



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814
COMMISSIONER PETER A. FELDMAN

**STATEMENT OF COMMISSIONER PETER A. FELDMAN:
PROPOSED STANDARD FOR TABLE SAWS WOULD CREATE HARMFUL
MONOPOLY, NOT READY FOR PUBLICATION**

OCTOBER 18, 2023

Today, the U.S. Consumer Product Safety Commission (CPSC) voted to issue a Supplemental Notice of Proposed Rulemaking (SNPR) promulgating a safety standard for table saws. I voted against this measure because I believe the proposal is simply not ready.

The proposed standard would require table saws to include patented active injury mitigation (AIM) technology to reduce severe injuries. CPSC began this rulemaking in response to the petition of a company that holds more than 100 patents related to the AIM technology the Commission would mandate. We do not know basic information such as the status of most of these patents, how they might affect the feasibility of the standard, who else might hold other AIM patents, and under what terms these patents might be licensed, if at all.

At worst, the Commission runs a risk of creating a monopoly in the table saw market – not inadvertently, but because it shrugged its shoulders at the possibility.

In the past, I have supported publication of proposed rules for public comment despite concerns. The comments we receive often provide a more complete record on which to act.

This case is different.

The current SNPR has too many unanswered foundational questions and unknown issues on which to seek meaningful public comment. Nevertheless, a majority of the Commission voted to advance this proposal. This rulemaking will now go to the public, whether it is ready or not.

Therefore, I encourage all interested stakeholders to submit comments on the SNPR. I have written to the holders of some of these patents seeking more information (see [here](#) and [here](#)). I hope these parties will engage with our staff to provide the information that is missing.