



U.S. Consumer Product Safety Commission

Fiscal Year 2013

# Annual Performance Report

*Our Mission: Protecting the public against unreasonable risks of injury from consumer products through education, safety standards activities, regulation, and enforcement.*



Additional information on the agency's key performance measures is provided in *Supplemental Appendix on the FY 2013 Key Performance Measures* found on the CPSC's website at [www.cpsc.gov/performance-and-budget](http://www.cpsc.gov/performance-and-budget).

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## Overview of the Agency

The U.S. Consumer Product Safety Commission (CPSC) is an independent federal regulatory agency, created in 1972 by the Consumer Product Safety Act (CPSA). In addition to the CPSA, as amended by the Consumer Product Safety Improvement Act of 2008 (CPSIA) and Public Law No. 112-28, the CPSC also administers other laws, such as the Federal Hazardous Substances Act, the Flammable Fabrics Act, the Poison Prevention Packaging Act, the Refrigerator Safety Act, the Virginia Graeme Baker Pool and Spa Safety Act, and the Children's Gasoline Burn Prevention Act.

The CPSC has jurisdiction over thousands of types of consumer products used in and around the home, in recreation, and in schools, from children's toys to portable gas generators and toasters. Although the CPSC's regulatory purview is quite broad, a number of product categories fall outside the CPSC's jurisdiction.<sup>1</sup>

## About this Report

This document is the CPSC's FY 2013 Annual Performance Report (APR). It is submitted in March 2014 concurrently with the CPSC's FY 2015 Performance Budget Request to Congress. For FY 2013, the CPSC elected to prepare an APR and Agency Financial Report (AFR) (December 2013) instead of a consolidated Performance and Accountability Report (PAR), as the CPSC prepared for FY 2012 and prior years. An electronic version of this report is available on the agency's website, at: [www.cpsc.gov/performance-and-budget](http://www.cpsc.gov/performance-and-budget).

The FY 2013 APR provides information on results achieved by CPSC programs during FY 2013 and progress made toward performance targets established for key performance measures. The performance measures indicate progress toward Strategic Objectives and Strategic Goals contained in the CPSC's FY 2011 – FY 2016 Strategic Plan. Highlights of performance, as well as challenges, are presented.

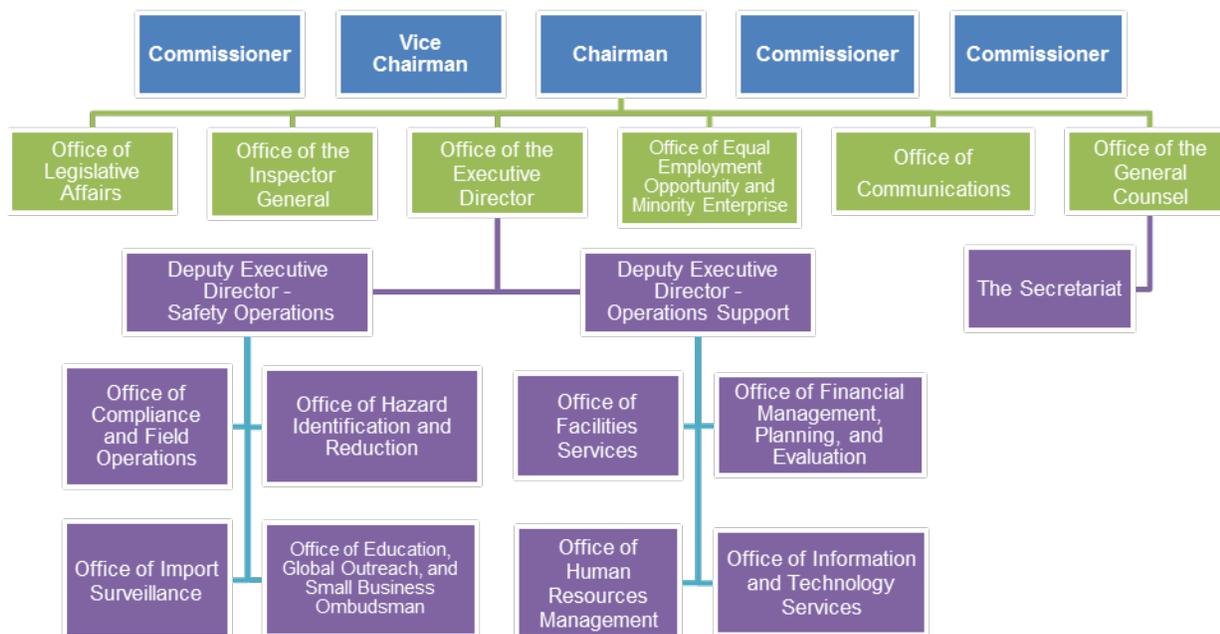
The FY 2013 APR satisfies the annual performance reporting requirements contained in the GPRA Modernization Act of 2010, as well as Office of Management and Budget (OMB) Circular No. A-11 (Preparation, Submission, and Execution of the Budget) and No. A-136 (Financial Reporting Requirements).

