career ladder promotions provide scheduled annual promotions, based on performance, to qualified employees up to a preselected journeyman level. In addition, we promote staff in temporary assignments and competitively promote expert staff we want to retain.
  - **Within-Grade Pay Increases** - \$252,000. This is the cost of annual time-in-service salary increases we are required to pay qualified staff. To maintain productivity and successfully recruit skilled staff to replace departing experienced employees, we are hiring at higher-grade levels than in the past. As we experience growth in new hires, the number of employees eligible for within-grade step increases has grown. In the first three years of employment, employees can receive an increase annually. The higher entry grades and the greater number of eligible employees combine to make the cost of within-grade step increases exceed the savings normally expected from staff turnover.
  - **Staff Health Insurance Benefits Increase** - \$148,000. The Agency's contribution to staff health insurance costs increased an average of about 6 percent a year for the past few years. We expect this trend to continue in 2010.
3. **Space Rent** - \$1,200,000. This is an estimate of increased rent for our new testing laboratory site soon to be selected by the General Services Administration. The amount represents six months' rent reflecting the projected occupancy beginning in March 2010. The new rent is a net increase over currently budgeted rent for our existing smaller and inefficient site.
4. **Non-Salary, Non-Space Rent Increases** - \$188,000. We estimate that \$188,000 (based on OMB's projected 1 percent inflation price increase reduced by half to account for anticipated productivity increases) will be necessary to meet price increases and additional new annual operating expenses for specific non-salary, non-space rent costs. This would include increases in costs for staff travel, General Services Administration car leases for field investigators, printing, supplies, equipment rentals, and service contracts.

## INFORMATION TECHNOLOGY STATUS and REQUEST

CPSC is a data-driven agency dependent on technology to process safety information. Information Technology (IT) is an integral part of all agency programs and functions. Recognizing the critical role IT plays in support of the Agency's mission, CPSC was mandated, per the Consumer Product Safety Improvement Act of 2008 (CPSIA), to expedite efforts to upgrade and improve the Agency's IT systems. Moreover, CPSIA mandated the Agency establish and maintain a database on the safety of consumer products and other products or substances regulated by the Commission that is publicly available, searchable, and accessible through CPSC's public Web site.

*Data-driven  
work rests on  
Information  
Technology*

The massive volume of data that CPSC must process annually to fulfill its mission requires a more comprehensive, sophisticated, and powerful IT system than is currently available to CPSC staff. CPSC's outdated technology hinders accomplishment of the Agency's mission, wastes valuable staff time and delays the identification, analysis, and reporting of potential hazards to the American public. The IT improvements mandated by CPSIA provide a significant opportunity for CPSC to achieve better consumer product safety outcomes through the use of improved technology that creates an integrated product hazard and risk management system. By incorporating improved technology to integrate existing databases and build the public database required by CPSIA, CPSC can gain access to critical information sooner, identify emerging trends faster, and make more information readily available to the public.

Currently, CPSC uses five legacy databases that together contain all CPSC product incident data and cannot quickly and easily be searched, either individually or concurrently. Researching product incident data is a labor-intensive but necessary process that supports characterization and prevalence of hazards for the Agency's core product safety work. Strategic ongoing advances in CPSC's IT will create opportunities to gather data from an expanding number of sources, making it easier to capture data and to refine that data with increasingly sophisticated analyses. CPSC has identified a solution that meets the specific requirements of CPSIA as well as the broader underlying objective of equipping CPSC with the robust technology it needs to fulfill its obligation of protecting the American public from hazardous consumer products, the Consumer Product Safety Risk Management System (RMS). The RMS will provide the technological advances to meet CPSC's vision of making CPSC more efficient and effective internally as well as externally through more rapid identification and communication of potential consumer product risks.

The RMS's enhanced capabilities meet these key goals:

- Developing and implementing an early warning system that decreases the time required to identify a hazardous product and to notify the public of that risk
- Raising public awareness through more comprehensive and user-friendly technology that improves methods to report product incidents and problems
- Providing the public with new and innovative means to learn of product incidents and notices of recalls
- Making it easier for the public to access product incident information, including manufacturer comments and responses to product incidents
- Enhancing CPSC's ability to share information with other Federal, State, and local agencies

CPSC understands that the RMS is a major and critical undertaking for the Agency and will take all necessary steps available to mitigate risks and maximize the chance of success of this project by following the management controls called for by the Clinger-Cohen Act and OMB. In Fiscal Year 2009, CPSC will:

- Create a Project Management Office (PMO) led by a Project Manager certified to a Federal Acquisition Certification for Program and Project Management (FAC-P/PM) Level 3.
- Develop a project management plan that includes an analysis of alternatives, a risk and mitigation plan, an acquisition plan, and a project spending plan.
- Develop: a) a detailed requirements document; b) a complete Exhibit 300 pursuant to Part 7 OMB Circular No. A-11, with a detailed spending plan that identifies specific deliverables and resource requirements (both funding and FTE) for the entire project's lifecycle; and c) a target architecture and transition sequencing plan that documents CPSC's blueprint for integration of existing and planned systems, services and databases.

In 2010, development of the RMS will continue.

## LABORATORY MODERNIZATION PLAN

With funds allocated for CPSC Laboratory modernization in 2007, 2008, and 2009, totaling \$16.1 million, the General Services Administration (GSA) and CPSC are in the process of acquiring and outfitting a new, modern and efficient laboratory site and facility.

The new laboratory space will be a modern building designed and built as an integrated laboratory, office, and sample storage facility. Additionally, the new laboratory site will include office space for an additional 50-70 employees to be relocated from CPSC's headquarters office. These employees will be a mixture of those that work very closely with the laboratory staff or perform administrative functions not required to be at the headquarters staff. This action will allow further efficiencies and improvements in office space at the headquarters site.

We will increase total laboratory space from the existing lab's 15,000 square feet to over 32,000 square feet of actual laboratory space. The new space will (1) enhance fire testing spaces with modern safety and environmental features and provisions for more accurate observation of fire development in products; (2) provide for dedicated testing areas for children's, electrical, combustion, and sports and recreation products, which will enhance testing efficiency, and (3) contribute to reduced facility operations costs by being in a single building with centralized utilities. While there may be limited outdoor space, we have agreements in place with other government facilities to conduct outdoor testing.

GSA received updated best and final offers from the prospective bidders in January 2009 to respond to GSA's Solicitation for Offers (SFO) requirements. GSA has been reviewing the updated offers and is completing a cost comparison analysis. Once the winning bid is selected, GSA will prepare (with CPSC input) a draft lease agreement and meetings with the property owners will commence on the detailed design for the building to accommodate our requirements and a move-in occupancy plan will be prepared. The 2010 request includes \$1.2 million for new rent charges.

## STRATEGIC PLAN

CPSC is a results-oriented Agency. Our second Strategic Plan adopted in September 2003 (scheduled for revision) guided the development of the CPSC resource requests and focuses on the following two results-oriented hazard reduction strategic goals:

- **Reduce the death rate from fires by 20 percent.**
- **Reduce the death rate from consumer product related carbon monoxide poisonings by 20 percent.**

*Improve  
service quality  
and customer  
satisfaction*

Our Strategic Plan also contains performance goals in other areas. We have service quality and customer satisfaction strategic goals for services provided by CPSC, and we address Management Services by establishing annual performance goals in all five Management Services areas.

We plan to revise the Strategic Plan in 2010. The revision to the Strategic Plan has been delayed for several reasons. In 2006, OMB recommended an expansion of our strategic goals in OMB's PART assessment. CPSC lacked a quorum for extended periods in 2007 and 2008. CPSC still lacks a full complement of Commissioners and a permanent Chair. Finally, the enactment of the Consumer Product Safety Improvement Act has brought about substantial changes in CPSC operations and the Act's impact should be considered in the next plan revision.



## **BUDGET PROGRAM: Reducing Product Hazards to Children and Families**

Our largest budget program, representing the work of about 80 percent of our staff, focuses on *Reducing Product Hazards to Children and Families*. This program addresses product hazards identified in our other program, *Identifying Product Hazards*.

CPSC's hazard reduction work has contributed substantially to the decline in the rate of deaths and injuries related to consumer products since the Agency's inception in 1973. Past CPSC work has saved and continues to save the nation billions of dollars each year. Product-related deaths and injuries, however, continue to occur. There are on average 28,200 deaths and over 33.6 million injuries each year related to, but not necessarily caused by, consumer products under CPSC's jurisdiction.

In the Reducing Hazards budget program, we set goals for:

- Implementing the Consumer Product Safety Improvement Act (CPSIA) requirements;
- Protecting the public from unsafe imported products;
- Reducing the risk of injuries and deaths from *Fire hazards*;
- Reducing the risk of injuries and deaths from *Carbon Monoxide hazards*; and
- Reducing the risk of injuries and deaths from *Children's and Other hazards*, including electrocutions, child drowning (e.g., Pool and Spa Safety Act), chemical, and household/recreational hazards.

### **2010 RESOURCE CHANGES**

Total dollars increase by \$7.8 million to reflect the program's share of the Agency request to maintain current safety efforts at 2010 prices, the addition of resources to implement CPSIA and other new legislation, the increased Import Safety Initiative, and other 2010 initiatives. The program's share of increased FTE staffing is 46.

<b>2008-2010 RESOURCES BY HAZARD* (DOLLARS IN THOUSANDS)</b>						
<b>HAZARDS</b>	<b>2008 Actual</b>		<b>2009 Plan</b>		<b>2010 Request</b>	
	<b>FTEs</b>	<b>Amount</b>	<b>FTEs</b>	<b>Amount</b>	<b>FTEs</b>	<b>Amount</b>
<b>Fire</b>	120	\$20,811	105	\$16,783	110	\$18,427
<b>Carbon Monoxide</b>	6	1,118	8	1,303	8	1,423
<b>Children's and Other Hazards</b>	188	32,572	280	53,541	321	59,565
<b>TOTAL</b>	314	\$54,501	393	\$ 71,627	439	\$79,415

\* Resources for the CPSIA (except for the Consumer Product Safety Risk Management System (RMS), which is included under Identifying Product Hazards) and the Import Safety Initiative are included under all hazard programs above because these initiatives affect all hazard areas.

### **HOW WE REDUCE HAZARDS**

CPSC uses a number of strategies to reduce the risks associated with hazardous consumer products. These strategies include: (1) implementing the Consumer Product Safety Improvement Act; (2) conducting activities to ensure the safety of imported products; (3) participating in the voluntary standards process or developing mandatory safety standards; (4) conducting compliance activities such as recalls, corrective actions, and enforcement of existing regulations; and (5) alerting the public to safety hazards and informing them about safe practices. The Agency bases its actions

to reduce the risks from hazardous consumer products on information developed from its extensive data collection systems, which can be used to assess the causes and scope of product-related injuries.

### ***Consumer Product Safety Improvement Act***

CPSC has worked diligently on implementing the Consumer Product Safety Improvement Act (CPSIA), which, along with two other new laws, more than doubled the workload of the Agency. CPSC has been issuing rules at an unprecedented pace with no increase in staff available through the first half of 2009. With the additional resources in the Agency's FY 2009 appropriation, for the second half of 2009, we are moving vigorously to hire and train technical staff, testing professionals, and inspectors. It is important to note, however, that it will take some time to recruit and train new staff.

As of the date of this report, CPSC has completed 17 rules and related rulemaking activities or official Commission actions such as limiting lead in children's products; warning labeling for toy and game advertisements; laboratory accreditation and third party testing requirements; and requirements for lead-containing paint and phthalates. The Commission staff is actively engaged in more than 60 other related CPSIA activities to be presented to the Commission for vote by August of this year. In 2010, staff will work on rulemaking activities related to lead, labeling of consumer products, phthalates, and durable infant and toddler products.

### ***Import Safety***

Many consumer products, especially toys and other children's items, are imported into the U.S.; the largest share comes from China. Most of CPSC's recent product recalls have involved imported products. CPSC is addressing the potential risk associated with imported products through its Import Safety Initiative, which is based on three key principles: (1) assure product safety is built into manufacturing and distribution processes from the start; (2) increase enforcement at the border to stop dangerous goods from entering the country; and (3) enhance surveillance of the marketplace to remove unsafe products from store shelves.

CPSC's Office of International Programs and Intergovernmental Affairs provides a comprehensive and coordinated effort for consumer product safety standards development and implementation at the international level. The Office conducts activities and creates strategies aimed at ensuring greater import compliance with U.S. product safety requirements. A key emphasis of this program is encouraging foreign manufacturers to establish product safety systems as an integral part of manufacturing. The 2009 appropriation provided CPSC with funding for an international staff presence in China, which will allow CPSC more coordination of safety efforts with Chinese manufacturers and the Chinese government.

In 2008, CPSC implemented an Import Safety Initiative, including the establishment of a new Import Surveillance Division, which marks the first permanent, full-time presence of CPSC investigators at key ports of entry throughout the U.S. The port investigators work with compliance officers, research analysts, attorneys, and support staff. This effort is planned to expand with additional staff requested in 2010, and staffing has also been increased in other offices, which support import safety efforts.

### **Safety Standards**

Much of our work in saving lives and making homes safer involves the development of voluntary safety standards and is conducted in cooperation with industry. Staff participates in the development of these standards at a number of steps in the process. Staff first submits recommendations for new standards, or modifications of existing standards, to voluntary standards organizations. After receiving our recommendations, the organizations may conduct technical assessments (as appropriate), publish a proposal for public comment, receive and evaluate comments, or publish a standard. This process may take months or several years. Staff participates in the process by providing expert advice, technical assistance, and information based on data analyses of how deaths, injuries, and/or incidents occurred. Our voluntary standards policy does not permit us to vote on proposed changes or new standards. Our comments are considered, however, throughout the process.

Safety standards may also be developed through mandatory rulemaking. If a voluntary standard exists, by law, we may issue a mandatory standard only when we find that the voluntary standard will not eliminate or adequately reduce the risk of injury or death or it is unlikely that there will be substantial compliance with the voluntary standard. During the rulemaking process, we seek input from all interested parties, including consumers, industry, and other government agencies. We usually develop performance standards, rather than design standards, to give manufacturers the most flexibility in meeting our requirements. Examples of mandatory standards under development are requirements for portable generators, upholstered furniture, and lab accreditation. We may initiate rulemaking based on petitions from outside parties or based on staff work.

### **Compliance**

We also reduce hazards through compliance activities. Compliance staff identifies defective products through its own investigations. We learn about potential product defects from many sources, including consumers, our hotline, and our Web site. In addition, firms are required legally to report potential product hazards or violations of standards to the Commission. In 2005, staff developed a *Retailer Reporting Model* that is now being followed by six companies, including several of the nation's largest retailers, which reports these potential hazards or violations more efficiently.

When a recall is necessary, Compliance staff negotiates with the responsible firm. In 2008, CPSC staff completed 563 cooperative recalls (100 percent voluntary) involving 60.8 million consumer product units that either violated mandatory standards or presented a substantial risk of injury to the public. For these corrective actions, we established efficiency goals to complete key actions within a challenging time period.

When companies fail to report as required, CPSC can seek civil penalties. In 2008, CPSC negotiated out of court settlements in which 23 companies voluntarily agreed to pay \$3.675 million in civil penalties to the U.S. Treasury. This total is expected to increase in the future because the CPSIA allows CPSC to impose significantly higher penalties.

We developed the Fast Track program to streamline the process of recalls for firms that were willing and prepared to recall their products quickly. Because every defective product presents a risk of injury or death, removing hazardous products from the marketplace faster can prevent more injuries and save more lives. Recalls under the Fast Track program are conducted without the need for time-consuming hazard analyses and are initiated within 20 days of a firm's report to CPSC over 95 percent of the time.

CPSC's Small Business Ombudsman helps small firms comply with product safety regulations and guidelines. Staff has been frequently updating the small business Web page on our Web site and providing as much information as possible on new requirements to small businesses, particularly about the new CPSIA requirements.

### **Consumer Information**

CPSC warns the public about product-related hazards. Our "Drive to One Million" campaign was started in 2007. This effort uses several agency tools to make the public aware that despite our best efforts there are still many recalled products in the hands of the public. Our goal is to have at least one million consumers sign up to receive, free of charge, potentially life-saving information electronically through CPSC's e-mail notification system including Spanish translations. Consumers can receive notice of recall information as it is released by signing up at [www.cpsc.gov/cpsclist.aspx](http://www.cpsc.gov/cpsclist.aspx).

We alert the public through recall alerts, print and video news releases, public service announcements, publications, national and local television appearances, our hotline, our listservs, the Internet ([www.cpsc.gov](http://www.cpsc.gov), [www.recalls.gov](http://www.recalls.gov), [www.atvsafety.gov](http://www.atvsafety.gov)), our CPSIA Web page ([www.cpsc.gov/about/cpsia/cpsia.html](http://www.cpsc.gov/about/cpsia/cpsia.html)), and other outreach activities such as the *Neighborhood Safety Network (NSN)*. The NSN is a grassroots outreach program that provides timely lifesaving information to more than 5,600 organizations and individuals who, in turn, share our safety posters and news

alerts with underserved consumers who might otherwise never hear or receive the information from CPSC.

In order to make the *Neighborhood Safety Network* program even more effective and useful for grassroots safety organizations, CPSC developed an on-line toolkit which allows communities to promote safety by downloading a variety of free publications, posters, checklists, and tools to create their own program on fire safety, drowning prevention, all-terrain vehicle (ATV) safety, and other consumer safety issues. The toolkit also has a “Design a Safety Program” link to assist officials in disseminating this lifesaving information in their community. CPSC will continue to update this site with new programs and will continue to promote the initiative among the members of NSN.

We continually strive to improve our Web site, consumer hotline, National Injury Information Clearinghouse, and publications distribution capability to better serve the public. CPSC’s Web site has grown rapidly from 13.7 million visits 3 years ago to 40.5 million visits in 2008 and the number of times users accessed publications from our Web site was 14.5 million in 2008. This increase is due, in part, to the successful introduction of new technology, which has replaced faxing and e-mailing to disseminate product safety information to the public, and provided instantaneous release of information. CPSC now posts recalls and press releases in a format that allows TV stations and other media to obtain the information from CPSC’s Web site and, in seconds, have the information posted on their Web sites.

In 2003, we initiated [www.recalls.gov](http://www.recalls.gov), an innovative “one-stop shop,” easy-to-use portal for all federal product recalls, in partnership with five other federal health and safety regulatory agencies. In 2008, there were about 2 million visitors to the site.

The hotline receives consumer complaints and provides information on product hazards and recalls to the public. The Clearinghouse provides injury data to our staff and the public and provides manufacturers with consumer complaints, reported incidents, and investigations involving their products.

In December 2008, the Virginia Graeme Baker Pool and Spa Safety Act became effective. In 2010, CPSC will address Act requirements through a comprehensive education initiative to inform the public and pool owners of pool and spa hazards.



## CONSUMER PRODUCT SAFETY IMPROVEMENT ACT\*

On August 14, 2008, the President signed the Consumer Product Safety Improvement Act (CPSIA) into law. This Act represents the most significant change in the Consumer Product Safety Commission's (CPSC) governing statutes since the enactment of the original Consumer Product Safety Act in 1972.

The CPSIA directs the Commission to implement numerous rulemakings and other official Commission actions intended to enhance the safety of consumer products. Over 40 separate rules or rulemaking activities were mandated by the CPSIA. Many of these rulemakings and Commission actions are subject to aggressive deadlines.

Rulemakings, related rulemaking activities, and official actions mandated or initiated by the CPSIA include a catalogue labeling rule, an all-terrain vehicle (ATV) rule, a rule amending information regulations to reflect CPSIA changes, procedures for handling lead exclusions, accreditation procedures for adherence to various consumer product safety standards, and rules relating to some twelve different categories of durable infant and toddler products.

The CPSC has been very responsive to the requirements of the CPSIA. As of the date of this report, the CPSC has completed 17 rules and related rulemaking activities or official actions. These include limiting lead in children's products, warning labeling for toy and game advertisements, laboratory accreditation and third party testing requirements, and requirements for lead-containing paint and phthalates. The Commission staff is actively engaged in more than 60 other related CPSIA activities to be presented to the Commission for vote by August of this year.

The CPSIA also provides several administrative improvements, enhanced enforcement authority, and specific import-export provisions. It restricts the sale of recalled products, requires certification for many consumer products, mandates the voluntary standard associated with ATVs, enhances the sharing of information with other domestic agencies and foreign governments, and increases the civil and criminal penalties associated with illegal action, among many other activities.

CPSC has worked diligently on implementing the CPSIA. Implementation of the CPSIA, along with the implementation of two other recently enacted product safety laws (the Children's Gasoline Burn Protection Act and the Virginia Graeme Baker Pool and Spa Safety Act), has more than doubled the workload of the Agency. CPSC has been issuing rules at an unprecedented pace, with no increase in staff available through the first half of 2009. With the additional resources in the Agency's FY 2009 appropriation for the second half of 2009, we are moving vigorously to hire and train technical staff, testing professionals, and inspectors. It is important to note, however, that it will take some time to recruit and train new staff.

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\* Resources for this effort are included in the major program, Reducing Product Hazards to Children and Families, except for the Consumer Product Safety Risk Management System (RMS), which is included under Identifying Product Hazards.

## IMPROVING PRODUCT SAFETY: IMPLEMENTING THE NEW LEGISLATION

### TITLE I - CHILDREN'S PRODUCT SAFETY

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b>Safety Standards: Prepare Candidates for Rulemaking</b>							
1. Lead content determinations and exclusions (sec. 101)	Goal	**	**	**	**	5	2
	Actual	--	--	--	--		
2. Third party testing accreditation requirements (sec. 102)	Goal	**	**	**	**	6	3
	Actual	--	--	--	--		
3. Labeling of consumer products as complying with certification requirements (sec. 102)	Goal	**	**	**	**	1	2
	Actual	--	--	--	--		
4. Safety standards for durable infant or toddler products (sec. 104)	Goal	**	**	**	**	3	4
	Actual	--	--	--	--		
5. All-terrain vehicles (ATVs) (sec. 232)	Goal	**	**	**	**	1	1
	Actual	--	--	--	--		
6. Phthalates	Goal	**	**	**	**	**	1
	Actual	--	--	--	--	--	
<b>Complete Data Analysis and Technical Review Activities</b>							
7. Study the measurement of lead in paint through X-Ray Fluorescence and alternative technologies (sec. 101)	Goal	**	**	**	**	1	1
	Actual	--	--	--	--		
8. Evaluate and make recommendations to improve sections of the ASTM toy standard	Goal	**	**	**	**	6	1
	Actual	--	--	--	--		
9. Complete a phthalate toxicity review and a review of phthalate substitutes (sec. 108)	Goal	**	**	**	**	2	1
	Actual	--	--	--	--		
<b>Compliance</b>							
10. Enforce the lead paint bans and lead content in children's products (sec. 101)	Goal	**	**	**	**	500	500
	Actual	--	--	--	--		
11. Review ATV action plans within 60 days (sec. 232)	Goal	**	**	**	**	100%	100%
	Actual	--	--	--	--		
<b>Communication/Consumer Information</b>							
12. Keep public updated on CPSIA activities	Goal	**	**	**	**	**	1
	Actual	--	--	--	--	--	
13. Participate in public or Web-cast meetings for stakeholders to learn about the CPSIA	Goal	**	**	**	**	9	6
	Actual	--	--	--	--		
14. Create response publications for small business seeking Ombudsman office counsel	Goal	**	**	**	**	3	1
	Actual	--	--	--	--		

\*\* No goal established.

-- Legislation not yet in place: while no goals were established because of the passage date, work on CPSIA activities began in late FY 2008.

### Safety Standards: Prepare Candidates for Rulemaking

#### 1. Lead Content Determinations and Exclusions

The CPSIA sets limits for lead content of children's products, which includes vinyl products, of 600 parts per million (ppm) by February 2009, 300 ppm by August 2009, and, if technologically feasible, 100 ppm by August 2011.

**Goal:** In 2010, if needed, staff will prepare for Commission consideration (1) a rule providing for the determination that the lead content of certain specified products or materials does not exceed the lead limits; and (2) a rule providing for the exclusion of a specified product or material from the lead limit.

**2. *Third Party Testing Accreditation Requirements***

The CPSIA mandates third party testing for certain children's products. The Act sets a schedule for the Commission to publish notice of requirements for accreditation of third party testing laboratories. In 2009, staff created and managed a process for the submission, collection, and processing of all application materials for CPSC accreditation of these laboratories.

**Goal:** In 2010, staff will develop, for Commission consideration, protocols and standards for: (1) periodic random sampling and testing of children's products; (2) verification that children's products tested by a conformity assessment body comply with applicable children's product safety rules; and (3) safeguarding against the exercise of undue influence on a third party conformity assessment body by a manufacturer or private labeler.

**3. *Labeling of Consumer Products as Complying with Certification Requirements***

The CPSIA requires that the CPSC initiate a process by which a manufacturer or private labeler may label a consumer product as complying with the certification requirements.

**Goal:** In 2010, staff will develop, and send to the Commission for consideration, requirements for a program by which manufacturers and private labelers may label consumer products as complying with the certification requirements of CPSIA section 102(a). Staff will also prepare a briefing package on a Notice of Proposed Rulemaking for labeling of consumer products for Commission consideration.

**4. *Safety Standards for Durable Infant or Toddler Products***

The CPSIA requires CPSC to study and develop safety standards for two durable infant and toddler products every six months, to begin no later than August 14, 2009.

**Goal:** In 2010, staff will prepare two briefing packages with draft final rules for Commission consideration – one for toddler beds and one for bassinets. Staff will select two additional products and prepare draft final rules for Commission consideration.

**5. *All-Terrain Vehicles (ATVs)***

In 2007 and 2008, in response to Commission direction, CPSC staff contracted with the U.S. Army Aberdeen Test Center to test and evaluate nine youth model ATVs against the performance requirements of the then-voluntary (and now mandatory, by the CPSIA) American National Standards Institute/Specialty Vehicle Institute of America (ANSI/SVIA) standard for four-wheeled ATVs.

In 2009, CPSC staff modified its agreement with the Aberdeen Test Center to conduct similar tests on several adult and transitional size ATVs. This testing will begin in 2009 and is expected to be concluded in 2010. Testing of adult ATVs will enable staff to examine the effects of rider interaction on ATVs and to examine the latest technology on ATVs such as power steering and independent rear suspension.

**Goal:** In 2010, a contractor report on the results of this testing will be completed.

#### 6. *Phthalates*

**Goal:** In 2010, staff will finalize its interpretative rule on products covered by the phthalates provisions of the CPSIA.

### **Complete Data Analysis and Technical Review Activities**

#### 7. *Measurement of Lead in Paint*

The CPSIA requires the CPSC to conduct a study on x-ray fluorescence (XRF) technology or other alternative methods for measuring lead in paint to evaluate the effectiveness, precision, and reliability of such measurement technologies. In 2009, staff continued its evaluation of the work on voluntary standards development and standard reference material development with the National Institute of Standards and Technology (NIST).

**Goal:** In 2010, staff will complete a draft status report on the effectiveness of XRF and other alternative technologies for the measurement of lead.

#### 8. *ASTM F963 Toy Standard Evaluation*

As mandated by the CPSIA voluntary standard, ASTM F963-07, Standard Consumer Safety Specification for Toy Safety, became mandatory in February 2009.

In 2009, staff, in consultation with stakeholders, will evaluate and make recommendations to the Commission to improve requirements of the standard, such as those addressing hazards caused by the ingestion or inhalation of magnets in children's products; toxic substances; toys with spherical ends; hemispheric-shaped objects; cords, straps, and elastics; and battery-operated toys.

**Goal:** In 2010, staff will begin rulemaking for any candidates identified during 2009.

#### 9. *Phthalates and Phthalate Substitutes*

The CPSC staff will prepare for the appointment of a Chronic Hazard Advisory Panel (CHAP) which will study the effects on children's health of phthalates and common substitutes or alternate plasticizers to phthalates from all sources and make recommendations to the Commission. In 2009, staff will complete a draft report of its toxicity review of six phthalates. A contractor will prepare a report of a toxicity review of five phthalate substitutes. These reviews will be provided to the CHAP when it convenes in 2010.

**Goal:** In 2010, staff will complete a draft report of pertinent exposure studies and provide scientific and technical support to the CHAP. Staff will also participate in voluntary standard activities for phthalate test method development.

## **Compliance**

### **10. *Bans on Lead in Paint and Lead Content for Children's Products***

Beginning August 14, 2009, children's products with a lead content of more than 300 ppm or with a surface coating containing more than 90 ppm are banned. The CPSIA limited the amount of lead in children's products (lead content) and lowered the lead in paint limit under CPSA's regulations.

**Goal:** In 2010, staff will screen 500 models of children's products for compliance with these lead limits.

### **11. *ATV Action Plans***

The CPSIA requires CPSC staff to review and approve all-terrain vehicle (ATV) action plans (Letters of Undertaking), which are written plans that describe the actions a manufacturer or distributor agrees to undertake to promote ATV safety.

**Goal:** In 2010, staff will review (analyze for acceptability) 100 percent of ATV action plans from manufacturers or distributors within 60 days of receipt.

## **Communication/Consumer Information**

### **12. *CPSIA Web Site Update***

**Goal:** In 2010, staff will update the Web site to reflect rulemaking activity of the Commission on the CPSIA and other similar activities.

### **13. *Public or Web-cast Meetings***

**Goal:** In 2010, staff will participate in six meetings (public or via Web-cast) to address the many questions about the CPSIA and allow for an open dialogue with stakeholders. In these meetings, sections of the CPSIA of most interest to stakeholders will be explained and discussion encouraged through question and answer sessions.

### **14. *Ombudsman - Small Business Response Publications***

The Consumer Product Safety Improvement Act (CPSIA) defined the content level of lead and phthalates allowed in children's products. Businesses (both small and large) are required to comply with the new requirements of the CPSIA. The Ombudsman office is the CPSC's contact point for small businesses.

**Goal:** In 2010, the Ombudsman office will update the Web page to aid small businesses in complying with the new legislation and CPSC's enforcement policies, as needed.

## IMPROVING PRODUCT SAFETY: IMPLEMENTING THE NEW LEGISLATION

### TITLE II - CONSUMER PRODUCT SAFETY

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b>Review and Oversight</b>							
1. Develop a procedure to make determination of foreign government agencies' eligibility to receive information (sec. 207)	<b>Goal</b>	**	**	**	**	1	1
	<b>Actual</b>	--	--	--	--		
2. Notification to States (sec. 207)	<b>Goal</b>	**	**	**	**	95%	95%
	<b>Actual</b>	--	--	--	--		
3. Develop a procedure to monitor and record the referral of cases as to alleged prohibited acts (sec. 216)	<b>Goal</b>	**	**	**	**	1	1
	<b>Actual</b>	--	--	--	--		
4. Coordinate with State Attorneys General on litigation (sec. 218)	<b>Goal</b>	**	**	**	**	1	1
	<b>Actual</b>	--	--	--	--		
<b>Risk Management System and Public Database</b>							
5. Consumer Product Safety Risk Management System (RMS) (sec. 212)	<b>Goal</b>	**	**	**	**	3	4
	<b>Actual</b>	--	--	--	--		

\*\* No goal established.

-- Legislation not yet in place: while no goals were established because of the passage date, work on CPSIA activities began in late FY 2008.

### Review and Oversight

#### 1. Foreign Government Agencies' Eligibility to Receive Information

The Commission has the authority under the CPSIA to make information obtained by the CPSC available to a foreign government agency provided there is an agreement that such material will be maintained in confidence and used only for official law enforcement or consumer protection purposes. There is also a prohibition on sharing information with terrorist states. In 2009, staff will develop for Commission consideration a draft internal policy on sharing information with foreign governments.

**Goal:** In 2010, staff will evaluate any potential foreign regulator confidentiality agreements against the internal policy developed in 2009, if appropriate.

#### 2. Notification to States

The CPSC is required to notify each State health department or designated agency whenever it is notified of a voluntary corrective action taken by a manufacturer or the Commission issues a mandatory order under section 15(c) or (d) with respect to any product.

**Goal:** In 2010, staff will notify State health departments or designated agencies of such actions within one business day 95 percent of the time.

#### 3. Procedure for the Referral of Cases as to Alleged Prohibited Acts

CPSC staff reviews and tracks cases involving the alleged sale, offer for sale, manufacture for sale, distribution into commerce, and import into or export out of the United States, of any consumer product or other product or substance that is under a voluntary corrective action, subject to an order issued by the Commission, or has been deemed a banned hazardous substance. Staff also reviews and tracks cases in which a product allegedly

bears a certification mark that is false or misleading, that misrepresents which product is subject to an action, or bears certification due in any part from the exercise, or attempt to exercise, undue influence on a third party conformity assessment body. In 2009, staff will develop a process to determine which cases should be referred from Compliance to the Office of General Counsel for action for penalty for alleged prohibited acts.

**Goal:** In 2010, staff will institute the process developed in 2009.

#### **4. *Coordination with State Attorneys General on Litigation***

The CPSIA allows State Attorneys General to bring injunction actions alleging a violation of specific acts prohibited by the Consumer Product Safety Act as amended by the CPSIA and its safety rules on behalf of the residents of their States.

**Goal:** In 2010, staff will monitor cases filed by State Attorneys General, if any, and make recommendations to the Commission on whether to intervene.

### ***Risk Management System***

#### **5. *Risk Management System***

Under CPSIA, the CPSC was mandated by Congress to establish and maintain a publicly available database on the safety of consumer products. CPSIA mandates that the database be searchable and accessible through the Web site of the Commission. The CPSIA also directs the Agency to expedite efforts to upgrade and improve the information technology systems currently in use. Based on research and analysis of various alternatives, staff has proposed a Consumer Product Safety Risk Management System (RMS) to provide a single integrated Web-based environment to accommodate a searchable database for consumers, enhance the efficiency and effectiveness of CPSC staff's consumer product safety work, and enable a more rapid dissemination of information.

**Goal:** In 2010, staff will (1) submit a formal implementation plan to Congress for approval as per CPSIA and comply with OMB systems development requirements, including (a) the establishment of a Project Management Office, (b) the completion of a detailed spending plan that identifies specific deliverables and resource requirements (both funding and FTE) for the deliverables for the entire project's lifecycle, and (c) an update of the CPSC IT Enterprise Architecture to include the RMS target architecture and transition sequencing plan that documents CPSC's blueprint for integration of existing and planned systems, services, and databases.

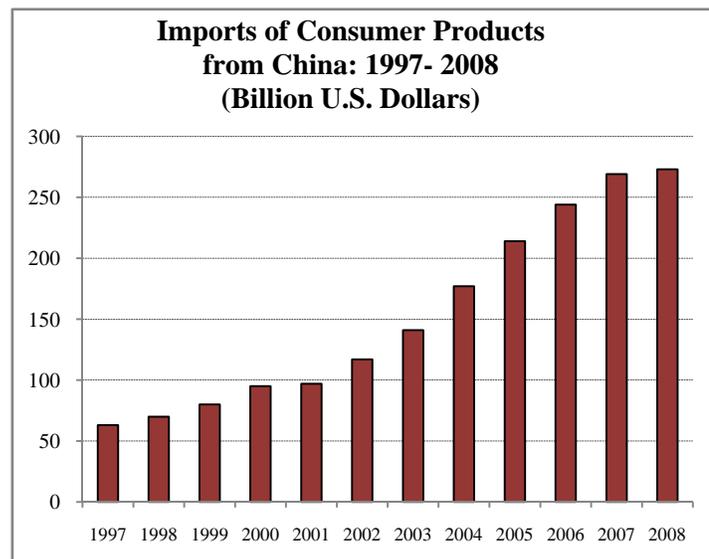


## IMPORT SAFETY INITIATIVE\*

There has been an unprecedented surge of imported consumer products into the United States, especially from China. These products may not have been tested to voluntary or mandatory safety and performance standards. Therefore, it is important for product safety that there be a strong Federal presence in the import arena. CPSC recalled a record number of hazardous imported products from China in 2008, including toys and children's jewelry.

The safety issues associated with this increase in imports have created new challenges for CPSC. In the past, when most products were manufactured in the U.S., or the final assembly and quality control was being done domestically, it was easier to enforce federal safety standards. For example, when a product was suspected of posing a safety hazard, CPSC staff could focus on the specific manufacturers/importers, inspect their local facilities, collect product samples for laboratory analysis, meet with company officials in person and work out a satisfactory corrective action plan. Traditional methods of marketplace surveillance and enforcement, while still necessary, have limited effectiveness to address new avenues of commerce such as direct Internet sales to U.S. consumers by foreign entities. The ability for potential small business retailers and foreign manufacturers to quickly locate each other via the Internet and communicate cheaply has truly created a global marketplace. Prior to 2009, CPSC had no physical presence overseas and traditional methods of compliance oversight, such as firm and factory inspections by CPSC investigators, did not take place overseas.

About 85 percent of U.S. product recalls now are of imported products and the large majority of those products are manufactured in China. The value of U.S. imports from all countries of consumer products under CPSC's jurisdiction was \$639 billion in 2008, with imports from China valued at \$273 billion, comprising about 43 percent (dollar value) of all consumer products imported into the United States. From 1997 through 2008, the value of all U.S. imports of consumer products from China more than quadrupled. CPSC is addressing the issue of consumer product import safety with a number of activities including: dialogue and initiatives with China and other foreign governments; working with the private sector, including foreign manufacturers directly; and increased surveillance and enforcement activities at the borders and within the marketplace.



\* Resources for this effort are included in the major program, Reducing Product Hazards to Children and Families, which this activity supports.

The 2008 appropriation allowed CPSC to implement the Import Safety Initiative, including the establishment of a new Import Surveillance Division. This allowed the first permanent, full-time presence of CPSC investigators at key ports of entry throughout the United States. These port investigators work with compliance officers, research analysts, attorneys, and support staff to stop defective products from entering the U.S. In 2010, additional staffing (10 FTEs) is requested to enhance our presence at the ports as well as add the capability to work more closely with U.S. Customs and Border Protection's import tracking system known as ACE (Automated Commercial Environment).

CPSC's *Office of International Programs and Intergovernmental Affairs* continues to provide a comprehensive and coordinated effort with other countries in consumer product safety standards development and implementation at the international, Federal, State, and local levels. The Office conducts activities and creates strategies aimed at ensuring greater import compliance with U.S. product safety requirements. A major emphasis of this program is encouraging foreign manufacturers to establish product safety systems as an integral part of the manufacturing process. The Office has been responsible for coordinating the biennial U.S.-Sino Product Safety Summit. The next summit is scheduled for October 2009. The 2009 appropriation allowed CPSC to have an international presence for the first time, where a staff person will be located in China to facilitate safety efforts with one of the largest importers of consumer products to the U.S.

## 2010 ANNUAL IMPORT SAFETY GOALS

### IMPORTS FROM CHINA

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b><i>Dialogue and Initiatives with the Chinese Government</i></b>							
1. Participate in biennial U.S.-Sino Product Safety Summit	<b>Goal</b>	**	**	**	0	0	1
	<b>Actual</b>	1	0	1	0		
2. Develop or continue implementation of cooperative work plans in product areas, as appropriate	<b>Goal</b>	**	2	4	4	6	6
	<b>Actual</b>	--	2	4	4		
3. Review and update China program plan	<b>Goal</b>	**	1	1	1	1	1
	<b>Actual</b>	--	1	1	1		
4. Conduct periodic review with Chinese regulatory officials to exchange information about significant recalls and/or other product safety issues	<b>Goal</b>	**	**	**	12	12	12
	<b>Actual</b>	--	--	--	12		
5. Establish a regional Product Safety Office in Beijing, China	<b>Goal</b>	**	**	**	**	1	1
	<b>Actual</b>	--	--	--	--		
<b><i>Working with the Private Sector</i></b>							
6. Conduct outreach/training events for U.S. importers of Chinese products	<b>Goal</b>	**	**	**	2	3	3
	<b>Actual</b>	--	--	--	3		

\*\* No goal established.

-- Data not available.

### ***Dialogue and Initiatives with the Chinese Government***

#### ***1. Biennial U.S.-Sino Product Safety Summit***

The first Product Safety Summit took place in Beijing, China in 2005, between CPSC and the General Administration for Quality Supervision, Inspection, and Quarantine (AQSIQ), CPSC's Chinese counterpart agency. At that time, CPSC and AQSIQ signed an Action Plan on Consumer Product Safety and agreed to hold a Safety Summit every two years. In accordance with the Action Plan, AQSIQ and CPSC established four working groups: Fireworks, Toys, Lighters and Electrical Products. The Work Plans for these were presented at the second Biennial Consumer Product Safety Summit held in Washington, D.C., on September 11, 2007. At that event, CPSC and AQSIQ explained their

expectations for retailers, importers, exporters, and manufacturers dealing in consumer products. A third Summit, in October 2009, will build on these events with the goal of institutionalizing a culture of product safety among Chinese consumer product exporters.

**Goal:** In October 2009, CPSC will participate in the third biennial U.S.-Sino Product Safety Summit.

## ***2. Implementation of Cooperative Work Plans***

The 2005 Action Plan on Consumer Product Safety with AQSIQ outlines specific cooperative actions (training, technical assistance, consultation, and the creation of Working Groups) to be taken by CPSC and AQSIQ to improve the safety of consumer products. Utilizing this plan, in 2007 and 2008, we communicated to our Chinese counterpart specific problems with respect to each of the Working Group product areas and negotiated and reached agreements on work plans to address these problems. In 2009, the two new priority areas (all-terrain vehicles (ATVs), and lead in children's products) were added to respond to CPSIA requirements.

**Goal:** In 2010, CPSC staff will continue to cooperate with its Chinese counterpart on the implementation of work plans on the six priority areas: toys, ATVs, lead in children's products, electrical products, lighters, and fireworks.

## ***3. China Program Plan***

The China program plan was originally developed in 2005 as a way of managing CPSC's various China-related activities and as the basis for an overall strategy to promote safety and compliance of Chinese consumer products exported to the United States. The plan is reviewed and updated annually to ensure that it takes into account changing conditions and new opportunities for progress.

**Goal:** In 2010, staff will review and update the China program plan.

## ***4. Recall Information Exchange***

A key element in product safety cooperation with another country is the exchange of pertinent information about non-compliant or hazardous products. This supports bilateral compliance efforts and allows staff to emphasize areas needing particular attention.

**Goal:** In 2010, staff will conduct 12 periodic reviews with Chinese regulatory officials to exchange information about significant recalls and/or other product safety issues.

## ***5. Beijing Product Safety Office***

CPSC will establish its first overseas office, to be located at the U.S. Embassy in Beijing. This will better enable CPSC to promote compliance with U.S. product safety requirements among Asian (especially Chinese) exporters and to better coordinate with product safety regulators in the region. U.S. imports of consumer products from China comprise a large portion of all U.S. imports of consumer products, with other Asian countries accounting for a

growing share. In 2009, CPSC will hire a Product Safety Specialist in China.

**Goal:** In 2010, CPSC will hire a Product Safety Officer in China.

### **Working with the Private Sector**

#### **6. Outreach/Training Events for U.S. Importers**

In order to maximize U.S. importers' cooperation with U.S. product compliance efforts, it is essential to convey sufficient understanding of the U.S. regulatory environment, as it applies to imports. Outreach/training events that explain U.S. statutory and regulatory requirements and present useful techniques, regulatory best practices, and relevant experience increase the chances of effective cooperation and the level of compliance.

**Goal:** In 2010, staff will conduct three outreach/training events for U.S. importers.

## **2010 ANNUAL IMPORT SAFETY GOALS**

### **IMPORTS FROM ALL COUNTRIES**

<b>Annual Goals Summary</b>		<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Surveillance and Enforcement Activities</b>							
1. Expand the Import Surveillance Division and conduct the following import safety improvement activities	<b>Goal</b>	**	**	**	1	1	1
	<b>Actual</b>	--	--	--	1		
a) Increase the number of products screened at the ports	<b>Goal</b>	**	**	**	**	**	1,800
	<b>Actual</b>	--	--	--	--	--	
b) Update Commission's import enforcement policy and procedure guide	<b>Goal</b>	**	**	**	**	**	1
	<b>Actual</b>	--	--	--	--	--	
c) Cross-train other federal agencies' staff to identify hazardous imported products	<b>Goal</b>	**	**	**	4	6	6
	<b>Actual</b>	--	--	--	6		
2. Work with GSA to improve facilities for the test/evaluation of import samples	<b>Goal</b>	**	**	**	1	1	1
	<b>Actual</b>	--	--	--	1		
3. Develop measures of import safety success	<b>Goal</b>	**	**	**	1	1	1
	<b>Actual</b>	--	--	--	1		
<b>Dialogue and Initiatives with Foreign Entities</b>							
4. Conduct outreach/training events for foreign <sup>#</sup> government officials	<b>Goal</b>	**	**	**	3	3	3
	<b>Actual</b>	--	--	2	3		
5. Conduct outreach/training events for foreign <sup>#</sup> manufacturers	<b>Goal</b>	**	**	**	2	3	3
	<b>Actual</b>	--	--	--	3		
<b>Communication/Consumer Information</b>							
6. Respond to requests for information from foreign manufacturers/government officials through Web page contact form within 3 business days	<b>Goal</b>	**	**	**	90%	90%	90%
	<b>Actual</b>	--	--	--	100%		
7. Consumer outreach for imports (million)	<b>Goal</b>	**	**	**	450	200	225
	<b>Actual</b>	--	125	966	185		
8. Conduct public information efforts/partnerships	<b>Goal</b>	**	**	**	2	2	3
	<b>Actual</b>	--	--	--	2		

<sup>#</sup> Before 2009, these goals were for Chinese officials or manufacturers.

\*\* No goal established.

-- Data not available.

## **Surveillance and Enforcement Activities**

### **1. *Import Surveillance Division and Import Safety Improvement Activities***

The marketplace within which consumer products are made available for sale to the public has changed dramatically in recent years. A far greater percentage of consumer products are now imported. The ability for small business retailers and foreign manufacturers to quickly locate each other via the Internet and communicate cheaply has truly created a global marketplace. In 2008, CPSC created an Import Surveillance Division with specialists specifically trained in import surveillance procedures and rapid identification of defective and non-complying consumer products to conduct import safety improvement activities. This marks the first permanent full-time presence of CPSC investigators at key ports of entry throughout the United States.

**Goal:** In 2010, the CPSC will expand the Import Surveillance Division by increasing the number of staff working at U.S. ports of entry.

#### **a) *Number of Samples of Imported Products Screened***

Members of the Import Surveillance Division are CPSC's frontline in identifying the imported products that violate CPSC enforced regulatory requirements or that contain defects that present a significant risk of injury. These investigators screen products and ship samples to other CPSC locations for final determinations.

**Goal:** In 2010, 1,800 samples of imported consumer products that are suspected of being non-conforming or defective will be screened at the ports.

#### **b) *Import Enforcement Policy and Procedure Guide***

To ensure consistency in the handling of import surveillance throughout the Agency, it is important to have clear and up-to-date guidance for staff to follow.

**Goal:** In 2010, staff will revise and update CPSC Guide 2.19, Compliance Procedures – Import Surveillance Procedures and the forms attached to the Guide.

#### **c) *Working with Other Federal Agencies***

CPSC staff works with other federal agencies on inspection of shipments of imported consumer goods.

**Goal:** In 2010, CPSC staff will cross-train other federal agencies' staff working at six ports to identify hazardous imported products.

### **2. *Laboratory Modernization Plan***

The CPSC Laboratory plays a vital role in the testing and evaluation of consumer products. The Laboratory also contributes to the development of test methods for consumer product safety standards. CPSC needs to acquire a new facility to replace the current inefficient 1950s-era laboratory. CPSC committed funds in 2007 and 2008 and the General Services Administration (GSA) is proceeding to acquire a new site. Funds in the 2009 appropriation

will be used for the final portion of the project, scheduled to be completed by 2010.

**Goal:** In 2010, the new CPSC Laboratory will be completed.

### **3. Measures of Import Safety Success**

Surveillance of consumer products for compliance to mandatory and voluntary standards presents many methodological and other challenges. In 2008, CPSC staff researched and evaluated compliance studies for potential applicability to an enhanced surveillance system. Staff made contact with the Food and Drug Administration, Customs and Border Protection (CBP), and the Internal Revenue Service staff to discuss methods and requirements of their surveillance systems. CPSC also published a "Request for Information" in the Federal Register and received two responses concerning the development of consumer product safety metrics. These were reviewed and presented to CPSC management for consideration. In 2009, CPSC will plan a pilot study with CBP to monitor safety of shipments of consumer products under CPSC's jurisdiction.

**Goal:** In 2010, if CBP concurs, CPSC staff will conduct the pilot study planned in 2009 and evaluate its effectiveness.

## **Dialogue and Initiatives with Foreign Entities**

### **4. Outreach/Training Events for Government Officials**

To maximize foreign government cooperation with U.S. product compliance efforts, it is essential to convey sufficient understanding of U.S. regulatory requirements. Outreach/training events that present regulatory best practices and relevant experience increase the chances of effective bilateral cooperation.

**Goal:** In 2010, staff will conduct three outreach/training events for foreign government officials.

### **5. Outreach/Training Events for Foreign Manufacturers**

To maximize foreign manufacturers' cooperation with U.S. product compliance efforts, it is essential to convey sufficient understanding of the U.S. regulatory environment. Outreach/training events that explain U.S. statutory and regulatory requirements, present regulatory best practices, and relevant experience increase the chances of effective cooperation and the level of compliance.

**Goal:** In 2010, staff will conduct three outreach/training events for foreign manufacturers.

## **Communication/Consumer Information**

### **6. Responsiveness to Foreign Manufacturers and Others**

CPSC has created a specific section of its Web site to provide detail of the Agency's international programs, access to the formalized cooperative agreements with international counterparts and electronic copies of the CPSC Handbook for Manufacturing Safer Consumer Products (available in both English and

Mandarin). CPSC's international activities Web pages are among the first places foreign officials and producers/exporters look for information about U.S. product safety requirements. The International Activities section of the Web site is especially useful to international manufacturers seeking the relevant regulations, standards, and testing expectations for products bound for the U.S. market. Ensuring that the information presented is up-to-date and that foreign visitors can request additional information are essential elements in gaining cooperation of non-U.S. stakeholders.

**Goal:** In 2010, staff will respond to requests for information from foreign manufacturers, foreign government officials, and others through the International Activities section of CPSC's Web site within three business days of receiving the request 90 percent of the time.

### **7. Consumer Outreach**

In 2008, about 185 million views of CPSC safety messages relating to imported goods were received by consumers through video news releases (VNRs) and television appearances. In 2007, there were a number of recalls of very popular toys and nursery products which drew exceptional media coverage and accounted for the higher number of consumers reached. Some of that effect also occurred in 2008 with the enactment of the CPSIA. The target for 2009 will be set at a more usual but ambitious level.

**Goal:** In 2010, 225 million views of CPSC safety messages will be received by consumers through TV appearances and VNRs related to the third U.S.-Sino Safety Summit, import safety campaigns and recalls, as well as from downloading e-publications.

### **8. Conduct three public information efforts/partnerships concerning import safety.**

#### *Imported Products*

**Goal:** In 2010, staff will conduct an activity, such as local and/or national interviews, to inform consumers about a particular imported consumer product posing a hazard to the public or presenting a potential safety risk. Staff will educate consumers via the media about steps that CPSC takes to investigate, detect, prevent and respond to dangerous or potentially dangerous imports.

#### *Port Safety*

**Goal:** In 2010, staff will conduct an activity, such as issuing a news release, related to an enforcement or intervention action at a U.S. port.

#### *U.S.-Sino Product Safety Summit*

**Goal:** In 2010, CPSC staff will travel to China to participate in the third U.S.-Sino Safety Summit with the General Administration for Quality Supervision, Inspection, and Quarantine (AQSIQ), press briefings and a news conference to highlight the progress and achievements of the partner agencies during the Summit. CPSC senior officials will conduct broadcast, radio and print interviews with US-based and/or Asian-based media.



## FIRE HAZARDS

**STRATEGIC GOAL: Reduce the rate of death from fire-related causes by 20 percent from 1998 to 2013.**

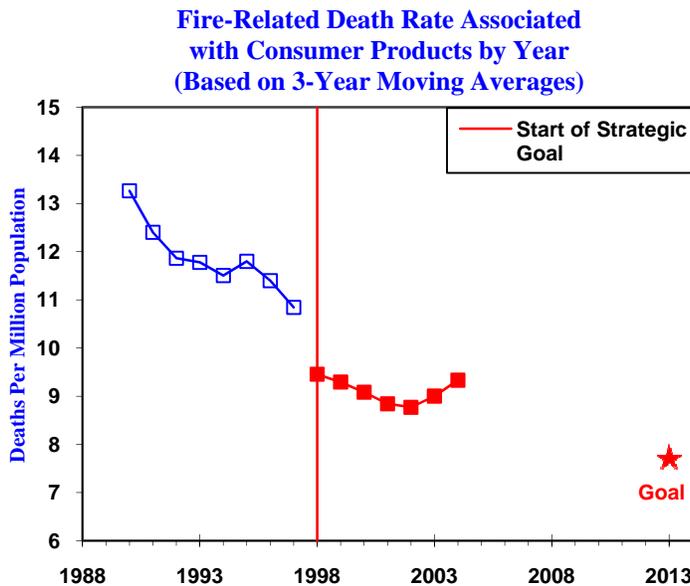
### THE HAZARD

This nation’s fire death rate remains high. From 2003 to 2005<sup>1</sup>, an average 2,740 people died, and 13,090 people were injured because of fires in residences. These fires also resulted in property losses of about \$5.7 billion. The total cost to the nation from residential fires was \$20.5 billion. Children and seniors are particularly vulnerable. In 2005, over 400 children under the age of 15 died of fire-related causes and over 200 of these deaths were to children under the age of 5 years. Older adults also have significantly higher fire death rates in comparison to the rest of the population. In 2005, residential fires resulted in over 800 deaths to adults 65 years and older.

Products most often ignited in fatal fires are upholstered furniture, mattresses, and bedding. In recent years, these product categories were associated with about one-third of fire deaths. Cooking equipment is often involved as a source of ignition in fire deaths, accounting for about eight percent of fire deaths in recent years.

### OUR PROGRESS

Under previous Strategic Plans (1997 and 2000), we set a target to reduce the rate of fire deaths due to consumer products by 10 percent from 1995 to 2005<sup>2</sup>. To further reduce the death rate, we retained this as a strategic goal in our current Strategic Plan, but with a new target of a 20 percent reduction from 1998 to 2013. While the graphic suggests a slight rise in the annual moving average based on rate estimates for 2003-2005, this is most likely associated with statistical variation in the estimates.



While our targeted reduction in the fire death rate by 2010 is an ambitious one, CPSC activities on mattresses, lighters, and arc-fault circuit interrupters will likely prevent many fire-related deaths. In July 2007, CPSC’s new flammability standard for mattresses became effective. Staff estimates that, in 2013, this standard will

<sup>1</sup> 2005 is the latest year for which complete death data are available; these estimates are based on fires in residential structures that were attended by the fire service.

<sup>2</sup> The estimates since 1998 are not strictly comparable to those for previous years because of changes in the system for coding fire data.

prevent as many as 148 deaths. Once fully effective, staff estimates that this standard will prevent as many as 270 deaths every year. Child resistant features on cigarette and multi-purpose lighters have been effective in reducing the number of fires started by children under the age of 5 years, and it is expected that the number of fire deaths associated with lighters will continue to decline. As the number of homes with arc-fault circuit interrupters increases, it is expected that this technology will have an increasing impact on the number of fires and fire-related deaths associated with home wiring systems.

## 2010 ANNUAL FIRE-RELATED GOALS

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b>Safety Standards</b>							
1. Prepare candidates for rulemaking	<b>Goal</b>	4	5	8	9	3	1
	<b>Actual</b>	1	4	5	7		
2. Present recommendations to voluntary standards or code organizations	<b>Goal</b>	0	1	2	2	1	0
	<b>Actual</b>	0	0	0	3		
3. Complete data analysis and technical review activities	<b>Goal</b>	14	12	11	8	2	3
	<b>Actual</b>	10	9	8	5		
4. Support voluntary standards and code revisions	<b>Goal</b>	13	11	11	13	3	4
	<b>Actual</b>	17	11	12	13		
<b>Compliance</b>							
5. Preliminary determination within 85 business days (unregulated products)	<b>Goal</b>	**	**	66%	70%	70%	70%
	<b>Actual</b>	68%	54%	82%	79%		
6. Corrective action within 60 business days of preliminary determination (unregulated products)	<b>Goal</b>	**	**	80%	82%	80%	80%
	<b>Actual</b>	71%	84%	86%	85%		
7. Corrective action within 35 business days of notice of violation (regulated products)	<b>Goal</b>	**	**	80%	82%	80%	80%
	<b>Actual</b>	60%	89%	76%	96%		
<b>Consumer Information</b>							
8. Consumer outreach* (in millions)	<b>Goal</b>	**	**	125	200	150	150
	<b>Actual</b>	94	185	295	103		
9. Conduct public information efforts/partnerships	<b>Goal</b>	6	7	7	6	5	5
	<b>Actual</b>	5	5	8	6		

\* The baseline data for this goal are not strictly comparable to the 2007 or later data due to an improved data capturing capability implemented in 2007.

\*\* No goal established.

### Safety Standards

#### 1. Prepare for Commission consideration one candidate for rulemaking or other alternatives.

##### *Upholstered Furniture*

Ignitions of upholstered furniture are a leading cause of residential fire deaths among the consumer products under CPSC's jurisdiction. Staff is developing a possible rule to address the risk of fire associated with ignitions of upholstered furniture. In 2004, the Commission published an Advance Notice of Proposed Rulemaking (ANPR) expanding the Agency's rulemaking proceeding to cover the risk of fire from both cigarette-ignited and small open flame-ignited fires. The Commission published a Notice of Proposed Rulemaking (NPR) in 2008. In 2009, staff conducted large scale testing of furniture with and without complying fire barriers, initiated work to develop standard

cigarette and flexible foam test materials specified in the NPR, and performed other technical work to address issues raised in public comments on the NPR. In 2010, staff will continue this research in support of a possible final rule and alternatives.

**Goal:** In 2010, CPSC staff will (1) complete development of a standard reference material cigarette ignition source, and continue development of a standard foam substrate for use in the proposed rule, under interagency agreements with the National Institute of Standards and Technology (NIST); (2) conduct large scale smolder testing of complying and non-complying chairs, and continue other technical research to confirm the validity of the tests; and (3) continue analyzing public comments on the NPR and developing regulatory options.

## 2. Prepare and present recommendations to voluntary standards or code organizations.

No fire hazards recommendations are currently planned for 2010.

## 3. Complete three data analysis, collection, or technical review activities.

### *Clothes Dryer Indicators*

The U.S. Fire Administration (USFA) reports that lack of maintenance followed by mechanical or electrical failures are the top two factors contributing to ignition in residential building clothes dryer fires. Currently, there are no requirements for clothes dryers to inform consumers about abnormal operation or maintenance intervals. The machines may run without any indication of difficulty until an incident occurs. An investigation of the utility and applicability of using indicators (visual or audible) on electric and gas clothes dryers to inform user of abnormal operation or desired maintenance activities may help prevent some fire incidents.

**Goal:** In 2010, staff will draft a report to classify conditions for which an indicator on electric and gas clothes dryers may be desirable with technical requirements for such indicators.

### *Cooktops*

Staff has previously conducted research into the technology to reduce the risk of food ignition through implementation of a closed-loop heating element control system that monitors pan bottom temperatures. Staff has successfully demonstrated prototype temperature control systems for various cooktop types (i.e., electric coil-type ranges, gas ranges, and smooth cooktops). Additional research on these or similar systems is needed, and potential candidates should be tested to the Technical Feasibility and Performance Goals developed by the Underwriters Laboratories Standards Technical Panel for Household Electric Ranges (UL STP 858).

**Goal:** In 2010, staff will award a contract to design and fabricate experimental control systems to detect and prevent food ignition on a cooktop. The systems will be tested to the Technical Feasibility and Performance Goals. This contract effort will continue in 2011.

*Enhanced Smoke Alarms*

Young children, the elderly, adults who are sleep deprived, those under the influence of alcohol, drugs, or sleep induced medication; and the visually and hearing impaired may be harder to awaken with current smoke alarm designs. Work in this project is designed to improve occupant response under different fire scenarios and to reduce the possibility of nuisance alarms.

**Goal:** In 2010, staff will conduct a literature review and draft a report of the literature review, including recommendations for future actions. Additionally, an interagency agreement (IAG) with the U.S. Fire Administration (USFA) will be modified to conduct further research on the development of an enhanced smoke alarm. A prototype smoke alarm will be constructed, and staff will support USFA activities to design a fire test program to evaluate the performance of the prototype.

**4. Support voluntary standards and codes revisions.***Voluntary Standards*

Staff participates in the voluntary standard process by providing expert advice, technical assistance, and information based on data analyses of how deaths, injuries and/or incidents occurred.

**Goal:** In 2010, staff will support the revision of the voluntary standards and/or model codes for the following four products:

- Batteries
- National Electrical Code
- Heaters
- Smoke alarms

**Compliance****5. Preliminary Determination Efficiency**

Compliance Officers open fire-related investigations based on reports of a possible defect from a manufacturer, importer, or retailer or on their own initiative following up consumer complaints, newspaper accounts, or information from CPSC surveillance activity. Each investigation involves a thorough review of information from the company and other sources, with analysis by CPSC's technical experts. The investigation culminates in a staff preliminary determination that there is or is not a product defect.

**Goal:** In 2010, staff will make 70 percent of fire-related staff "preliminary determinations" within 85 business days from the case opening date.

**6. Corrective Action Timeliness (Unregulated Products)**

Each investigation involving a fire-related hazard will culminate in a preliminary determination that a product is or is not defective. If the product is determined to be defective, the Compliance Officer begins negotiating with the responsible company to obtain a voluntary corrective action. For defects that pose a risk of serious injury, the Compliance Officer seeks a consumer-level recall, which usually involves a free repair or replacement of the product or a refund of the purchase price. For less serious hazards, the

corrective action may involve stopping sale of the product and correction of future production.

**Goal:** In 2010, staff will negotiate and commence 80 percent of fire-related corrective actions within 60 business days after a firm is notified of the staff's preliminary determination.

### **7. Corrective Action Timeliness (Regulated Products)**

Compliance staff regularly conducts surveillance activity to check compliance of products with CPSC mandatory standards. Samples collected by investigators in the Field are sent to the CPSC Laboratory for analysis. Additional technical analysis is often conducted by CPSC technical experts. When it is determined that a product violates CPSC standards, a Compliance Officer sends a letter of advice (LOA) to the manufacturer, importer or retailer. For violations posing a serious risk of injury, staff will seek a consumer-level recall (unless the sample was collected at a port of entry and no products have been distributed within the United States). For less serious violations, staff may seek a lesser corrective action, such as stopping sale of the violative products and correction of future production.

**Goal:** In 2010, staff will obtain 80 percent of fire-related corrective action within 35 business days after the LOA is issued.

## **Consumer Information**

### **Alert the public to fire-related hazards through:**

#### **8. Consumer Outreach**

In 2008, about 103 million views of CPSC safety messages related to fire hazards were received by consumers through TV appearances, video news releases (VNRs), and e-publications through CPSC's Web site. One major fire-related appliance recall and CPSC's traditional holiday safety messages represented the large majority of audience views.

**Goal:** In 2010, 150 million views of CPSC fire safety messages will be received by consumers through TV appearances and interviews on national television networks, VNRs to national and local television networks, Web publication downloads, appearances or stories on national and local radio, and in national or local newspapers and wire services. These appearances or mentions on radio or print would be generated by live or taped interviews, audio news releases, public service announcements, press releases and on-line information.

### **9. Conduct five public information efforts, including at least one partnership with industry and/or a fire safety group.**

#### *Fireworks Safety*

**Goal:** In 2010, CPSC will conduct a national safety campaign for the Fourth of July to increase public awareness of the dangers associated with legal and illegal fireworks. This campaign will include activities such as a news conference, video news release,

Podcast message, or message to the *Neighborhood Safety Network (NSN)*. Possible partners include the Department of Justice and the Department of Homeland Security.

#### *Halloween Hazards*

**Goal:** In 2010, CPSC staff will remind consumers of the flammability hazards associated with Halloween costumes and highlight warnings about the risk of fire associated with homemade children's costumes, jack-o-lanterns, and other Halloween decorations. Staff will conduct activities such as issuing a news release and a podcast, and providing TV and radio interviews.

#### *Holiday Decoration Hazards*

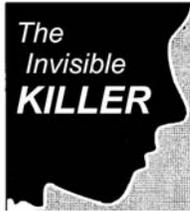
**Goal:** In 2010, for the winter holiday season, CPSC will reissue its annual news release to warn consumers about the fire risk from defective decorative holiday light strings and from natural trees, and provide tips on the safe use of candles and fireplaces. Staff will also conduct activities such as recording a Podcast and reissuing the *Neighborhood Safety Network* poster to its members.

#### *Home Heating*

**Goal:** In 2010, at the beginning of the home heating season, staff will conduct activities such as issuing a news release, an audio news release, and a Podcast message to warn about fire hazards from home heating equipment, especially space heaters.

#### *Smoke Alarms*

**Goal:** In 2010, in a continuing effort to remind consumers that smoke alarms save lives, staff will issue a news release in the spring and the fall to emphasize that consumers need to have and maintain their smoke alarms. Staff will also contact national and local media to encourage them to remind consumers to check that their smoke alarms are in working order. Staff will use communication tools, such as a press release, Podcast, and the Web site [www.firesafety.gov](http://www.firesafety.gov), to promote any new developments in technology aimed at making smoke alarms even more effective.



## CARBON MONOXIDE POISONING HAZARDS

**STRATEGIC GOAL: Reduce the rate of death from carbon monoxide poisoning by 20 percent from the 1999-2000 average by the year 2013.**

### THE HAZARD

Carbon monoxide (CO) is a poisonous gas that has no smell, color, or taste -- truly an invisible killer. Burning any fuel, such as gas, oil, wood, or coal produces this gas, so that any fuel-burning appliance is a potential CO source. At higher concentrations in the blood, CO can cause cognitive impairment, loss of consciousness, coma, and death.

From 2003-2005<sup>3</sup>, there was an estimated annual average of 171 unintentional non-fire CO poisoning deaths associated with consumer products, at a societal cost of approximately \$860 million each year. Because some symptoms of moderate CO poisoning may mimic common illnesses, such as influenza or colds, there may be a high incidence of missed initial diagnoses. Not only are victims frequently unaware of exposure to CO, but also health care providers may not suspect, and consequently not check for, CO poisoning. While some symptoms of CO poisoning are reversible, irreversible debilitating delayed neurological effects can develop following severe poisonings, especially those involving prolonged unconsciousness. Prompt medical attention is important to reduce the risk of permanent damage.

Most consumer product-related CO poisoning deaths are associated with the use of heating systems and portable generators. Other consumer products associated with CO poisoning deaths include charcoal grills, gas water heaters, gas ranges and ovens, and fuel-burning camping equipment. Problems with chimneys, flues, or vents connected to fuel-burning products have also been mentioned in fatal scenarios.

### OUR PROGRESS

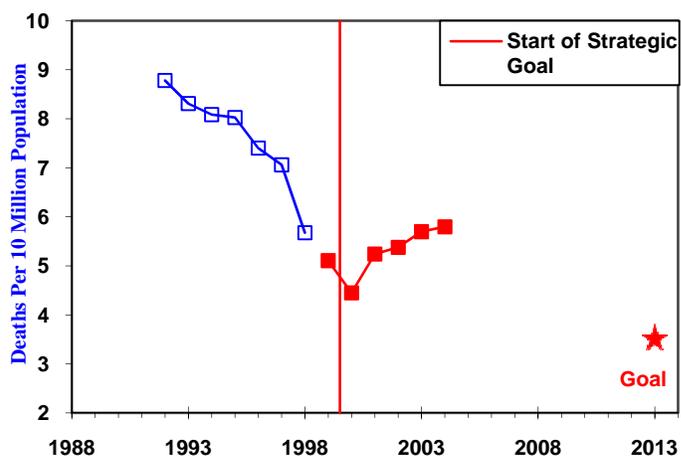
Under our previous Strategic Plans, we had a target to reduce the rate of CO poisoning deaths associated with consumer products by 20 percent from 1994 to 2004. From 1994 to 2004, the annual death rate was reduced by 34 percent. To further reduce the death rate, we retained this strategic goal in our Strategic Plan with a new target of 20 percent reduction by 2013 from the 1999-2000 average.

We have been successful in the past in reducing deaths through a number of interventions, including: working with industry to

<sup>3</sup> 2005 is the latest year for which death data are available. CPSC continues to receive reports of CO poisoning deaths for previous years, so these estimates may change in future reports.

encourage the development of new products to protect consumers from CO poisonings; working with industry to develop a voluntary performance standard for CO alarms; and warning the public about CO poisoning through information campaigns.

**Carbon Monoxide Poisoning Death Rate Associated with Consumer Products by Year (Based on 3 Year Moving Averages)**



Recently, as shown in the graph<sup>4</sup>, there has been an increase in the number of CO-related deaths, in large part associated with the use of portable generators during natural disasters, such as hurricanes and ice/snow storms. The share of CO poisonings associated with portable generators increased from 6 percent in 1999 to 49 percent in 2005. Effective in 2007, CPSC issued a mandatory rule for a new danger label for portable generators to warn consumers about CO and to encourage safe use. Activities in our plan, including supporting a portable generator rulemaking activity, public outreach activities, and monitoring voluntary standards, are designed to address this increase.

**2010 ANNUAL CARBON MONOXIDE-RELATED GOALS**

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b>Safety Standards</b>							
1. Prepare candidates for rulemaking	Goal	**	**	1	1	1	1
	Actual	0	1	1	1		
2. Complete data analysis and technical review activities	Goal	3	3	2	1	1	1
	Actual	1	2	1	1		
3. Support voluntary standards and codes revisions	Goal	3	3	3	3	0	0
	Actual	3	3	3	3		
<b>Consumer Information</b>							
4. Consumer outreach* (in millions)	Goal	**	**	20	25	15	10
	Actual	5	15	26	1		
5. Conduct public information efforts/partnerships	Goal	2	3	4	4	4	4
	Actual	2	2	4	4		

\* The baseline data for this goal are not strictly comparable to the 2007 or later data due to an improved data capturing capability implemented in 2007.

\*\* No goal established.

**Safety Standards**

**1. Prepare for Commission consideration one candidate for rulemaking or other alternatives.**

*Portable Generators*

In 2006, the Commission voted to publish an Advance Notice of Proposed Rulemaking to begin research to develop technology to

<sup>4</sup> The estimates since 1999 are not strictly comparable to those for previous years because of changes in the methods for estimating carbon monoxide data.

lower the risk of CO poisonings associated with portable generators. Staff awarded a contract to take a commercially-available generator and modify the engine with a prototype configuration that reduced CO emissions in the exhaust. Staff also entered into an interagency agreement (IAG) with the National Institute of Standards and Technology (NIST) to model the infiltration of CO in various styles of homes when the generator (in both the off-the-shelf and prototype configurations) is operated in an attached garage. Moreover, staff conducted a proof-of-concept demonstration of a remote CO sensing automatic shutoff device for a portable generator as well as an on-board CO-sensing shutoff device in which a CO sensor was located on the generator. In 2007 and 2008, staff continued to monitor the contract and the IAG, adding necessary modifications to each.

In 2009, staff will: (1) continue its management of the contract to develop a low CO emission portable generator, modifying it to include additional investigations into the use of a shutoff feature; (2) continue to evaluate the prototype generator's performance by overseeing the testing and modeling conducted at NIST; and (3) establish a new agreement with NIST to develop CO emission performance limits for portable generators to significantly improve predicted survivability, based on results from indoor air quality and health effects modeling.

**Goal:** In 2010, staff will receive from NIST a progress report on prototype generator performance during indoor operation.

## 2. Complete one testing, data collection, hazard analysis, or technical review activities.

### *Vented Gas Appliances CO Sensors*

Gas-fired heating appliances continue to be a leading cause of unintentional CO poisoning deaths. Despite improvements over the years, current standards for vented gas appliances do not adequately address known CO poisoning hazard scenarios. In 2000, CPSC staff proposed that the American National Standards Institute (ANSI) Z21/83 Committee revise applicable standards to include CO shutdown requirements for the appliances. Staff supported these proposals with proof-of-concept testing in 2001 and 2003, demonstrating the use of CO and other gas sensors for safety shutdown of gas appliances. From 2002-2004, staff participated in an industry-led working group to develop test criteria to evaluate the use of gas sensors for this application. To address industry concerns that sensors did not have adequate durability and longevity to operate in an appliance environment, in 2006, staff initiated a test program to evaluate sensors in a gas furnace. This work was completed in 2008. In 2009, staff will complete a draft report of test results associated with longevity/durability tests of sensors within a gas furnace.

Additionally, at the end of 2008, staff awarded a contract to conduct a second round of sensor testing. The work was scheduled to be completed in 2009, contingent on receipt of a prototype CO

sensor that was redesigned by its manufacturer to address performance findings from the 2007-2008 testing.

**Goal:** In 2010, staff will finalize its report on the results of contractor testing conducted in 2007 and 2008, as well as update the report to include the follow-on testing conducted in 2009 and 2010.

### 3. Support voluntary standards and codes revisions.

No carbon monoxide poisoning hazards revisions are currently planned for 2010.

## **Consumer Information**

### Alert the public to the hazards of CO poisoning deaths through:

#### 4. *Consumer Outreach*

CPSC has been successful in increasing the number of views of CO safety messages. However, we saw a drop in 2008 views because of the lower number of major tropical storms and hurricanes to strike the U.S., thus decreasing the number of consumers using portable generators in emergencies. Additionally, there were no new rulemaking activities, such as the approval of a new danger label, which was a source of significant media attention in 2007 where a press conference with the Acting Chairman reached 13 million viewers. We expect to increase views in 2009 and 2010.

**Goal:** In 2010, 10 million views of CPSC CO safety messages will be received by consumers through TV appearances and interviews on national television networks, video news releases (VNRs) to national and local television networks, e-publications through CPSC's special on-line generator information center, and appearances or stories on national and local radio, and in national or local newspapers and wire services. These appearances or mentions on radio or print will be generated by live or taped interviews, audio news releases, public service announcements, press releases and on-line information.

### 5. Conduct four public information efforts and/or partnerships with a trade association or safety advocacy group.

#### *CO Alarms*

While a large percentage of consumers' homes are equipped with smoke alarms, it is estimated that far fewer have working CO alarms in their homes. CPSC strongly supports the installation of CO alarms.

**Goal:** In 2010, through activities such as using posters, news releases, podcasts, or other similar media instruments, CPSC will continue its CO alarm messaging in connection with a daylight savings time news release recommending that consumers change the batteries in their smoke and CO alarms at least once every year. Staff will use communication tools, such as a press release,

Podcast, and the Web site [www.firesafety.gov](http://www.firesafety.gov), to promote any new developments in technology aimed at making CO alarms even more effective.

#### *Home Heating*

**Goal:** In 2010, staff will highlight the need for routine maintenance of gas appliances to remind the public of the continuing threat of CO in the home. At the beginning of the home heating season, staff will issue a seasonal warning about CO hazards from home heating equipment. Staff will remind consumers of specific issues including the need to have a routine furnace checkup, which will be completed through activities such as using news releases, audio news releases, publications, or other similar media instruments.

#### *Portable Gas Generators*

During times of power loss, homeowners may be exposed to CO because of incorrect use of combustion consumer products, such as portable gas generators, to provide power to their homes.

**Goal:** In 2010, staff will promote generator safety and related rulemaking activities using at least one communication tool such as a news release, a video, a Podcast, or safety materials to help reduce generator related deaths and poisonings.

#### *Natural Disaster Preparedness*

**Goal:** In 2010, staff will use communication tools such as; print news releases, audio news releases, or VNRs to address CO poisoning hazards, prior to and in the aftermath of hurricanes, tornadoes, floods, and/or blizzards.

## CHILDREN'S AND OTHER HAZARDS

### THE HAZARDS

#### Children's Hazards



Children's hazards are associated with a wide range of consumer products. Examples of children's hazards include drowning hazards related to pools and other in-home products; choking and suffocation hazards related to some children's toys; strangulation, suffocation and entrapment risks to infants in sleep environments; strangulation from window blind cords and clothing drawstrings; unintentional ingestion of toxic household chemicals; and various hazards with infant products such as old or improperly maintained cribs, high chairs, and strollers.

The recently enacted CPSIA (see CPSIA section) and Virginia Graeme Baker Pool and Spa Safety Act (PSSA) legislation gave the Agency new tools to address children's hazards. The PSSA requires a retrofit of the nation's public pools with compliant anti-entrapment drain covers and, in certain instances, with additional anti-entrapment devices/systems. The Act also mandates a comprehensive education initiative to inform the public and pool owners of pool and spa hazards, and by specifying that CPSC establish a grant program for States that meet minimum requirements for pool safety. Our Import Safety Initiative will also contribute to reductions in children's and other hazards. These are discussed in other sections of this request.

CPSC has had a significant impact in reducing injuries and deaths for a number of children's hazards. For example, staff worked with industry to develop a voluntary safety standard to prevent baby walker-related head injuries from falls down stairs and recalled numerous toys and other products that presented choking hazards to children.

#### Chemical Hazards



CPSC seeks to reduce or prevent deaths or injuries due to ingestion, inhalation, or dermal exposure from hazardous substances in consumer products. Commission action has helped to protect children from exposure to lead in toys, crayons, children's jewelry, mini-blinds, and playground equipment. We have helped reduce children's exposure to hazardous chemicals in art materials and school laboratories. CPSC has worked to improve indoor air quality by reducing emission of pollutants from heating equipment, building materials, and home furnishings.

The Poison Prevention Packaging Act (PPPA) authorizes CPSC to issue requirements for child resistant packaging for such products as drugs and other hazardous household chemical substances. Since the PPPA became law in 1970, poisoning deaths to children under 5 years of age have declined substantially. While child poisoning deaths have been relatively low for a number of years, the Commission has seen evidence that, without continued surveillance, the death rate could increase.

For 2003 to 2005, unintentional<sup>5</sup> ingestion of drugs and hazardous household products was associated with an annual average of 33 deaths to children under age 5. In 2007, more than an estimated 78,000 children under 5 were treated in hospital emergency rooms.

### **Household and Recreation Hazards**



Household and recreation hazards are found throughout the nation's homes and affect many of our family activities. CPSC's work in this area covers products such as lawn and garden equipment, power tools, and recreational equipment. Our past activities made significant contributions to household and recreation safety. For example, we improved lawn mower safety by establishing a standard addressing blade contact. We estimate that the lawn mower standard saves about \$1 billion in societal costs annually. The Agency also has been a leader in urging consumers to use safety gear when participating in recreational activities, such as bicycling, all-terrain vehicle riding, and skateboarding.

### **Electrocution and Shock Hazards**



In 2004<sup>6</sup>, there were about 60 deaths from consumer product-related electrocutions. In 2007, an estimated 6,000 consumer product-related electric shock injuries were treated in U.S. hospital emergency rooms. Total societal costs in the U.S. associated with electrocutions and electric shock are about \$600 million. The annual estimate of electrocutions has declined substantially since 1975. CPSC's work on ground-fault circuit interrupters, hair dryers, power tools, house wiring, and garden equipment has contributed significantly to this decline.

<sup>5</sup> Unintentional ingestions are those not supervised or administered by an adult.

<sup>6</sup> 2004 is the latest year for which complete fatality data are available.

**2010 ANNUAL CHILDREN'S AND OTHER HAZARDS RELATED GOALS**

<b>Annual Goals Summary</b>		<b>2005</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>
<b>Safety Standards</b>							
1. Prepare candidates for rulemaking <sup>#</sup>	<b>Goal</b>	3	3	5	4	2	0
	<b>Actual</b>	0	1	4	2		
2. Present recommendations to voluntary standards or code organizations	<b>Goal</b>	1	**	1	2	0	0
	<b>Actual</b>	1	0	0	4		
3. Complete data analysis and technical review activities	<b>Goal</b>	21	21	22	17	11	19
	<b>Actual</b>	21	15	17	15		
4. Support voluntary standards and code revisions	<b>Goal</b>	51	52	49	56	36	36
	<b>Actual</b>	54	49	51	58		
<b>Compliance</b>							
5. Corrective action within 60 business days of preliminary determination (unregulated products)	<b>Goal</b>	**	**	80%	82%	80%	80%
	<b>Actual</b>	78%	93%	89%	91%		
6. Corrective action within 35 business days of notice of violation (regulated products)	<b>Goal</b>	**	**	85%	88%	80%	80%
	<b>Actual</b>	95%	91%	96%	96%		
7. Enforce the Virginia Graeme Baker Pool and Spa Safety Act	<b>Goal</b>	**	**	**	**	1	1
	<b>Actual</b>	--	--	--	--		
<b>Consumer Information</b>							
8. Consumer outreach* (in millions)	<b>Goal</b>	**	**	125	450	300	300
	<b>Actual</b>	87	284	978	334		
9. Conduct public information efforts/partnerships	<b>Goal</b>	10	8	7	9	10	9
	<b>Actual</b>	7	9	9	9		
<b>Virginia Graeme Baker Pool and Spa Safety Act - National Educational Campaign</b>							
10. Consumer outreach (in millions)	<b>Goal</b>	**	**	**	**	60	75
	<b>Actual</b>	--	--	--	--		
11. Conduct public information effort	<b>Goal</b>	**	**	**	**	2	4
	<b>Actual</b>	--	--	--	--		
12. Conduct drain entrapment/evisceration hazards public information efforts/partnerships	<b>Goal</b>	**	**	**	**	5	3
	<b>Actual</b>	--	--	--	--		

<sup>#</sup> The CPSIA covers Children's hazards. Refer to the CPSIA section for rulemaking activities related to Children's hazards.

\* The baseline data for this goal are not strictly comparable to the 2007 or later data due to an improved data capturing capability implemented in 2007.

\*\* No goal established.

-- Data not available.

**Safety Standards****1. Prepare for Commission consideration candidates for rulemaking or other alternatives.**

The CPSIA covers children's hazards. Refer to the CPSIA section for a list of rulemaking activities related to children's hazards.

**2. Prepare and present recommendations to voluntary standards or code organizations to strengthen or develop voluntary standards.**

No children's and other hazards recommendations are currently planned for 2010.

**3. Complete 19 testing, data collection, hazard analysis, or technical review activities to evaluate the need for, or adequacy of, safety standards.***ATV Annual Data Update*

**Goal:** In 2010, staff will prepare its annual all-terrain vehicle (ATV) death and injury data update report, which began in 1982.

The report also includes data on deaths by State, relative risk of death by year, and injuries distributed by year and age grouping.

*Chemical Toxicity Assessment  
(2 activities)*

Staff addresses a variety of products and hazards by continuing ongoing activities and initiating new activities depending on the identification of emerging hazards. The topics will vary but may include the following: lung injuries and fatalities from aerosol waterproofing products; updating the chronic hazard guidelines, lead, and indoor air quality. Contract funds are included for peer review of staff risk assessments and/or toxicity reviews.

**Goal:** In 2010, staff will complete at least two risk assessments, technical review activities, or guidance documents.

*Electrocution Annual Data Update*

**Goal:** In 2010, staff will prepare its annual report of electrocutions associated with consumer products.

*Nanomaterials in Aerosol Products*

In 2008, CPSC initiated an interagency agreement (IAG) with the National Institute for Occupational Safety and Health (NIOSH) to evaluate the particulate aerosol generated during use of an antimicrobial spray product containing Titanium Dioxide (TiO<sub>2</sub>) nanoparticles. CPSC provided funding for the product and the construction of a generation system and test chamber; NIOSH provided the expertise and staff time. The project has been successful at identifying nanomaterials in the product.

**Goal:** In 2010, under an IAG between CPSC and NIOSH, NIOSH will conduct testing to determine exposure impact of bathroom spray that contains engineered nanomaterials. A final report on their evaluation will be completed.

*Nanosilver in Consumer  
(Children's) Products*

There is a growing use of compounds or materials that have been produced using technologies such as nanotechnologies that directly manipulate matter at the atomic level and fabricate materials that could not have been produced in the past. Nanomaterials are defined as materials/particles that range from 1 to 100 nm (nanometer) in length. Although these materials may have the same chemical composition as non-nanomaterials, these new materials may demonstrate different physical and chemical properties and they may behave differently in the environment and in the human body.

The unique properties of nanosilver are being exploited for use in consumer products including room sprays, laundry detergents, and wall paint, textiles (such as shirts, pants, and underwear), and products intended for use by children (such as baby bottles, teething rings, and plush toys). Exposure associated with silver varies with the chemical form (metallic, salt) and the route of exposure (ingestion, inhalation, and dermal contact).

Evaluating potential exposures to consumers from use of nanosilver-enabled products is critical for assessing potential

health effects. Although available studies on nanosilver indicate exposure potential from some nanosilver-enabled textiles, these studies poorly described the methodologies used. Furthermore, the results obtained were highly variable precluding generalization of these studies to other consumer products. In the proposed study, scientifically credible protocols will be used to evaluate exposure potential to nanosilver from consumer products.

**Goal:** In 2010, a literature search will be completed and the experimental procedures, which use scientifically credible protocols to evaluate exposure potential to nanosilver from consumer products, will be developed to quantify releases and consumer exposure to nanosilver from treated products. Special emphasis will be placed on exposures to young children. Product testing and a final report on the results will be completed in 2011.

*Nursery Equipment Annual Update*

**Goal:** In 2010, staff will prepare its annual report of nursery product-related injuries and deaths to children age 5 and under.

*Pediatric Poisonings*

CPSC staff estimates that there are about 30 deaths per year from unintentional pediatric poisonings. This is down from over 200 in the 1970s, but this figure has been stable for the past ten years. Furthermore, this is an acknowledged over-count due to lack of specificity in the National Center for Health Statistics (NCHS) data used for the report.

**Goal:** In 2010, staff will conduct an in-depth review of PPPA-related deaths to determine more accurate death counts and to look for addressable hazard patterns.

*Pediatric Poisonings Annual Update*

**Goal:** In 2010, staff will prepare its annual report on unintentional pediatric poisonings.

*Pool and Spa Safety*

CPSC's 2009 appropriation includes \$2 million to implement the State Grant Program mandated in the Pool and Spa Safety Act to provide funding to eligible States for improving and enforcing pool and spa safety, with funds remaining available for obligation until September 30, 2010. In 2009, staff will enter into an agreement with the Centers for Disease Control and Prevention (CDC) to implement the grant program. CPSC staff will determine eligibility criteria for grant applicants and working with CDC establish application submission and evaluation criteria and prepare and release a public announcement about the grant program.

**Goal:** In 2010, staff will monitor CDC activities to evaluate grant applications for eligibility and administer the grant program. This program will award \$2 million in grants (funded with 2-year funds in 2009).

*Portable Pool Protection*

CPSC staff is concerned with the growing numbers of submersion fatalities and injuries associated with portable pools. Designing

effective submersion prevention systems that are appropriately matched to the assembly and installation restrictions commonly encountered with portable pools has provided a persistent challenge.

**Goal:** In 2010, staff will identify the characteristics of a portable pool protection system that would be needed to prevent unattended entry by children to prevent submersion incidents. Staff will design and model innovative submersion protection systems with small-scale and full-sized units. Staff will present these concepts to pool industry representatives and consumer groups within appropriate educational forums, such as standards meetings, public forums, or pool industry conferences and expositions.

*Pool Submersion Annual Data Update*

**Goal:** In 2010, staff will update its annual report on pool submersion incidents involving children age 5 and under.

*Recreational Off-Road Vehicles (ROVs)*

Recreational Off-Road Vehicles (ROVs) are a relatively new product category with a high number of injuries. Preliminary tests and evaluation indicate that ROVs may exhibit features that do not adequately protect users in a crash scenario.

**Goal:** In 2010, CPSC staff will initiate the test and evaluation of currently marketed ROVs to determine baseline stability and occupant protection features.

*ROV/MUV/ATV Data Collection Refinement*

At present, the derivation of fatalities and injury estimates for Recreational Off-Road Vehicles (ROVs) from CPSC staff's databases is complicated because staff codes ROVs as utility vehicles, which includes a number of vehicles that are not considered ROVs by the Recreational Off-Highway Vehicle Association (ROHVA) or by CPSC staff. As compared to ROVs, these Multi-purpose Off-Highway Utility Vehicles (MUVs) may have very different designs and uses. Since ROVs are often referred to as "ATVs" or "Quads" by the press, the police, and the public, as well as by medical personnel, ROV-related injuries and fatalities may be coded as "ATVs" in CPSC staff's databases, particularly in incidents where the product manufacturer and model are not reported.

**Goal:** In 2010, staff will uniquely identify ROV- and MUV-related injuries from existing data, and develop the survey instrument to conduct a NEISS-based special study to gather more detailed information on conditions that could result in injury incidents involving these vehicles.

*Sleep Environment Hazards*

Staff will identify common hazards in an infant's sleep environment, describe the injury patterns and develop recommendations to address them.

**Goal:** In 2010, staff will prepare a technical report, presenting the results of the staff's review and describing strategies that will help

consumers recognize sleeping environment hazards. Based on this information, staff will develop improved CPSC public education materials.

#### *Table Saws (Blade Guards)*

In 2007, new blade guard designs became available for consumers. In 2008, staff conducted testing to evaluate the new blade guard designs as staff remains concerned that blade guards may be inadequate to address safety concerns. In 2009, staff will complete testing, human factors evaluations, and test data analysis and prepare a draft report of the results.

**Goal:** In 2010, staff will finalize its report and make recommendations for future action, as appropriate.

#### *Tip-Over Prevention*

For 2006, CPSC staff estimates that 42,700 people were treated in U.S. hospital emergency departments for injuries related to instability or tip-over of appliances, furniture, and televisions. The furniture category had the largest number of injuries among the three products. From 2000 to 2006, 87 fatalities were associated with tipping televisions. Approximately 45 percent of estimated injuries for 2006 and 80 percent of reported fatalities for 2000 to 2006 involved children younger than 10 years of age. Staff will identify and evaluate potential strategies addressing tip-over incidents.

**Goal:** In 2010, staff will prepare a report of the results of a review of incidents involving tip-overs. Staff will identify options to prevent tip-over fatalities and will make recommendations for addressing tip-over hazards.

#### *Toys Annual Update*

**Goal:** In 2010, staff will prepare its annual update on toy-related deaths and injuries.

#### *Toys Not Elsewhere Classified*

In 2008, staff began activities to distinguish incidents involving 'Toys, Not Elsewhere Classified' in the CPSC epidemiology data bases that were associated with products that could be better classified in an existing or new toy product code from those reported incidents where the toy product was unknown. In 2009, staff will initiate a toy surveillance project to monitor all incoming reports associated with toy product codes. The findings from the 2008 work and the results of the 2009 surveillance effort will help to inform the sample design and development of a NEISS-based special study in 2010.

**Goal:** In 2010, staff will develop the sample design for development of a NEISS-based special study to gather more detailed information on the toys involved in incidents that are correctly associated with "Toys, Not Elsewhere Classified." This work will continue in 2011.

#### 4. Support the development/revision of voluntary standards and codes.

##### *Voluntary Standards*

Staff participates in the voluntary standards process by providing expert advice, technical assistance, and information based on data analyses of how deaths, injuries and/or incidents occurred.

**Goal:** In 2010, staff will support the revision of the voluntary standards and/or model codes for the following 36 products:

- |   |  |
|---|--|
| -Bassinets/cradles  | -Infant slings   |
| -Bath seats   | -Infant swings   |
| -Bed rails  | -Infant tubs   |
| -Beds (Bunk, Toddler)   | -Infant walkers  |
| -Bedside sleepers   | -Playground equipment  |
| -Blind cords  | (Under 2, Home, Public)  |
| -Booster seats  | -Ranges  |
| -Chairs (High, Youth)   | -Stationary activity centers   |
| -Changing tables  | -Strollers   |
| -Cribs (Commercial, Full-size,<br>Non-full-size & play yards) | -Swimming pools and spas   |
| -Infant bedding & accessories                                 | (Alarms, Pools & spas,<br>Portable pools, Suction<br>vacuum release systems) |
| -Infant bouncers  | -Toys  |
| -Infant carriers (Frame,<br>Handheld, Soft)                   | -Tree stands   |
| -Infant gates   |  |

### **Compliance**

#### 5. *Corrective Action Timeliness (Unregulated Products)*

Each investigation involving a Children's or Other hazard will culminate in a preliminary determination that a product is or is not defective. If the product is determined to be defective, the Compliance Officer begins negotiating with the responsible company to obtain a voluntary corrective action. For defects that pose a risk of serious injury, the Compliance Officer seeks a consumer-level recall, which usually involves a free repair or replacement of the product or a refund of the purchase price. For less serious hazards, the corrective action may involve stopping sale of the product and correction of future production.

**Goal:** In 2010, staff will negotiate and commence 80 percent of children's and other hazards corrective actions within 60 business days after a firm is notified of the staff's preliminary determination.

#### 6. *Corrective Action Timeliness (Regulated Products)*

Compliance staff regularly conducts surveillance activity to check compliance of products with CPSC mandatory standards. Samples collected by investigators in the Field are sent to the CPSC Laboratory for analysis. Additional technical analyses are often conducted by CPSC technical experts. When it is determined that a product violates CPSC standards, a Compliance Officer sends a letter of advice (LOA) to the manufacturer, importer or retailer. For violations posing a serious risk of injury, the letter will seek a

consumer-level recall (unless the sample was collected at a port of entry and no products have been distributed within the United States). For less serious violations, the letter may seek a lesser corrective action, such as stopping sale of the violative products and correction of future production.

**Goal:** In 2010, staff will obtain 80 percent of children's and other hazards corrective actions within 35 business days after the LOA is issued.

### ***7. Pool and Spa Safety Act Enforcement***

The Virginia Graeme Baker Pool and Spa Safety Act (PSSA) requires public pools to be equipped with compliant anti-entrapment drain covers and in certain instances with additional anti-entrapment devices/systems.

**Goal:** In 2010, staff will develop and implement a program to enforce the Act.

## **Consumer Information**

### **Alert the public to children's and other hazards through:**

#### ***8. Consumer Outreach***

In 2008, about 334 million views of CPSC safety messages related to children and other hazards were received by consumers through TV appearances, video news releases (VNRs), and e-publications through CPSC's Web site.

**Goal:** In 2010, 300 million views of safety messages related to children's and other hazards will be received by consumers through TV appearances and interviews on national television networks, video news releases (VNRs) to national and local television networks, e-publications through CPSC's Web site, appearances or stories on national and local radio, and in national or local newspapers and wire services. These appearances or mentions on radio or print would be generated by live or taped interviews, audio news releases, public service announcements, press releases and on-line information.

#### **9. Conduct nine public information efforts to warn the public about other hazards.**

##### ***Drive to One Million***

Our "Drive to One Million" campaign was started in 2007. This effort uses several different agency tools to make the public aware that despite our best efforts there are still many recalled products in the hands of the public. Our goal is to have at least one million consumers sign up to receive, electronically and free of charge, potentially life-saving information through CPSC's e-mail notification system. Consumers can sign up to receive instant notice of recall information at [www.cpsc.gov/cpsclist.aspx](http://www.cpsc.gov/cpsclist.aspx). There are nearly 300,000 members currently.

**Goal:** In 2010, CPSC will continue to aim to reach the 1 million mark of consumers who have been registered to receive our recall

announcements via e-mail. Outreach will continue with stakeholders, such as mainstream media, social media Web sites, consumer-oriented Web sites, private sector and special interest supporters, and State and local governments. Marketing of this program will continue to be driven by promotion of our Drive to One Million logo.

#### *ATV Safety*

In 2010, staff will continue its effective all-terrain vehicle (ATV) rapid response program as the cornerstone of its ATV education activities. Rapid response focuses on fatalities involving both children and adults, as a means toward prevention of future incidents. The ATV Web page received about 213,000 visits in 2008.

**Goal:** CPSC's multi-faceted Web page [www.atvsafety.gov](http://www.atvsafety.gov) will continue to be promoted and updated weekly with death and injury data, news items, industry developments, and changes to State laws. Additionally, an educational roundtable/forum on ATV safety may be planned and sponsored by CPSC for all organizations interested in promoting safe riding practices.

#### *Baby Safety Month*

**Goal:** In 2010, CPSC will recognize Baby Safety Month by partnering with one or more organizations that are focused on the safety of young children in and around the home. Information and education activities for this effort will include materials such as a new publication, a press release featuring new data, a Podcast, a message to National Safety Network (NSN) members, a video, and media interviews.

#### *Bicycle/Helmet Safety*

More than 800 consumers are killed each year in bicycle-related incidents.

**Goal:** In 2010, CPSC will communicate with the public about the need to wear helmets and ensure children are safe when riding their bikes and other wheeled toys. Public information efforts will take the form of one or more of the following: a news release, re-issuance of NSN posters on bike and helmet safety, a Podcast, audio news release, PSAs, and/or partnering with agencies such as the National Highway Traffic Safety Administration.

#### *In-Home Drowning Prevention*

On average, more than 75 non-pool or spa drowning deaths involving children younger than 3 occur inside or around homes each year.

**Goal:** In 2010, CPSC will focus at the end of the summer on addressing the hazard of standing water in places such as buckets and bathtubs to prevent drowning to young children. As part of this effort to reduce in-home drowning, CPSC will use tools such as issuing a news release, conducting media interviews, recording a Podcast, distributing a video, or issuing a poster for NSN members.

*Poison Prevention*

**Goal:** In 2010, during National Poison Prevention Week, CPSC will continue to support the efforts of the Poison Prevention Council by issuing a news release to promote child-resistant packaging and other poison prevention measures. CPSC will carry out activities such as updating the on-line poison prevention information center, conduct media interviews, a Podcast, and disseminate a safety message to NSN members.

*Product Tip-Over*

**Goal:** In 2010, CPSC will continue its work to alert parents to the dangers of televisions, heavy furniture, and freestanding ovens tipping over and crushing young children. CPSC will communicate this hazard through one or more of the following communication tools: issuance of a video news release (VNR) with new data, Podcast, conduct media interviews, or produce a new NSN poster.

*Safety Publication Update*

Some of CPSC's electrical, nursery, and mechanical/recreational brochures and product safety alerts (both in print and on the Web site) are aging. That is, they may depict older products that do not comply with more recent standards, contain outdated epidemiological information, and refer to codes and standards that have been revised, or refer to organizations that have changed names. This project, started in 2009 as a pilot, is intended to regularly update CPSC safety publications and on-line documents.

**Goal:** In 2010, staff will update three safety publications addressing children hazards, fire and electrical hazards, mechanical hazards, sports and recreational hazards, or chemical and combustion hazards.

*Smart Holiday Shopping /  
Toy Safety*

Every holiday season, staff continues efforts to educate parents and caregivers on the appropriate products for appropriate ages. We will also continue at this time of year to encourage consumers to be aware of the various Web sites that will assist them to identify recalled products. As part of the drive to remove dangerous products from homes, staff will continue to build upon the success of our Web site, [www.cpsc.gov](http://www.cpsc.gov), and the [www.recalls.gov](http://www.recalls.gov) Web site for notifying consumers about recalled products.

**Goal:** In 2010, staff will utilize communication tools such as a VNR, NSN safety poster, news conference, and other materials to educate the public at the grassroots level about safe shopping for toys now that the CPSIA requirements for lead, phthalates and children's toys are in effect.

***Virginia Graeme Baker Pool and Spa Safety Act – National Education Campaign***

In December 2007, the Congress passed and the President signed the Virginia Graeme Baker Pool and Spa Safety Act, which became effective in December of 2008. The Act addresses the hazards of child drowning and drain entrapment. It requires a targeted education campaign that addresses these hazards.

The Act also mandates retrofitting the nation's public pools with compliant anti-entrapment drain covers and in certain instances with additional anti-entrapment devices/systems. CPSC is working on achieving high compliance with this new law.

**10. *Consumer Outreach***

**Goal:** In 2010, 75 million views of CPSC safety messages related to pool and spa safety will be received by consumers and key stakeholders through activities such as: TV appearances and interviews on national and local television networks; public service announcements (PSAs); video news releases (VNRs); a rapid response program; and e-publications through CPSC's Web site.

**11. *Public Information and Education Campaign***

**Goal:** In 2010, the Agency will do four activities from the following to address child drowning and entrapment in residential and public pools: develop a stand-alone Web site for pool and spa owners and operators, the pool and spa industry, State and local health officials, the media, and the public at-large; hold press events; and expand toolkit materials for the Neighborhood Safety Network.

**12. *Drain Entrapment Hazards Information and Education Efforts***

**Goal:** In 2010, the Agency will work on an extensive education effort by using three of the following communication tools: Webinars; conference calls; media interviews; publications; an e-mail listserv; Web-based resources; and responding to public calls and e-mails. These approaches will be used to address questions and concerns regarding the mandates of the Act with respect to entrapment hazards in public pools, CPSC's technical and legal interpretations, how to comply, and the consequences of non-compliance.

## BUDGET PROGRAM: Identifying Product Hazards

The work in this program provides the information needed to assess product hazards and apply hazard reduction strategies. The program includes Data Collection and Data Analysis Activities.

### 2010 RESOURCE CHANGES

Total dollars decrease by \$192,000 to reflect the program's share of the Agency request to maintain current safety efforts at 2010 prices offset by revised funding estimates for the Consumer Product Safety Risk Management System and FTE staffing increases by one.

<b>2008-2010 RESOURCES (DOLLARS IN THOUSANDS)</b>					
<b>2008 Actual</b>		<b>2009 Plan</b>		<b>2010 Request</b>	
<b>FTEs</b>	<b>Amount</b>	<b>FTEs</b>	<b>Amount</b>	<b>FTEs</b>	<b>Amount</b>
82	\$17,447	90	\$27,777	91	\$27,585

### HOW WE IDENTIFY HAZARDS

CPSC collects data on consumer product-related injuries and deaths, as well as economic and hazard exposure information, for products under our jurisdiction. We also investigate specific injury cases to gain additional knowledge about injuries or hazards and how the reported product was involved. We systematically analyze this information to determine where hazards exist and how to address them. These activities reflect the Agency's commitment to making decisions based on appropriate data analyses. This work provides underlying support to all of CPSC's safety activities.

**Product-Related Injuries.** Each year, we collect information about product-related injuries treated in hospital emergency rooms through our National Electronic Injury Surveillance System (NEISS). This unique system provides statistically valid national estimates of product-related injuries from a probability sample of hospital emergency rooms and is the foundation for many CPSC activities. Several foreign governments have modeled their national injury data collection systems after CPSC's system. Annually, NEISS supplies over 360,000 product-related cases from a sample of about 100 hospitals. The hospitals transmit incident information electronically and, in some cases, the data are available within 24 hours after an incident.

In 2000, NEISS was expanded to provide data on all trauma-related injuries. The expanded data provide other Federal agencies, researchers, and the public with more comprehensive information on injuries from all sources, not just consumer products. The Institute of Medicine recommended the expansion of NEISS into an all-injury system. The effort is being supported by reimbursable funds of approximately \$2 million from the Centers for Disease Control and Prevention. The reimbursable funds allow us to collect non-consumer product injury data, while we continue collecting product injury data with CPSC funds.

**Product-Related Deaths.** CPSC also collects mortality data. We purchase, review, and process about 8,000 death certificates each year covering unintentional product-related deaths from all 50 States, D.C., and New York City. Our Medical Examiner and Coroner Alert Project collects and reviews approximately 4,600 additional reports from participating medical examiners and coroners throughout the country. We also collect and review about 7,400 news clips and 14,300 other reports of product-related injuries and deaths from consumers, lawyers, physicians, fire departments, and others.

## **RISK MANAGEMENT SYSTEM EARLY WARNING SYSTEM**

In 2007, CPSC staff established a pilot program for an Early Warning System (EWS), which will facilitate rapid identification and corrective actions regarding emerging product-associated hazards. The pilot consists of a system of processes and procedures that integrate timely input from subject matter experts (SMEs) and electronic assessment tools for evaluating incoming product-related reports. In 2008, staff implemented processes and procedures from the pilot EWS focusing on products found in the sleeping environments of children – cribs, bassinets, and play yards (play pens). A multi-disciplinary team of SMEs meets weekly to evaluate and characterize the hazard scenarios and failure modes of product-associated incidents received during the previous week. An electronic database was developed and is updated weekly to capture the hazard scenarios, failure modes, investigative status, and compliance action disposition of each incident. Work on EWS contributed to 12 recalls involving more than 3 million cribs, bassinets, and play yards, demonstrating the successful implementation of the pilot EWS processes and procedures.

Work on the Consumer Product Safety Risk Management System (our information technology modernization effort), in response to CPSIA requirements, is done under this program. This work is described under the CPSIA section shown earlier in this request.

## **EMERGING HAZARDS**

CPSC staff has systematically reviewed death and injury data and associated cost data by product grouping (such as heating, cooking and ventilating equipment, general household appliances, children's products, and home workshop tools) and conducted other emerging hazard reviews. We conduct special studies in areas identified by the strategic planning process, data reviews, or other staff activity. An investigation begins with careful review of all incoming reports to identify those most important for further study. These cases are followed up with a telephone interview and continued, if appropriate, with an on-site investigation when information is needed on how specific types of injuries occurred. The resulting information shows the interaction among the victim, the product, and the environment, and forms the basis for developing appropriate remedial strategies. We also screen all incoming data daily to identify products that may be associated with increasing numbers of injuries.

We conduct economic studies to provide specialized economic information to staff, Commissioners, other agencies, and the public. Staff develops injury cost projections to estimate potential benefits associated with Agency actions. We generate estimates of numbers of products in use to determine potential recall effectiveness and consumer exposure to product hazards, and to support Agency hazard analysis work.

The public may file a petition requesting that CPSC regulate a consumer product under its jurisdiction. In response to these petitions, staff may prepare briefing packages for Commission consideration to grant, deny, or defer the petitions.

## 2010 ANNUAL DATA COLLECTION AND DATA ANALYSIS GOALS

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b>Data Collection Activities</b>							
1. Evaluate, train and audit hospitals in the NEISS sample	<b>Goal</b>	100%	95%	95%	95%	98%	98%
	<b>Actual</b>	99%	100%	99%	100%		
2. Capture the product-related cases	<b>Goal</b>	90%	90%	90%	90%	90%	90%
	<b>Actual</b>	92%	91%	91%	91%		
3. Complete headquarters telephone investigations in less than 45 business days	<b>Goal</b>	90%	90%	90%	90%	98%	98%
	<b>Actual</b>	99%	100%	99%	99%		
4. Complete fire investigations as on-site or other in less than 45 business days	<b>Goal</b>	**	**	95%	95%	95%	95%
	<b>Actual</b>	97%	95%	98%	98%		
5. Complete non-fire investigations as on-site or other in less than 45 business days	<b>Goal</b>	**	**	93%	93%	93%	93%
	<b>Actual</b>	97%	93%	96%	95%		
6. Maintain the number of establishment inspections by field staff	<b>Goal</b>	**	**	400	400	400	400
	<b>Actual</b>	274	320	493	463		
7. Sustain the number of incident reports collected from medical examiners/coroners	<b>Goal</b>	3,600	4,160	3,900	4,500	4,500	4,500
	<b>Actual</b>	4,428	4,843	4,724	4,606		
8. Sustain the number of incident reports collected from news clips	<b>Goal</b>	7,000	8,100	7,300	7,800	7,200	7,200
	<b>Actual</b>	8,766	8,634	8,612	7,402		
9. Maintain Nanotechnology Consumer Product Database	<b>Goal</b>	**	**	**	**	**	1
	<b>Actual</b>	--	--	--	--	--	
<b>Data Analysis Activities</b>							
10. Early Warning System	<b>Goal</b>	**	**	**	1	1	1
	<b>Actual</b>	--	--	--	1		
11. Estimate the impacts of CPSC on Gross Domestic Product	<b>Goal</b>	**	**	**	**	**	1
	<b>Actual</b>	--	--	--	--	--	
12. Conduct Brain Injury Study	<b>Goal</b>	**	**	**	**	**	1
	<b>Actual</b>	--	--	--	--	--	

\*\* No goal established.

-- Data not available.

### Data Collection Activities

#### Maintain the quality of injury data.

##### 1. Monitoring Hospitals

Evaluation visits provide CPSC staff an opportunity to review hospital records and ensure that hospital coders are capturing and reporting data on the highest possible percentage of reportable cases.

**Goal:** In 2010, staff will conduct at least one evaluation visit at 98 percent of the hospitals in the NEISS sample.

## ***2. Capturing Product-Related Cases***

A high reporting percentage is necessary to ensure the integrity of the estimates. Remedial action would be implemented in any hospital that is missing significant numbers of reportable cases.

**Goal:** In 2010, NEISS hospitals will report over 90 percent of the product-related cases, as documented by audits in each hospital.

### **Identify and investigate product hazards in the field.**

## ***3. Telephone Investigations (Headquarters)***

Headquarters telephone investigations provide valuable information on specific NEISS cases of interest to CPSC analysts. Analysts must receive these data as quickly as possible to support hazard reduction activities.

**Goal:** In 2010, staff will complete at least 98 percent of telephone investigations in fewer than 45 business days.

## ***4. On-site and Other Fire Investigations (Field) – Timeliness***

On-site and other fire investigations by the Field staff provide valuable information on cases of interest to CPSC compliance officers and analysts. Analysts must receive these data as quickly as possible to support hazard reduction activities.

**Goal:** In 2010, field staff will complete at least 95 percent of on-site and other fire investigations (not including telephone investigations) in fewer than 45 business days.

## ***5. On-site and Other Non-Fire Investigations (Field) – Timeliness***

On-site and other non-fire investigations by the Field staff provide valuable information on cases of interest to CPSC compliance officers and analysts. Analysts must receive these data as quickly as possible to support hazard reduction activities.

**Goal:** In 2010, field staff will complete at least 93 percent of on-site and other non-fire investigations (not including telephone investigations) in fewer than 45 business days.

## ***6. Establishment Inspections***

The primary purpose of an on-site field inspection of a manufacturing facility, importer, distributor or a retailer is to gain first-hand knowledge of a particular product or product type to determine whether it is in compliance with federal regulations or contains a defect which could create a substantial product hazard.

**Goal:** In 2010, field staff will conduct 400 establishment inspections.

## ***7. Medical Examiner/Coroner Reports***

Reports from medical examiners and coroners provide critical information on product-related deaths. The data are especially valuable because, unlike death certificates, they are generally received soon after the incident and provide some detail on how the incident occurred.

**Goal:** In 2010, staff will obtain 4,500 medical examiner/coroner reports.

### **8. News Clips**

CPSC relies on clips from newspapers in all 50 States to identify incidents. News clips are provided by two sources: (1) news reports purchased under clipping service contracts and (2) news reports from the Internet and other sources obtained by staff. News clips provide many reports of product-related deaths, serious injuries, and hazardous fires. The reports fill gaps in reporting from other data systems and provide a very important source of incidents to investigate in support of hazard identification and analysis activities.

**Goal:** In 2010, staff will obtain 7,200 incident reports from news clips.

### **9. Nanotechnology Consumer Product Database**

In March 2006, the Woodrow Wilson International Center for Scholars published an inventory of consumer products found on the Internet which were identified by manufacturers as nanotechnology products; products included aerosol household chemicals, apparel, and sports equipment. A large number of products that are expected to contain nanomaterials will fall under the regulatory authority of the CPSC. Without pre-market notification, the staff is unaware of the products that contain nanomaterials and the specific nanomaterials incorporated in these products. Staff identifies products that claim or are believed to contain nanomaterials and maintains a database with detailed information on these products.

**Goal:** Beginning in 2010, staff will produce an annual report on the overall use of nanomaterials in the marketplace and the consumer product categories that contain nanomaterials. Staff will also select products for additional review.

## **Data Analysis Activities**

### **10. Early Warning System**

In 2008, staff developed and implemented processes and procedures for a pilot Early Warning System (EWS) that focuses on products found in the sleeping environments of children: cribs, bassinets, and play yards (play pens). A multi-disciplinary team of subject matter experts (SMEs) meets weekly to evaluate and characterize the hazard scenarios and failure modes of product-associated incidents received during the previous week. An electronic database captures the hazard scenarios, failure modes, investigative status, and compliance action disposition of each incident.

**Goal:** In 2010, staff will continue to apply the EWS processes and procedures for products found in the sleeping environment of children and develop enhanced IT functions and features for the process.

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**11. *Economic Impact of CPSC Work***

Staff conducts economic studies to develop hazard exposure data, maintains econometric models and economic information to provide analysis of general and small business impacts (e.g., production costs, competition, etc.) and environmental impacts. Model maintenance includes periodic review to assure that methodological approaches and models are current and adequate for use by CPSC.

**Goal:** In 2010, staff will work on an Input-Output Study to estimate the impact of CPSC actions on the Gross Domestic Product (GDP) through its reduction in injuries to consumers. Training on Input-Output software and data collection will be completed in 2010, and the analytical phase of the project will begin at the end of 2010.

**12. *Brain Injury Study***

Staff conducts economic studies to develop information to provide injury cost estimates, estimates of product life and numbers in use, and labeling and recall costs. In 2009, staff developed a study plan and awarded a contract to develop severity and cost information on carbon monoxide injuries for all victims, and lead poisoning injuries and submersion injuries for children. In 2010, the contractor will begin data collection for the Brain Injury Study.

**Goal:** In 2010, the contractor will provide periodic status reports on the Brain Injury Study.

## SERVICES AND MANAGEMENT GOALS

In support of our two core budget programs, *Reducing Hazards to Children and Families* and *Identifying Product Hazards*, we conduct activities designed to maintain and improve outstanding agency service and management. In the area of service quality, we focus on ways to better provide industry service and satisfy our customers. We have both long-term strategic goals and annual performance goals in each service quality area. We also have annual performance goals to improve management support.

### INDUSTRY SERVICES



**STRATEGIC GOAL: Maintain success with the timeliness and usefulness of the Fast Track Product Recall and the Small Business Ombudsman programs for industry through 2010.**

#### THE PROGRAM

CPSC's Compliance function ensures that firms comply with the laws, regulations, and safety standards that protect consumers from hazardous and defective products. When a violation of a safety standard is found or a defective product is identified, we work cooperatively and quickly with industry to obtain an appropriate corrective action that can include recall of the hazardous product.

We administer two programs to assist industry: the Fast Track Product Recall (Fast Track) and Small Business Ombudsman programs. Under the Fast Track program, a firm that reports a hazardous product and recalls it quickly avoids a CPSC staff preliminary determination that its product is defective and presents a substantial risk of injury. Other advantages of this program for industry include reductions in paperwork and legal expenses related to voluntary recalls. For CPSC, advantages of this program include removing hazardous products from consumers and the marketplace more quickly and a reduction in staff time to process the recall.

Through 2008, over 1,500 firms have participated in the program, resulting in nearly 3,000 product recalls involving over 300 million product units. The Fast Track program has been cited as outstanding by both government and private organizations.

With the Small Business Ombudsman program, we help small businesses comply more easily with product safety guidelines to manufacture safer products. We assist by frequently updating the small business Web page on our Web site and providing as much information as possible on the requirements to small business.

## 2010 ANNUAL INDUSTRY SERVICES GOALS

Annual Goals Summary		2005	2006	2007	2008	2009	2010
1. Initiate a Fast Track recall within 20 days	<b>Goal</b>	95%	90%	90%	90%	90%	90%
	<b>Actual</b>	94%	98%	95%	96%		
2. Provide industry guidance	<b>Goal</b>	5	5	5	5	10	6
	<b>Actual</b>	8	8	5	6		

\*\* No goal established.

-- Data not available.

### 1. *Fast Track Timeliness*

**Goal:** In 2010, staff will complete a technical review and initiate a recall within 20 days 90 percent of the time for the Fast Track program.

### 2. *Industry Guidance*

The new CPSIA, enacted in August 2008, greatly expanded our authorities to regulate safety in consumer products. Staff is developing guidance to facilitate industry transition to the new legislation.

**Goal:** In 2010, staff will develop six guidance documents to explain regulations, other policies, or procedures or to assist industry in complying with CPSC regulations.

### *Ombudsman - Small Business Response Publications*

The CPSIA section presented earlier in this document describes this activity.

## CUSTOMER SATISFACTION WITH CPSC SERVICES



**STRATEGIC GOAL: Sustain the high level of customer satisfaction with the CPSC Web site, hotline, Clearinghouse, and State Partners Program at 90 percent or better through the year 2010.**

### THE PROGRAM

In addition to our work reducing hazards associated with consumer products, we provide additional services to the public in the form of information services, including the Agency's Internet Web site, hotline, the National Injury Information Clearinghouse, and the State Partners program. These resources are used both to provide safety information to, and receive information from, the public. Customer satisfaction with these services is vital if CPSC is to fulfill its mission.

Our Web site ([www.cpsc.gov](http://www.cpsc.gov)) provides Internet access to CPSC resources and allows the public to view information about recalled products, report unsafe product incidents, request information, and download safety information. The hotline is a toll-free service that allows consumers to report product complaints or product-related injuries, learn about recalls and safety hazards, and obtain safety publications. The National Injury Information Clearinghouse provides data to the public in response to about 1400 requests each year. It also alerts manufacturers to potential hazards associated with their products, providing them with consumer complaints, reported incidents, and incident investigations involving their products. Our State Partners program, using limited CPSC funds and CPSC-developed safety information, brings product safety services to consumers through cooperative programs with State and local governments. The program extends our reach throughout the nation.

## 2010 ANNUAL CUSTOMER SATISFACTION GOALS

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b>CPSC Web Site</b>							
1. CPSC Web site visits (in millions)	<b>Goal</b>	11.0	18.0	25.0	38.8	40.0	41.0
	<b>Actual</b>	13.7	20.3	32.3	40.5		
<b>Hotline Services (1-800-638-2772)</b>							
2. Respond to voicemail messages the next business day	<b>Goal</b>	85%	85%	85%	95%	98%	98%
	<b>Actual</b>	86%	89%	99%	100%		
3. Process incident reports within 8 working hours	<b>Goal</b>	95%	95%	100%	95%	99%	99%
	<b>Actual</b>	100%	100%	100%	100%		
<b>National Injury Information Clearinghouse</b>							
4. Mail incident information for verification to consumers within 2 business days	<b>Goal</b>	95%	95%	95%	95%	95%	95%
	<b>Actual</b>	95%	100%	98%	97%		
5. Provide manufacturers with verified incidents and investigations within 48 business days	<b>Goal</b>	90%	90%	90%	95%	95%	95%
	<b>Actual</b>	95%	96%	97%	100%		
6. Provide responses to requests within 7 business days*	<b>Goal</b>	95%	95%	95%	80%	80%	80%
	<b>Actual</b>	99%	98%	82%	63%		
<b>State Partners Program</b>							
7. Conduct product safety activities within 90 days or less	<b>Goal</b>	**	**	88%	95%	95%	90%
	<b>Actual</b>	87%	95%	99%	100%		
8. Host State caucus training sessions	<b>Goal</b>	**	**	1	1	0	1
	<b>Actual</b>	0	0	1	1		

\* Starting in 2006, this goal was changed from 5 to 7 business days.

\*\* No goal established.

### CPSC Web Site

#### 1. Web Site Visits

CPSC's Web site ([www.cpsc.gov](http://www.cpsc.gov)) was established to widen and speed public access to important safety information. The site started out simply, allowing for the retrieval of basic information such as press releases (usually announcing product recalls) and the Agency's public meeting calendar. Over time, new features have been added, such as allowing the public to make on-line reports of product hazards and providing the ability to search and download data from our National Electronic Information Surveillance System (NEISS). Additional features include extensive information on the CPSIA (see CPSIA section).

The number of visits to the Web site has grown rapidly from about 200,000 visits in 1997 to about 40.5 million visits in 2008. Based on a customer feedback survey and a review of our Web site, we plan to implement changes that will improve the ability to access safety information.

**Goal:** In 2010, we will have 41 million visits to CPSC's Web site.

### Hotline Services (1-800-638-2772)

#### 2. Voicemail

The hotline maintains high levels of customer satisfaction through administering a performance-based contract for hotline operators who deal directly with the public. Under this type of contract, we evaluate the performance and renew the contract only if the performance level meets or exceeds the standards set forth in the

contract. This includes maintaining the hotline automated message system, maintaining the system for responding to e-mail messages, and preparing reports on consumer usage of these systems. In 2008, we received 3,950 messages from the public through voicemail.

**Goal:** In 2010, CPSC's hotline will respond to voicemail messages the next business day 98 percent of the time.

### ***3. Incident Reports***

Consumers may make a complaint of an unsafe product or product-related injury through the hotline. In 2008, hotline staff processed 3,936 complaints about consumer products, and 100 percent were completed within 8 working hours. We use these complaints to look for emerging hazards and to support studies of specific product hazards.

**Goal:** In 2010, CPSC's hotline will process product incident reports within 8 working hours 99 percent of the time.

## ***National Injury Information Clearinghouse***

### ***4. Consumer Confirmation***

The Clearinghouse contacts consumers to request verification of information contained in reports of unsafe products submitted to us through our consumer hotline, the Internet, or by mail. Requests for verification are mailed to consumers within 48 hours after the report arrives in the Clearinghouse. In 2008, we sent nearly 13,200 reports to consumers for verification and 97 percent were completed within two business days.

**Goal:** In 2010, staff will mail incident report verification information to consumers within two business days 95 percent of the time.

### ***5. Manufacturer Mailing***

The incidents from consumers and investigation reports from CPSC's field staff are sent to manufacturers whose products are named in these reports. Consumer verification information and manufacturer responses are also made available to staff electronically for review. In 2008, we mailed 14,300 reports to manufacturers and 100 percent were completed within 48 business days. The number of business days is calculated from the date the incident or investigation is received in the Clearinghouse and includes 20 business days of waiting for a response verifying the information from the complainant.

**Goal:** In 2010, staff will provide reported incidents and completed investigation results to manufacturers of identified products within 48 business days of receiving the reports in the Clearinghouse 95 percent of the time.

### ***6. Information Requests***

The Clearinghouse provides the public with technical information relating to the prevention of death and injury associated with consumer products. Requests for injury data are assigned to

technical information specialists who search agency databases and publications to tailor responses to each customer's needs. Most of the about 1,400 requests received in 2008 were completed within 7 business days. Since 2006, goal definition and targets have been adjusted because of reprioritization of resources.

**Goal:** In 2010, staff will provide responses to requests for information within 7 business days 80 percent of the time.

## ***State Partners Program***

### ***7. Product Safety Activities***

CPSC's State Partners program works in cooperation with a group of State and local officials to deliver CPSC services to consumers, including checks of recall compliance, inspections, and injury investigations to support CPSC priorities.

**Goal:** In 2010, staff will conduct 90 percent of product safety activities within 90 days or less of assignment.

### ***8. State Caucus Training***

State and local officials work with CPSC on cooperative activities that complement those performed by CPSC field staff and are done at little or no cost to CPSC. Staff will host training for these officials.

**Goal:** In 2010, CPSC staff will host a State Designee meeting.



## MANAGEMENT SERVICES

The Commission has chosen goals in related areas of management such as human capital management, financial management, and information technology.

### 2010 ANNUAL MANAGEMENT SERVICES GOALS

Annual Goals Summary		2005	2006	2007	2008	2009	2010
<b>Strategic Management of Human Capital</b>							
1. Modify the appraisal system	Goal	1	1	0	1	1	1
	Actual	1	0	0	1		
2. Identify skill gaps and develop training plans	Goal	1	1	1	1	1	1
	Actual	0	0	1	1		
3. Maintain the recruitment process time (days)	Goal	62	62	62	62	62	62
	Actual	61	61	49	62		
4. Conduct training for managers in human resource management	Goal	1	2	2	6	6	6
	Actual	2	4	6	7		
5. Conduct focus groups/on-line surveys of new employees	Goal	2	1	1	1	1	1
	Actual	2	1	2	1		
6. Target recruitment efforts to organizations serving under-represented populations	Goal	12	12	8	10	11	14
	Actual	14	14	11	15		
7. Conduct training sessions for managers and employees in EEO/AEP responsibilities	Goal	3	3	3	5	5	6
	Actual	10	4	6	7		
8. Promote representation of under-represented groups and individuals with disabilities	Goal	5	5	5	5	5	5
	Actual	13	10	6	6		
<b>Competitive Sourcing</b>							
9. Review and revise the annual FAIR Act Inventory as appropriate	Goal	1	1	1	1	1	1
	Actual	1	1	1	1		
<b>Improved Financial Performance</b>							
10. Monitor financial management system to meet Federal requirements and standards	Goal	1	1	1	1	1	1
	Actual	1	1	1	1		
11. Implement replacement financial management system	Goal	**	**	1	1	1	1
	Actual	--	--	1	1		
12. Maintain the number of business days after month-end to produce monthly financial reports	Goal	3	3	3	3	3	3
	Actual	3	3	3	3		
<b>Expanded Electronic Government</b>							
13. Implement Web-based application to improve government-to-business communication	Goal	1	1	1	0	1	1
	Actual	1	0	0	0		
14. Develop and implement technology to improve access and transfer of information government-to-government	Goal	1	1	1	1	1	1
	Actual	1	1	1	1		
15. Improve internal efficiency and effectiveness	Goal	1	1	1	1	1	1
	Actual	3	6	0	1		
<b>Budget and Performance Integration</b>							
16. Perform program evaluations	Goal	8	6	4	4	3	5
	Actual	6	6	4	4		

\*\* No goal established.

-- Data not available.

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## **Strategic Management of Human Capital**

### **1. Appraisal System**

We revised CPSC's Senior Executive Service (SES) Performance Management System performance elements and standards in 2004 to include measures of success in meeting agency goals in our annual performance plans. In 2005, we revised the elements and standards for the remainder of the employees. In 2006, we monitored the use of the SES performance elements and standards and began implementing the modified elements and standards for the remainder of the employees. In 2008, we fully implemented the modified elements and standards for the remainder of the employees incorporating results-based performance measures with a direct link to CPSC's strategic goals.

**Goal:** In 2010, staff will monitor the use of the performance elements and standards for the remainder of the employees and assess program performance.

### **2. Skills Analyses**

In 2004, we developed competencies for some of our mission critical positions. In 2007, a new management training directive was developed that included a skill gap assessment, mandatory training requirements, and a training plan for all supervisors, managers, and executives. Additionally, skill gap analysis was completed for occupations in Human Resources and Information Technology. In 2008, a formal skill gap analysis and training plans were completed for all of our engineering occupational series.

**Goal:** In 2010, we will continue to identify skill gaps and develop training plans for all mission critical positions. We will develop a succession plan to ensure continued development of current employees as well as targeted recruitment for mission critical positions.

### **3. Recruitment Time**

The recruitment process time is calculated as the difference in the number of days between the recruitment request and the candidate selection date. In 2007, staff implemented an automated applicant intake system to improve efficiency of the staffing process, reducing the average recruitment processing time to 49 days in 2007 from the 2006 average of 61 days and well below the 2002 government average of 102 days. In 2008, the average recruitment time increased to 62 days due to a significant increase in hiring combined with unfilled vacancies in the human resources office.

**Goal:** In 2010, staff will maintain the 62-day recruitment process time.

### **4. Human Resource Training**

In 2008, staff conducted seven training sessions for managers and supervisors in human resource management. This included topics such as leave management, automated hiring systems, and other human resource procedures.

**Goal:** In 2010, staff will conduct six essential management training sessions on human resource management topics, such as

performance management, staffing and recruitment, position management, and other human resource policies.

#### **5. Focus Group/On-Line Survey**

In 2008, staff conducted two focus groups to survey new employees on the recruitment and orientation process to learn from their experience and determine how to improve our services in the future.

**Goal:** In 2010, staff will implement recommendations from the focus groups and continue to assess the recruitment process through an on-line survey for all new employees as well as an applicant survey through our on-line applicant intake system.

#### **6. Target Recruitment**

**Goal:** In 2010, staff will target 14 recruitment efforts to organizations serving under-represented populations.

#### **7. EEO/AEP Training**

**Goal:** In 2010, staff will conduct 6 training sessions for CPSC managers and employees about their Equal Employment Opportunity/Affirmative Employment Plan (EEO/AEP) responsibilities.

#### **8. Promote Representation**

**Goal:** In 2010, staff will promote representation of under-represented groups and individuals with disabilities with at least five initiatives. Examples of these new initiatives are mentoring programs, summer volunteer program, employee training programs, and disability and diversity awareness programs.

### **Competitive Sourcing**

#### **9. FAIR Act Inventories**

We have published an inventory as required by the *Federal Activities Inventory Reform (FAIR) Act* each year since 1999. We reviewed all positions in the Agency. We find that the majority of CPSC employees are engaged in the governmental public safety function of investigating product hazards and developing product standards, leaving a small number of commercial services employees.

We currently contract out most of our commercial services. For example, CPSC contracts out mail and driver services, laborer services, and copy and library services. We also contract out for our consumer hotline operation, data screening for NEISS, and much of our computer programming and Help Desk operations. A total of 43 FTEs are represented by these contractual services. Moreover, we contract out specialized commercial reviews, such as bankruptcy experts, during the course of our investigations. We also contract out operations of various major administrative systems such as payroll, finance, human resources, and procurement. These contracts represent at least another 7 FTEs for an equivalent of 50 FTEs currently contracted out.

In our 2008 inventory, we determined that an additional 12 employees over and above the 50 that are already contracted out

may be performing commercial activities under the definitions in the FAIR Act and OMB Circular A-76 (Revised).

**Goal:** In 2010, staff will review and revise the FAIR Act inventory, as appropriate.

### **Improved Financial Performance**

#### **10. Financial Management Systems**

In 2001, CPSC implemented a new core accounting system, the Federal Financial System (FFS), contracted from the Department of Interior's National Business Center (NBC), a major provider of Federal accounting services meeting all Federal accounting system requirements and standards. In 2009, CPSC continued to monitor the system to ensure continued compliance with all applicable Federal regulations and standards. This will be documented in annual staff letters of assurance.

**Goal:** In 2010, staff will continue to monitor the new core accounting system for compliance.

#### **11. Financial Management System Replacement**

In 2007, staff evaluated new financial systems for a replacement system as NBC is dropping support of FFS in 2010. In 2008, staff signed a contract for replacing the NBC system with a system provided by the Department of Transportation. In 2009, staff will begin implementing the new system.

**Goal:** In 2010, staff will complete implementation of the new system.

#### **12. Information Timeliness**

Currently, we provide monthly financial reports electronically throughout the Agency by the third business day after the close of the month. This provides electronic on-demand access to financial information.

**Goal:** In 2010, staff will maintain the third business day delivery of reports to Agency staff.

### **Expanded Electronic Government**

#### **13. Government-To-Business (G2B)**

Government-to-Business initiatives reduce the burden on business by adopting processes that dramatically reduce redundant data collection, provide one-stop streamlined support for businesses, and enable digital communications with businesses.

**Goal:** In 2010, staff will develop a public portal that will provide for a more efficient and secure way for industry to exchange information with the Agency.

#### **14. Government-To-Government (G2G)**

In 2004, the Homeland Security Presidential Directive 12 (HSPD-12) was issued mandating the implementation of a common identification standard for Federal employees and contractors. Its purpose is to enhance security, increase Government efficiency,

reduce identity fraud, and protect personal privacy by establishing a mandatory, Government-wide standard for secure and reliable forms of identification issued by the Federal Government to its employees and contractors. CPSC is using the General Services Administration (GSA) shared services provider contract to meet the HSPD-12 deadlines.

**Goal:** In 2010, CPSC will complete implementation of HSPD-12.

### ***15. Internal Efficiency and Effectiveness (IEE)***

This initiative brings commercial best practices to key government operations, particularly information security, supply chain management, human capital management, financial management and document workflow. In 2009, CPSC will implement an IT Project Management Office (PMO) to provide oversight and management of CPSC's current and future IT projects. The PMO examines the quality, cost, and organizational value of CPSC's IT projects to determine the best use of resources and which applications and projects should be built, eliminated, maintained, or enhanced, and in what sequence. Additionally, the PMO will ensure compliance with the Capital Planning and Investment Control (CPIC) requirements, including the development and submission of the Office of Management and Budget (OMB) Exhibit 300 to justify IT investments and OMB Exhibit 53 to provide budget estimates.

**Goal:** In 2010, the PMO will establish and enforce standard processes and documentation requirements for IT projects.

## ***Budget and Performance Integration***

### ***16. Program Evaluations***

To integrate performance review with budget decisions, we have taken a number of steps, including (1) changing internal databases to capture performance by strategic goal; (2) developing a system for resource allocation by strategic goal for direct and indirect costs; (3) adding resource allocations (FTE, costs) for each strategic goal to the performance plan; (4) combining the performance plan and budget request; (5) realigning our budget programs to match our strategic goals; and (6) incorporating the Office of Financial Management, Planning and Evaluation work under the direction of the Office of the Executive Director to provide a comprehensive and cohesive integration of budget and performance. We believe that our annual budget and performance plans make the Agency performance-oriented by showing progress achieved on our hazard reduction goals and our quality and management goals. For continued improvement, however, we must evaluate our programs.

**Goal:** In 2010, staff will perform evaluations of fire-related deaths, fireworks-related deaths, and carbon monoxide (CO) poisoning deaths associated with all consumer products, and assessments of the Ombudsman program and Web site.



## PROGRAM EVALUATIONS

**Program evaluations used to develop the Strategic Plan:** Strategic targets for the extent of injury and death reductions in each hazard area were based on statistical analyses of data and on staff expertise. We calculated 10-year trends of injuries and deaths at both the product and hazard levels. Staff experts in each hazard area set specific targets after assessing the potential actions of the Commission and the effect of joint efforts with other organizations and industry. Staff also made assumptions concerning the outcomes of potential technical feasibility studies.

Customer service/satisfaction and human capital goals were based on information from surveys and tracking systems, as well as on staff expertise as to what could be accomplished in a given time span.

**Future program evaluations:** Injury and death reduction strategic goals will have two types of evaluations: yearly tracking of injuries and deaths at the hazard level and evaluations of injury and death reductions associated with specific products at appropriate time intervals. The timing for evaluating injury and death reductions depends, in part, on how long consumers keep specific products. Evaluations at the product level will be conducted when consumers are expected to have replaced a substantial proportion of older products with safer products. We derive estimates of the extent to which safer products have replaced older products using CPSC's Product Population Model.

Customer service/customer satisfaction goals will also have two types of evaluations: (1) tracking of customer service standards and activities and (2) assessments of consumers and industry. Tracking will be evaluated annually, while assessments are planned to be implemented on a cycle of every three years. An overall plan for future evaluations is provided in Table A.

### A. Reducing Fire-Related Deaths

- 2005: Tracking of fire-related deaths
- 2005: Tracking of fireworks-related deaths
- 2006: Tracking of fire-related deaths
- 2006: Tracking of fireworks-related deaths
- 2006: Impact evaluation of product(s) with fire-related hazards
- 2007: Tracking of fire-related deaths
- 2007: Tracking of fireworks-related deaths
- 2008: Tracking of fire-related deaths
- 2008: Tracking of fireworks-related deaths
- 2009: Tracking of fire-related deaths
- 2009: Tracking of fireworks-related deaths
- 2010: Tracking of fire-related deaths
- 2010: Tracking of fireworks-related deaths

### B. Reducing Carbon Monoxide (CO) Poisoning Deaths

- 2005: Tracking of CO deaths
- 2006: Tracking of CO deaths associated with portable generators
- 2007: Tracking of CO deaths associated with all consumer products
- 2008: Tracking of CO deaths associated with all consumer products
- 2009: Tracking of CO deaths associated with all consumer products
- 2010: Tracking of CO deaths associated with all consumer products

**C. Assessments of Industry**

- 2005: Ombudsman (Carryover from 2004)
- 2007: Fast Track
- 2010: Ombudsman

**D. Customer Satisfaction**

- 2005: Web Site
- 2006: Clearinghouse (Carryover from 2005)
- 2006: State Partners
- 2008: Hotline
- 2010: Web Site

**Table A**  
**Schedule of Evaluations**

Strategic Goals	Issues	General Scope	Procedures	
			Method	Time
<b>Hazards</b> Fire Carbon Monoxide	Reduce the rate of death	National estimates of deaths	1. Hazard Surveillance (NFIRS, NCHS)*  2. Evaluation of specific products – tracking before/after studies.	1. Annually  2. As appropriate
<b>Customer/Industry Services</b> Hotline Clearinghouse State Partners Web Site Industry	1. Timeliness standards met  2. Satisfaction with CPSC's services	1. Population of users  2. Random sample of users	1. Logs  2. Interviews; mail surveys	1. Annually  2. Every 3 years

\* National Fire Incident Reporting System (NFIRS), National Center for Health Statistics (NCHS).

## VERIFICATION AND VALIDATION

This section describes the means by which we verify and validate the results of our annual performance measurement. Each annual goal was set by targeting or projecting a number of activities to be completed. We provide a complete list of performance measures with corresponding databases and verification procedures in Table B. We also provide further descriptions separately for: (A) reducing hazards to children and families for each of the core functions (safety standards, compliance, and consumer information); (B) identifying product hazards; and (C) service quality and customer satisfaction.

### A. Annual Goals for Reducing Hazards to Children and Families

#### 1. Safety Standards

- *Targeted performance goals for: (a) rulemaking activities, (b) recommendations sent to voluntary standards group, and national or international code groups, (c) assessments completed (hazard analyses, data collection, technical feasibility studies), and (d) supporting of voluntary standards developments/revisions.*

Performance measures: The number of completed activities in each category.

Database: A milestone tracking systems record (including a semi-annual voluntary standards tracking report), the completion dates for significant activities such as Commission briefings, recommendations sent to voluntary standards committees, and completed reports.

Verification: A review by senior managers and a formal clearance process, resulting in publicly available official dated documents.

#### 2. Compliance

- *Preliminary determination within 85 business days (unregulated products)*

Performance measures: The percent of unregulated cases with preliminary determination within 85 business days of initiation.

Database: The Compliance Corrective Actions (CCA) database tracks this performance metric.

Verification: Internal consistency checks, required fields, automatic generation of data reports, and reviews of each action by senior managers.

- *Corrective Action within 60 business days of preliminary determination (unregulated products)*

Performance measures: The percent of cases involving an unregulated product where a corrective action was commenced within 60 business days of preliminary determination.

Database: The Compliance Corrective Actions (CCA) database tracks this performance metric.

Verification: Internal consistency checks, required fields, automatic generation of data reports, and reviews of each action by senior managers.

- *Corrective Action within 35 business days of notice of violation (regulated products)*

Performance measures: The percent of cases involving a regulated product where a corrective action was obtained within 35 business days of the Letter of Advice being sent.

Database: CPSC's Integrated Field System (IFS) is used to track this performance measure.

Verification: Internal consistency checks, required fields, automatic generation of data reports and reviews of each action by senior managers.

### 3. Consumer Information

- *Consumer Outreach*

Performance measures: The number of U.S. consumers estimated to have been reached through TV appearances and interviews on national television networks, video news releases to national and local television networks and e-publications on CPSC's Web site.

Database: The data come from three separate and independent tracking sources. The number of viewers of TV appearances and interviews is determined from Nielson ratings of major television networks. The number of viewers of video news releases is provided by a third party contractor. The number of e-publications viewed is determined through computer programming that links Web statistics (Web trends) to publications by hazard.

Verification: All data is obtained from third parties.

- *Performance goals for responding to the public's requests for publications through our Web site. [Note that each CPSC publication has been classified by the hazard addressed.]*

Performance measures: The number of Web publications in each hazard area.

Database: The Inventory of Web Publications database tracks the number of each publication viewed or downloaded.

Verification: This information is reported to us through an off-the-shelf software application, *Web trends*. Perform monthly check of database information.

### B. Annual Goals for Identifying Product Hazards

- *Targeted performance goals for: (a) collecting data from NEISS hospitals, telephone and onsite investigations, medical examiners and coroners, and news clips, and (b) evaluating, training and auditing NEISS hospitals.*

Performance measures: The number of completed activities or percent of hospitals visited in each.

Database: The NEISS, IPII (Injury or Potential Injury Incidents), INDP (In-depth Investigations), and NARS (NEISS Administrative Record System) databases track these performance measures.

Verification: Internal quality control process.

### C. Annual Goals for Service Quality and Customer Satisfaction

- *Performance goals for contacts with the public and timeliness of CPSC actions.*

Performance measure: The number of Web site contacts, hotline calls, and timeliness checks.

Verification: These performance measures are all stored electronically and are either automatically generated by contractors (Web and hotline) or automatically generated through our programming.

- *Performance goals for number of business days for technical review.*

Performance measures: The number of business days for CPSC to provide a technical response to small business callers.

Database: The number of business days is generated automatically in the Ombudsman database.

Verification: Manager review.

- *Performance goals for customer satisfaction and industry assessments.*

Performance measures: Percent of customers satisfied with our services; improvements made based on stakeholders' suggestions.

Verification: Standardized surveys and interviews based on census or sample of respondents.

**Table B**  
**Verification and Validation of Performance Measures for Annual Goals**

Type of Performance Measure	Performance Measure	Database	Verification/Validation
<b>Results-Oriented Goals</b>			
Candidates for Commission consideration	Number of Commission briefing packages	Milestone tracking	Official documents
Voluntary standards development or changes	Number of recommendations	Milestone tracking	Official documents
National codes changes	Number of recommendations	Milestone tracking	Official documents
Model legislation	Number of recommendations	Milestone tracking	Official documents
Hazard/cost analyses, data collection	Number of reports completed	Milestone tracking	Official documents
Technical feasibility studies	Number of reports completed	Milestone tracking	Official documents
Time to PD* (Unregulated)	Percent within business 85 days	CCA*	Manager review
Time from PD* to CAP* (Unregulated)	Percent within business 60 days	CCA*	Manager review
Time from LOA* to Corrective Action (Reg.)	Percent within business 35 days	IFS*	Manager Review
Voluntary standards (VS) supported	Number of VS supported	IFS*, official documents	Manager Review
Public information efforts	Number of efforts	Milestone tracking	Official documents
Consumer Outreach	Number of consumer hits	Tape file log, Inventory	Official documents
NEISS hospital data	Number of cases	NEISS*	Office Quality Control Process
Medical Examiner/News clip reporting	Number of cases	IPII*	Office Quality Control Process
Investigations	Number of cases	INDP*	Office Quality Control Process
NEISS training	Percent of hospitals visited	NARS*	Office Quality Control Process
<b>Service Quality/Consumer Satisfaction</b>			
Web site	Number of contacts	Web server file log	Automated reports (Contractor)
Meet timeliness customer service standards	Number of standards met	Log of actions	Automated reports
Improve services	Number of services improved	Milestone tracking	Manager review
Survey consumer satisfaction	Ratings by consumers	Random sample	Procedural checks
<b>Industry Services</b>			
Assess services	Responses of industry callers	Random sample/census	Procedural checks
Meet timeliness standards for hotline, Clearinghouse and State Partners	Number of standards met	Log of actions	Automated reports
Track performance	Procedures completed	Milestone tracking	Manager review

\*IFS = Integrated Field System; CCA = Compliance Corrective Actions; PD = Preliminary Determination; CAP = Corrective Action Plan; LOA = Letter of Advice; NEISS = National Electronic Injury Surveillance System; IPII= Injury or Potential Injury Incident; INDP= In-Depth Investigation; NARS= NEISS Administrative Records System.

## **PROCESSES AND TECHNOLOGIES NEEDED TO MEET THE PERFORMANCE GOALS**

This section reviews the (A) processes, (B) technologies (capital assets), (C) treatment of major management problems, (D) accountability, and (E) methodology for allocating CPSC's budget request to strategic goal activities in the annual performance plan.

### **A. Processes**

We plan to achieve our annual goals by continuing our current operational processes. These are described more fully under the introduction to each budget program and activity. In summary, our processes involve these hazard reduction activities:

- Participating in the voluntary standards process or developing mandatory safety standards.
- Conducting compliance activities such as recalls, corrective actions, and enforcement of existing regulations.
- Distributing information to the public on how to avoid product hazards.

### **B. Capital Assets/Capital Programming**

We have two major recurring capital asset acquisitions identified in support of our performance goals – continued investment in information technology (IT) and the modernization of our laboratory. Our investments in IT and laboratory modernization have a direct impact on our ability to achieve our mission and strategic goals.

We use IT to speed access to injury and death information to set priorities for using our resources; support various voluntary and mandatory approaches to reducing hazards; and more quickly reduce hazards to American consumers. In addition, automating various tracking, planning, and mission-critical systems needed to accomplish organizational tasks has saved thousands of administrative staff hours, thus expanding staff time devoted to injury reduction activities. This has benefited the various CPSC programs established to carry out the Agency's mission. In 2010, we have allocated \$1 million for the recurring IT Capital Investment Fund and \$1 million for the recurring Applications Development Fund. In addition, we allocated \$8.5 million for the second and final phase to implement the Consumer Product Safety Risk Management System (RMS).

The new laboratory space will be a modern building designed and built as an integrated laboratory, office, and sample storage facility. Additionally, the new laboratory site will include office space for an additional 50-70 employees to be relocated from CPSC's headquarters office. These employees will be a mixture of those that work very closely with the laboratory staff or perform administrative functions not required to be at the headquarters staff. This action will allow further efficiencies and improvements in office space at the headquarters site.

### **C. Treatment of Major Management Problems and High-Risk Areas**

We do not have any major problems of fraud and mismanagement in our programs and operations. We can address problems of fraud and mismanagement in programs and operations, if they were to arise, through CPSC's: (1) Office of Inspector General, responsible for audits, inspections, special reports, and investigations; (2) the Office of the Chairman, responsible for the annual Federal Financial Managers Improvement Act (FFMIA) report to the President and Congress; and (3) the Senior Management Council, responsible for internal control reviews and annual letters of assurance.

We produced audited 2008 financial statements (reported in our 2008 Performance and Accountability Report, November 2008). CPSC's statements received a "clean opinion." These statements met the *accelerated* Federal schedule of 45 days after the close of the fiscal year. The audit found that CPSC's statements and financial system conformed to accepted accounting principles, laws, and regulations and that CPSC had effective internal controls. We are replacing our financial system in 2009 because the system vendor is withdrawing support.

#### **D. Accountability**

The Agency's budget review process, annual performance report, and staff performance appraisals are the primary methods for assigning accountability to managers and staff for achievement of objectives. Each year during the budget and operating plan process, we will link the Strategic Plan and the Performance Budget. The Executive Director of the Agency and the directors for the Offices of Hazard Identification and Reduction (for Safety Standards and Data Collection), Compliance (for Recalls and Corrective Actions), and Information and Public Affairs (for Consumer Information) are responsible for this linkage. Finally, the Commission stresses the achievement of the Strategic Plan's objectives as an important consideration in the performance appraisals of Agency managers. In addition, the Agency's Inspector General conducts an annual audit program of various aspects of Agency operations, including auditing portions of the performance plans.

#### **E. Resource Allocation to Accomplish Annual Goals**

For 2010, the appropriation for the Agency is \$107 million (an increase of \$1.5 million) with a staff level of 530 full time equivalents (FTE) nationwide (an increase of 47 FTEs). CPSC is a staff intensive organization with nearly 75 percent of our resources allocated to the compensation and housing of our professional and technical staff that identify product-related hazards; investigate and act on product safety hazards and violations of safety regulations; provide recommendations to CPSC for decision-making; and inform the public about product safety.

In 2010, a large amount of our appropriation increase has been allocated to specific programs: \$8.5 million for the Consumer Product Safety Risk Management System (RMS), an integrated Web-based database for both public and staff use that will enhance CPSC's ability to achieve its mission and \$4,093,000 for a State Grant Program, an information and education campaign, and enforcement for the Virginia Graeme Baker Pool and Spa Safety Act. The remaining funds will be used primarily to increase staffing levels to address the requirements of the Consumer Product Safety Improvement Act and the more than 20 rulemaking activities that the Commission must undertake.

**Allocation Methodology:** Resources in the Annual Performance Plan are allocated between our two budget programs, *Reducing Product Hazards to Children and Families*, and *Identifying Product Hazards*. These budget programs include activities that support the strategic goals and reflect both direct and indirect costs. We estimated the resource allocation for each strategic goal by:

- Determining the direct costs for each strategic goal for those activities classified by hazard in the budget (e.g., resources for the upholstered furniture project were directly applied to the goal for reducing fire-related deaths). Most of the Agency's costs are direct costs, such as salary and contract support costs.
- Estimating direct costs for those strategic goal activities not classified by hazard in the budget, such as customer and industry service activities. Staff estimated the distribution attributable to the strategic goals using historical data and expert judgment.
- Distributing proportionately indirect costs, such as administration and space rent, to the strategic goals for each program.



## PROGRAM AND FINANCING SCHEDULE (DOLLARS IN THOUSANDS)

	<u>2008</u> <u>Actual</u>	<u>2009</u> <u>Plan</u>	<u>2010</u> <u>Request</u>
<b>Obligations by Program Activity:</b>			
Direct Program:			
Reducing Product Hazards to Children and Families .....	\$54,501	\$71,627	\$79,415
Identifying Product Hazards .....	17,447	27,777	27,585
Laboratory Modernization .....	8,000	6,000	0
Total Direct Program .....	79,948	105,404	107,000
Reimbursable Program .....	2,871	4,000	4,000
Total New Obligations .....	82,819	109,404	111,000
<b>Budgetary Resources Available for Obligation:</b>			
New Budget Authority (gross).....	82,871	109,404	111,000
Total New Obligations.....	-82,819	-109,404	-111,000
Unobligated Balance Expiring.....	52	--	--
<b>New Budget Authority (Gross), Detail:</b>			
Discretionary:			
Appropriation (Definite).....	80,000	105,404	107,000
Discretionary: Spending Authority from Offsetting Collections:			
Offsetting Collections (Cash) .....	2,871	4,000	4,000
Total New Budget Authority (Gross) .....	82,871	109,404	111,000
<b>Change in Obligated Balances:</b>			
Unpaid Obligations, Start of Year:			
Obligated Balance, Start of Year .....	12,495	25,588	25,527
Total New Obligations.....	82,819	109,295	110,889
Total Outlays (Gross) .....	-69,614	-109,356	-113,358
Adjustments in Expired Accounts .....	-112	--	--
Unpaid Obligations, End of Year:			
Obligated Balance, End of Year .....	25,588	25,527	23,058
<b>Outlays (Gross), Detail:</b>			
Outlays from New Discretionary Authority .....	61,755	87,192	92,175
Outlays from Discretionary Balances .....	7,859	22,164	21,183
Total Outlays (Gross) .....	69,614	109,356	113,358
<b>Offsets:</b>			
Against Gross Budget Authority and Outlays:			
Offsetting Collections (Cash) from Federal Sources .....	2,865	3,985	3,985
Offsetting Collections (Cash) from Non-Federal Sources .....	6	15	15
Total Offsetting Collections (Cash) .....	2,871	4,000	4,000
<b>Net budget authority and outlays:</b>			
Budget Authority (Net).....	\$80,000	\$105,404	\$107,000
Outlays (Net) .....	\$66,743	\$105,356	\$109,358

**OBJECT CLASSIFICATION SCHEDULE  
(DOLLARS IN THOUSANDS)**

	<u>2008 Actual</u>	<u>2009 Plan</u>	<u>2010 Request</u>	
<b>Direct Obligations:</b>				
Personnel Compensation:				
11.1	Full-Time Permanent .....	\$36,336	\$45,553	\$51,551
11.3	Other than Full-Time Permanent.....	2,088	3,095	4,231
11.5	Other Personnel Compensation.....	587	750	847
11.8	Special Personal Services Payments .....	94	0	--
11.9	Total Personnel Compensation.....	<u>39,105</u>	<u>49,398</u>	<u>56,629</u>
Personnel Benefits:				
12.1	Civilian.....	9,774	12,324	14,646
13.0	Benefits for Former Personnel .....	8	10	10
	Subtotal, Compensation and Benefits .....	<u>48,887</u>	<u>61,732</u>	<u>71,285</u>
21.0	Travel and Transportation of Persons .....	1,087	1,330	1,506
22.0	Transportation of Things.....	68	122	86
23.1	Rental Payments to GSA.....	4,166	4,500	5,989
23.2	Rental Payments to Others .....	2	1	1
23.3	Communication, Utilities and Miscellaneous Charges.....	750	685	685
24.0	Printing and Reproduction .....	339	301	301
25.1	Advisory and Assistance Services.....	59	200	200
25.2	Other Services .....	7,841	22,972	19,170
25.3	Purchases from Other Federal Agencies .....	11,039	8,308	2,299
25.4	Operation and Maintenance of Facilities.....	1,376	330	330
25.5	Research and Development.....	0	200	200
25.7	Operation and Maintenance of Equipment.....	1,494	731	731
26.0	Supplies and Materials .....	677	514	588
31.0	Equipment .....	2,163	1,474	1,625
41.0	Grants .....	0	2000	2,000
42.0	Insurance Claims and Indemnities .....	0	4	4
99.0	Subtotal, Direct Obligations .....	<u>79,948</u>	<u>\$105,404</u>	<u>\$107,000</u>
<b>Reimbursable Obligations:</b>				
11.1	Full-Time Permanent .....	0	10	10
21.0	Travel and Transportation of Persons .....	49	15	15
25.0	Other Services .....	2,814	3,975	3,975
26.0	Supplies and Materials .....	3	0	0
31.0	Equipment .....	5	0	0
	Subtotal, Reimbursable Obligations.....	<u>2,871</u>	<u>4,000</u>	<u>4,000</u>
99.9	Total Obligations.....	\$82,819	\$109,404	\$111,000

**PERSONNEL SUMMARY**

**Direct:**

Total Compensable Work Years:				
	Full-Time Equivalent Employment .....	396	483	530

## VOLUNTARY AND MANDATORY STANDARDS SUMMARY

	<u>2008 Actual</u>	<u>2009 Plan</u>	<u>2010 Request*</u>
<b>VOLUNTARY STANDARDS UNDER DEVELOPMENT</b>			
Fire Hazard .....	13	3	4
Carbon Monoxide Hazard.....	3	0	0
Children's and Other Hazards .....	<u>58</u>	<u>36</u>	<u>36</u>
Total Voluntary Standards.....	74	39	40
<b>MANDATORY STANDARDS UNDER DEVELOPMENT</b>			
Fire Hazard .....	7	3	1
Carbon Monoxide Hazard.....	1	1	1
Children's and Other Hazards .....	2	2	0
CPSIA .....	<u>NA</u>	<u>24</u>	<u>13</u>
Total Mandatory Standards .....	10	30	15

\*It is anticipated that these numbers will change to reflect activities changed during the operating plan period.

## PROGRAM ASSESSMENT RATING TOOL (PART) SUMMARY

**Assessment Year:** 2006

**Assessment Rating:** Effective

**Findings:**

- *The program has a clear and unique Federal role as the only Federal Agency with the authority to identify and address risks posed by over 15,000 types of consumer products.*
- *Long-term goals and annual performance measures are concrete, measurable, and directly support the Agency's mission.*
- *CPSC recently improved its management practices by developing a better way to systematically review its current regulations.*

Selected Performance Measures	Year	Target	Actual
<i>Long-term (Outcome):</i> Reduce the rate of death from fire-related causes by 20 percent from 1998 to 2013. Three-year moving averages are used to measure death rate reduction. Figures represent the number of deaths per million citizens.	1998	N/a	9.5
	1999	N/a	9.3
	2000	N/a	9.1
	2001	N/a	8.8
	2002	N/a	8.8
	2003	N/a	9.0
	2004	N/a	9.3
	2013	7.6	
<i>Long-term (Outcome):</i> Reduce the rate of death from carbon monoxide poisoning by 20 percent from the 1999-2000 average by the year 2013. Three-year moving averages are used to measure death rate reduction. Figures represent the number of deaths per ten million citizens.	1999	N/a	5.1
	2000	N/a	4.5
	2001	N/a	5.2
	2002	N/a	5.4
	2003	N/a	5.7
	2004	N/a	5.8
	2013	3.8	
<i>Annual (Efficiency):*</i> Percent of fire hazard cases going to the preliminary determination panel within 85 business days after a firm report or opening of a case.	2005	N/a	64%
	2006	N/a	58%
	2007	66%	94%
	2008	70%	80%
	2009	70%	
	2010	70%	
<i>Annual (Efficiency):*</i> Percent of fire-related cases where corrective action is taken within 60 business days after notice of staff's preliminary determination that a product is defective.	2005	N/a	70%
	2006	N/a	82%
	2007	80%	81%
	2008	82%	87%
	2009	80%	
	2010	80%	
<i>Annual (Efficiency):*</i> Percent of cases where corrective action is taken within 35 business days after notice of a violation of CPSC standards relating to fire.	2005	N/a	70%
	2006	N/a	90%
	2007	80%	99%
	2008	82%	97%
	2009	80%	
	2010	80%	

\* Efficiency measures for the PART table were calculated using the method that was originally developed to measure this performance and crosses over fiscal years. Efficiency measures in the body of the document were calculated using the same method, modified to allow these measures to be finalized within a fiscal year.

Selected Performance Measures (cont.)	Year	Target	Actual
<i>Annual (Efficiency):*</i> Percent of defective product cases where corrective action is taken within 60 business days after notice of staff's preliminary determination involving all hazard areas (including fire and carbon monoxide).	2005	N/a	83%
	2006	N/a	89%
	2007	80%	89%
	2008	82%	89%
	2009	80%	
	2010	80%	
<i>Annual (Efficiency):*</i> Percent of cases where corrective action is taken within 35 business days after notice of a violation of CPSC mandatory standards involving all hazard areas (including fire and CO).	2005	N/a	89%
	2006	N/a	92%
	2007	85%	97%
	2008	88%	96%
	2009	80%	
	2010	80%	
<i>Annual (Output): (in millions)</i> Number of consumers reached with CPSC's fire safety messages through TV appearances and interviews on national television networks, video news releases to national and local television networks, and e-publications on CPSC's Web site.	2005	N/a	94.1
	2006	N/a	185
	2007	125	295
	2008	200	103
	2009	150	
	2010	150	
<i>Annual (Output): (in millions)</i> Number of consumers reached with CPSC's carbon monoxide safety messages through TV appearances and interviews on national television networks, video news releases to national and local television networks, and e-publications on CPSC's Web site.	2005	N/a	5.2
	2006	N/a	14.6
	2007	20	26
	2008	25	1
	2009	15	
	2010	10	

\* Efficiency measures for the PART table were calculated using the method that was originally developed to measure this performance and crosses over fiscal years. Efficiency measures in the body of the document were calculated using the same method, modified to allow these measures to be finalized within a fiscal year.

Improvement Plan	Status	Comments
Establishing broader, more comprehensive long-term goals consistent with CPSC's overall mission.	Action taken, but not completed	Actions currently underway. Lack of a CPSC quorum in 2007 and 2008 and the enactment of the CPSIA delayed completion to 2009.
Ensuring budget requests are explicitly tied to the accomplishment of annual and long-term performance goals, and that resource needs are presented clearly in the budget.	Action taken, but not completed	Future justification materials should reflect clear links between funding requests and performance accomplishments. Agency has purchased a financial management system with performance reporting capabilities. Outcome will also be influenced by revised Strategic Plan and budget structure.

Program Funding Level (in millions of dollars)		
2008 Actual	2009 Plan	2010 Request
80	105	107

## CPSC ACCOMPLISHMENTS

Our accomplishments illustrate our continuing efforts to reduce injuries and deaths from consumer products. CPSC stresses three approaches in carrying out its mission. First, the Agency seeks to prevent deaths and injuries from hazardous products before tragedies occur. Second, CPSC seeks to work cooperatively with, and be accessible to, American consumers and businesses. Finally, the Agency continually evaluates the way it operates to create a more efficient Agency.

***Improving Product Safety: Implementing the Consumer Product Safety Improvement Act.*** In the summer of 2008, CPSC began work on the implementation of the CPSIA. On August 14, 2008, President Bush signed the Consumer Product Safety Improvement Act (CPSIA). The Act represents the most substantial change in CPSC's authorities since the inception of the Agency. The Act enhances CPSC's recall authority, streamlines the rulemaking process, provides for the creation of a new searchable database of consumer product complaints, and requires product certification. It also allows CPSC to impose significantly higher penalties, to hire more staff, and to better track product units and suppliers to facilitate recalls of defective products. To implement the CPSIA requirements, CPSC:

- Conducted rulemaking and enforcement activities in connection with the congressional mandate in the CPSIA that made children's products containing more than specified amounts of lead a banned hazardous substance. The specified amounts will be reduced over time to ensure the safety of children (ages 12 and younger). After 2/10/09, the maximum allowed lead content for any part of the product is limited to 600 parts per million (ppm) per weight. This limit will be reduced to 300 ppm after 8/14/09, with a further reduction to 100 ppm on 8/14/11, unless the Commission determines that this lower limit is not technologically feasible. Staff also met with interested stakeholders on several occasions.
- Published a final rule on all-terrain vehicles (ATVs) in the Federal Register. The rule adopts the American National Standard for four wheel all-terrain vehicles, ANSI/SVIA 1-2007, as a mandatory consumer standard as required by the CPSIA.
- Started to study and develop safety standards for infant and toddler products such as: full-size cribs and non full-size cribs; toddler beds; high chairs, booster chairs, hook on chairs; bath seats; gates and other enclosure for confining a child; play yards; stationary activity centers; infant carriers; strollers; walkers; swings; and bassinets and cradles. The Commission is required by the CPSIA to either make the existing voluntary safety standards for these products mandatory or provide for a stricter safety standard.
- Also, started working on rulemaking for these same types of infant and toddler products to require a postage prepaid registration card to be supplied with the product. This registration card will enable a manufacturer or retailer of the product to contact consumers with recall or other safety information.
- Published Federal Register notices of laboratory accreditation requirements for third party conformity assessment bodies to test to the requirements for lead in paint, cribs and pacifiers, small parts, and lead content in children's metal jewelry as established by the CPSIA.
- Started developing a risk assessment methodology for the identification of shipments of consumer products that are intended for import into the United States and are likely to include consumer products in violation of safety standards or other import provisions enforced by the Commission, as required by the CPSIA. The CPSIA also requires the Commission to develop a plan for sharing information and enhancing coordination with Customs and Border Protection (CBP).
- Started planning rulemaking activities for labeling consumer products as complying with certification requirements.

- Launched a public education program which included conducting public meetings starting on September 4<sup>th</sup>, 2008 to explain the requirements of the CPSIA to businesses and the public. A Web site link for all CPSIA activities has also been created and is available at [www.cpsc.gov/about/cpsia/cpsia.html](http://www.cpsc.gov/about/cpsia/cpsia.html).
- Consolidated the legal staff of the Office of Compliance into the Office of the General Counsel to achieve a consolidated law staff necessary to meet the significant rulemaking and legal activities required by the new legislation, and to enforce the new Act.

***The Safety Triangle at Work: Working with Businesses and Consumers.***

CPSC's injury prevention activities involve all members of the product safety triangle -- consumers, industry, and CPSC -- working together for product safety. Because government, businesses, and consumers all share responsibility for product safety, CPSC:

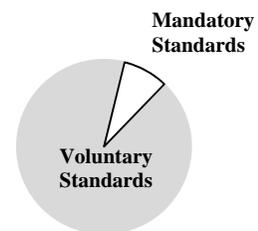


- Continues to address potential risks associated with imported products, including lead in children's products, especially from China. We are addressing the safety of Chinese imports with a number of activities including: dialogue and initiatives with China and other foreign governments; working with the private sector, including Chinese manufacturers directly; and increased surveillance and enforcement activities at the borders and within the marketplace.
- In 2008, CPSC implemented a new, more aggressive "Import Safety Initiative" program with increased resources provided in 2008. CPSC created an Import Surveillance Division with specialists specifically trained in import surveillance procedures and the rapid identification of defective and non-complying consumer products to conduct import safety improvement activities. This marks the first permanent full-time presence of CPSC investigators at key ports of entry throughout the United States. This program is being expanded in 2009 and 2010.
- Established the *Office of International Programs and Intergovernmental Affairs* to support CPSC's pre-eminent role in consumer product safety on a global level. A major emphasis of this program is helping foreign manufacturers establish product safety systems as an integral part of manufacturing. In 2008, CPSC continued its dialogue with the Chinese government through cooperative work in four product categories: toys, lighters, electrical products, and fireworks. Technical experts are working on exchanges of standards information, training for product testing, and sharing best practices in those four product categories. In addition, in late 2008, with the passage of the CPSIA, this office began work to inform foreign manufacturers and importers of CPSIA requirements. This program is being expanded in 2009 and 2010 with the establishment of our regional Product Safety Office in Beijing, China.
- Continues the award-winning voluntary *Fast Track Product Recall Program* to speed up corrective actions, including product recalls and, most importantly, quickly remove unsafe consumer products from the marketplace. There were 270 Fast Track product recalls in 2008. Since the program's inception, over 1,500 firms participated in the program resulting in nearly 3,000 product recalls involving over 300 million product units. The Fast Track program has been cited as an outstanding innovation by both government and private organizations.
- Initiated [www.recalls.gov](http://www.recalls.gov), an innovative "one-stop shop" for all federal product recalls, in partnership with five other Federal health and safety regulatory agencies that conduct safety recalls. CPSC also partnered with numerous businesses as well as public organizations in promoting the Web site. The site enables people to sign up for product recall alerts and automatically obtain future product safety information. In 2008, there were about 2 million visits to the site. CPSC also added a one-stop search page where consumers can search for recalls from all six participating agencies, further enhancing their ability to disseminate important safety information.

- Expanded the grassroots *Neighborhood Safety Network* (NSN) which provides lifesaving information to consumers and families who are not familiar with CPSC’s safety messages, particularly vulnerable and hard-to-reach populations, such as the elderly, urban and rural low-income families, and some minority groups. NSN has more than 5,600 members, many of whom share CPSC produced posters and safety alerts with tens, hundreds, or even thousands of other people. Recent messages to the Network have focused on childcare safety, a major magnet related recall, ATV safety, and furniture tip-overs. Through our Web site, interested organizations and individuals may sign up to become a partner in our future information campaigns. Some of our partners include the U.S. Department of Health and Human Services, Indian Health Service, American Indian reservations, Safe Kids Worldwide, Future Farmers of America, Boys & Girls Clubs of America, fire stations, and hospitals and health clinics.

***Stressing Voluntary Safety Standards.*** As directed by our governing statutes, we emphasize voluntary safety standards first and enact mandatory standards only when appropriate. For example, CPSC:

- Worked cooperatively with industry to complete 414 voluntary standards, while issuing 38 mandatory rules from 1990 to 2008 – an eleven-to-one ratio of voluntary to mandatory standards.
- Worked cooperatively with industry to revise the *voluntary baby walker safety standard* to address injuries from stair falls. New walkers with safety features are now on the market. There has been a decrease in injuries of almost 90 percent from 1992 to 2005, due in large part to the new voluntary standards requirements. Injury costs have already decreased by \$1.5 billion.
- Worked cooperatively with industry to revise the *voluntary standard for gas water heaters* to prevent fires from flammable vapors. These fires, some resulting in deaths and severe burn injuries, typically occur when consumers use flammable liquids (usually gasoline, for cleaning purposes) or when flammable liquids leak or are spilled near the water heater. New, safer water heaters are now on the market.
- Initiated a program to provide information on the *CPSC Web site* about CPSC staff participation in voluntary standards activities, including advance notice of proposed staff positions on issues to be considered by voluntary standards organizations. This program further opens CPSC staff activities for public review and comment.
- Proposed modifications to the Underwriters Laboratories (UL) Standard for Single- and Multiple-Station carbon monoxide (CO) alarms to develop an end-of-life warning and to develop a test method including CO alarm response to rising CO levels. These were accepted by the UL Standards Technical Panel. The provisions become effective in August 2009.
- Through a series of international conferences, training activities in other countries and several Memoranda of Understanding, we are educating foreign producers of consumer products about the need to adhere to voluntary safety standards.

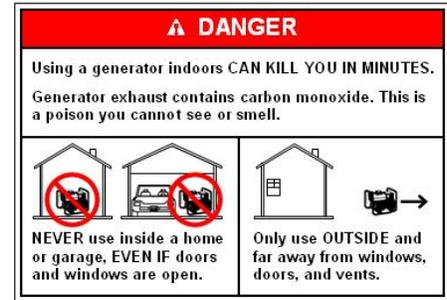


***Saving Lives with Action and Information.*** To get unreasonably dangerous consumer products off store shelves and out of homes, CPSC:

- Continued enforcement of a *major regulation* (impact of over \$100 million) for mattresses to address open-flame ignition. The new regulation, which became effective on July 1, 2007, is likely to save as many as 270 lives each year when consumers replace all existing mattresses with new complying ones. CPSC staff organized several seminars for manufacturers and retailers. Additionally, staff participated in several industry workshops and compiled several written documents including Question and Answer materials. Moreover, CPSC staff developed the Mattress Flammability

Information Web page, which serves as a useful resource to all interested parties ([www.cpsc.gov/businfo/mattress.html](http://www.cpsc.gov/businfo/mattress.html)).

- Supported ongoing rulemaking by continuing investigation of various strategies to reduce consumers' exposure to carbon monoxide (CO) and to enable and encourage them to use generators outdoors only. Those strategies include generator engines with substantially reduced CO emissions and interlocking or automatic shut-off devices.
- Completed 563 cooperative recalls (the largest number of voluntary recalls in the past 10 years) in 2008, involving nearly 60.8 million product units that either violated mandatory standards or presented a substantial risk of injury to the public.
- Continued to enforce the laws and regulations designed to protect citizens from product hazards. In 2008, CPSC negotiated out of court settlements in which 23 companies voluntarily agreed to pay \$3.675 million in civil penalties to the U.S. Treasury. This total is expected to increase in the future because the CPSIA allows CPSC to impose significantly higher penalties (up from \$5,000 to \$100,000 per violation).
- Staff developed a working *Retailer Reporting Model* under which certain retailers utilized a new way of meeting their obligation to report potential product hazards or violations of Commission safety standards.
- Enhanced recall effectiveness by establishing the CPSC-created *Neighborhood Safety Network*, a communications vehicle using e-mail and the Internet; initiating the creation of [www.recalls.gov](http://www.recalls.gov) and [www.atvsafety.gov](http://www.atvsafety.gov); and updating our [www.cpsc.gov](http://www.cpsc.gov) Web site.
- Informed the public in 2008 of hazardous products through 529 press releases and recall alerts, 5 million electronically-distributed publications, and through CPSC's Web site, consumer hotline, and National Injury Information Clearinghouse.



**Generator On-Product Label**

**Emerging Hazard Analyses.** Because CPSC is data-driven, we always seek to improve the timeliness and quality of data collection efforts. Specifically, CPSC:

- Expanded and accelerated collection of medical examiner and coroner reports to provide faster identification of consumer product-related deaths.
- Improved the availability of hazard data to staff, industry, and consumers by making data from the Agency's *NEISS database* available on CPSC's Web site.
- Expanded timely reporting of hazards by accepting hazard complaints through our telephone hotline and Web site.
- In 2008, staff implemented processes and procedures from the pilot Early Warning System (EWS) focusing on products found in the sleeping environments of children – cribs, bassinets, and play yards (play pens). A multi-disciplinary team of subject matter experts meets weekly to evaluate and characterize the hazard scenarios and failure modes of product-associated incidents received during the previous week. An electronic database was developed and is updated weekly to capture the hazard scenarios, failure modes, investigative status, and compliance action disposition of each incident. Work on EWS contributed to 12 recalls involving more than 3 million cribs, bassinets, and play yards, demonstrating the successful implementation of the pilot EWS processes and procedures.

***CPSC and Citizens.*** We work hard to bring CPSC services to citizens through many different means. Specifically, CPSC:

- Continued our “Drive to One Million” campaign which started in 2007. This effort uses several different agency tools to make the public aware that despite our best efforts there are still many recalled products in the hands of the public. Our goal is to have at least one million consumers sign up to receive, free of charge, potentially life-saving information electronically through CPSC’s e-mail notification system. Consumers can receive notice of recall information as it is released by signing up at [www.cpsc.gov/epsclist.aspx](http://www.cpsc.gov/epsclist.aspx).
- Provided a "user friendly" *CPSC Web site* ([www.cpsc.gov](http://www.cpsc.gov)), increasing visits to the site to 40.5 million in 2008 from 32.3 million in 2007 (a 25 percent increase). The CPSC Web site provides up-to-the minute recall and other safety information, and allows the public to send CPSC complaints about hazardous products. Industry also can use this site to file hazardous product reports required under Section 15 of the Consumer Product Safety Act and obtain current information about CPSC actions. CPSC safety brochures are available on our Web site for citizens and organizations to download and distribute. In a recent survey, 94 percent of Web site users reported they were satisfied or very satisfied with the Web site.
- Combined state-of-the-art technology and existing resources to transform our hotline into an innovative, user-friendly hotline information system. The hotline provides a critical gateway to CPSC for consumers seeking important safety information and filing reports about unsafe products. In 2008, there were over 165,000 hotline calls from the public.
- Established a program to invite public comments on CPSC staff and contractor research reports. The primary goals of this program are to make the CPSC staff’s activities more transparent and to obtain the benefit of public review and input.

***Streamlining and Strengthening Agency Operations.*** To assure the most value for the American public from every Agency dollar, CPSC:

- Produced 2008 financial statements which were audited by an independent auditor and received an opinion that CPSC’s financial management system was in full compliance with all regulations and that the financial management system had no material weaknesses (reported in our 2008 Performance and Accountability Report, November 2008). These statements met the *accelerated* Federal schedule of 45 days after the close of the fiscal year. The audit found that CPSC’s statements and financial system conformed to accepted accounting principles, laws, and regulations and that CPSC has effective internal controls.
- Established and secured funding to modernize the aging testing laboratory facility in 2007. The General Services Administration (GSA) is currently proceeding to acquire a new site that would double the existing laboratory space.
- Modernized our information technology infrastructure from mainframe technology to a client–server internal network environment that has lowered costs, improved access to hazard data, and increased the speed of Agency responses.

## INSPECTOR GENERAL BUDGET REQUEST (DOLLARS IN THOUSANDS)

In compliance with P.L. 110-409, the Inspector General Reform Act of 2008, the following information is presented:

<b>Resource</b>	<b>2008 <u>Actual</u></b>	<b>2009 <u>Plan</u> <sup>/1</sup></b>	<b>2010 <u>Request</u></b>
FTEs.....	1.8	6.5	7.0
Compensation .....	\$252.3	\$748.1	\$827.4
Contracts .....	\$35.8	\$50.0	\$50.0
Operating Costs.....	\$5.9	\$9.9	\$9.9
Training.....	\$2.1	\$11.0	\$11.0
IG Council Contribution .....	\$0.0	\$2.3	\$2.3
<b>Total Amount</b> .....	<b><u>\$296.1</u></b>	<b><u>\$821.3</u></b>	<b><u>\$900.6</u></b>

<sup>/1</sup> Additional contract support funds will be reallocated from Compensation if full staffing as planned is not achieved in 2009.

CPSC Inspector General comment: I certify as the IG of the CPSC that the amount I have requested for training has satisfied all OIG training needs for fiscal year 2010.



## ACRONYMS

ACE	Automated Commercial Environment
ANPR	Advance Notice of Proposed Rulemaking
ANSI	American National Standards Institute
AQSIQ	General Administration for Quality Supervision, Inspection, and Quarantine
ASTM	ASTM International, formerly American Society for Testing and Materials
ATV	All-Terrain Vehicle
CBP	Customs and Border Protection
CDC	Centers for Disease Control and Prevention
CHAP	Chronic Hazard Advisory Panel
CO	Carbon Monoxide
CPSC	Consumer Product Safety Commission
CPSIA	Consumer Product Safety Improvement Act
EEO/AEP	Equal Employment Opportunity/Affirmative Employment Program
EWS	Early Warning System
FAIR	Federal Activities Inventory Reform
FFS	Federal Financial System
FTE	Full-Time Equivalent
GDP	Gross Domestic Product
GSA	General Services Administration
IAG	Interagency Agreement
MUV	Multi-purpose Off-Highway Utility Vehicles
NBC	Department of Interior's National Business Center
NEISS	National Electronic Injury Surveillance System
NFIRS	National Fire Incident Reporting System
NIST	National Institute of Standards and Technology
NPR	Notice of Proposed Rulemaking
NSN	Neighborhood Safety Network
OMB	Office of Management and Budget
PART	Program Assessment Rating Tool
PPPA	Poison Prevention Packaging Act
PSSA	Virginia Graeme Baker Pool and Spa Safety Act
RMS	Consumer Product Safety Risk Management System
ROV	Recreational Off-Road Vehicles
SME	Subject Matter Expert
SVIA	Specialty Vehicle Institute of America
UL	Underwriters Laboratories, Inc.
USFA	United States Fire Administration
VNR	Video News Release
20XX	Years mentioned refer to fiscal years except for deaths, injuries and associated property losses, which are on a calendar year basis.



**U.S. CONSUMER PRODUCT SAFETY COMMISSION  
BETHESDA, MD 20814**