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<sup>1</sup> Product categories such as automobiles and boats; alcohol, tobacco, and firearms; foods, drugs, cosmetics, and medical devices; and pesticides are regulated by other federal agencies.

## CPSC Organizational Structure

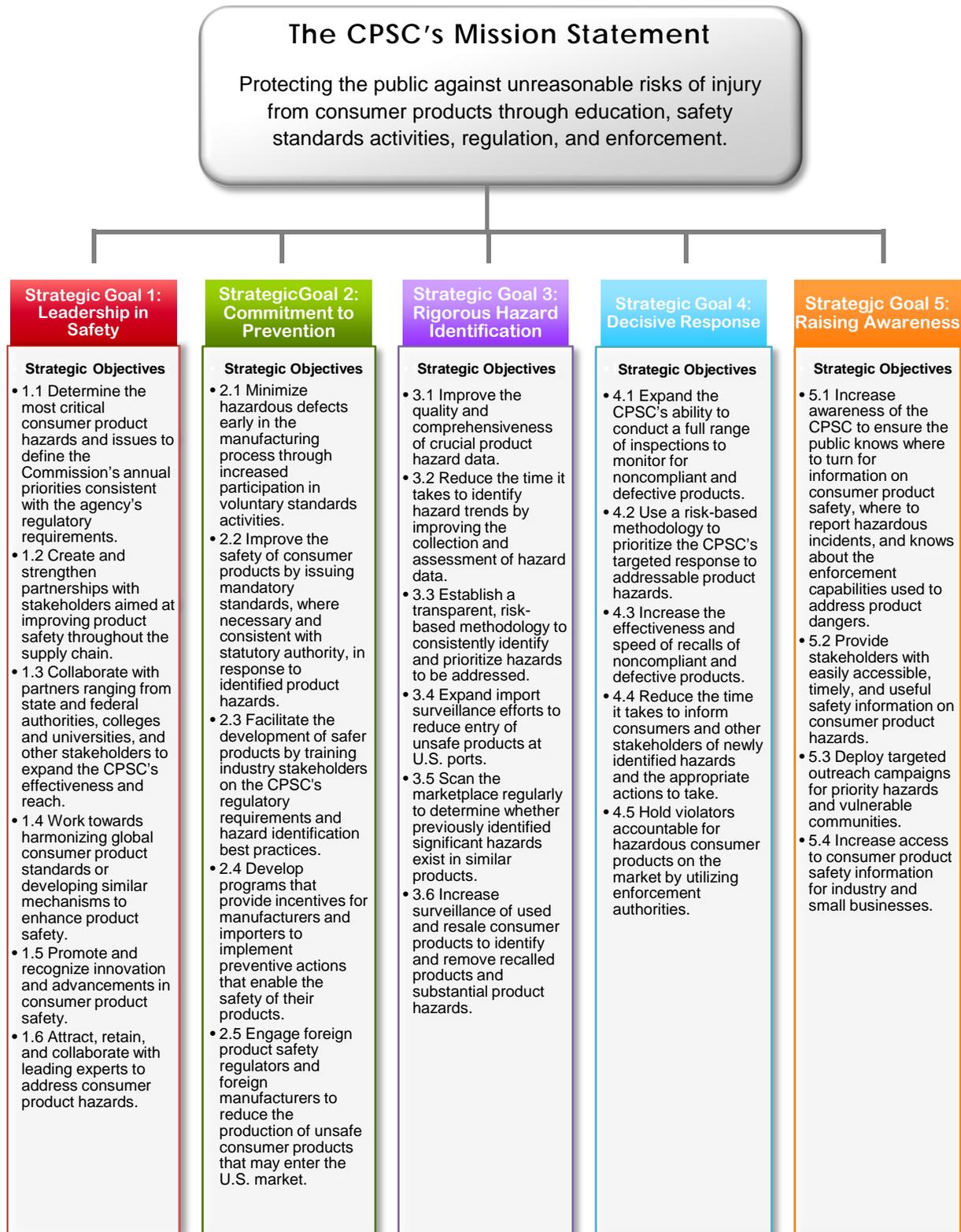
The Commission consists of five members appointed by the President with the advice and consent of the Senate. The Chairman is the principal executive officer of the Commission.<sup>2</sup> The following depicts the organizational structure of the CPSC in FY 2013:



<sup>2</sup> As of the publication of this report, Robert S. Adler is the Acting Chairman of the CPSC, and two Commissioner positions are vacant.

## FY 2011 – FY 2016 Strategic Plan Summary

**Vision:** The CPSC is the recognized global leader in consumer product safety.



## Key Performance Measures

Measure ID	Program	Performance Measure Statement	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Target	2013 Actual	2013 Target Met?
<b>Strategic Goal 1: Leadership in Safety</b>									
2013BK1.2.1	Global	Number of training or outreach seminars for foreign manufacturers conducted by CPSC staff	3	3	3	8	1	12	✓
2013BK1.2.2	Global	Number of staff exchanges with foreign counterparts undertaken as part of the Extended Training Exchange Program	--	--	--	2	6	2	✗
2013BK1.2.3	Global	Number of new collaborations undertaken with domestic nongovernment organizations (NGOs) and universities	--	--	--	--	2	2	✓
2013BK1.4.1	Global	Number of products on which CPSC had consultations with foreign counterparts	--	--	--	3	3	3	✓
2013BK1.6.1	Personnel	Employee retention rate	--	85.7%	84.9%	85.0%	85.0%	84.7%	✗
2013BK1.6.2	Personnel	Average hiring time (recruitment time using OPM's End-to-End hiring process) (days)	--	92	75	75	80	73	✓
2013BK1.6.3	Personnel	Training participation rate	--	--	71.7%	73.6%	80.0%	83.0%	✓
<b>Strategic Goal 2: Commitment to Prevention</b>									
2013BK2.1.1	Hazard	Number of voluntary standards activities supported or monitored by CPSC staff	39	61	60	70	74	74	✓
2013BK2.1.2	Hazard	Number of collaborations established or maintained with other organizations to work on nanotechnology research or issues affecting consumer products	1	4	8	8	8	4	✗
2013BK2.1.3	Hazard	Number of reports produced on the results of collaboration on nanotechnology issues affecting consumer products	--	1	1	9	5	11	✓
2013BK2.2.1	Hazard	Number of candidates for rulemaking prepared for Commission consideration	27	26	22	28	27	14	✗
2013BK2.3.1	Global	Number of domestic training activities made available to industry stakeholders	--	--	--	--	12	14	✓
<b>Strategic Goal 3: Rigorous Hazard Identification</b>									
2013BK3.1.1	Hazard	Percentage of National Electronic Injury Surveillance System (NEISS) member hospitals evaluated at least once a year	100%	100%	100%	98%	98%	99%	✓
2013BK3.1.2	Hazard	Percentage of consumer product-related injury cases correctly captured at NEISS hospitals	88%	90%	94%	92%	90%	92%	✓
2013BK3.2.1	Hazard	Time from incident received to adjudication of incident report (days)	--	--	--	--	10.0	6.5	✓
2013BK3.2.2	Hazard	Percentage of priority import regulated samples (excluding fireworks) tested within 30 days of collection	--	--	--	85%	95%	92%	✗
2013BK3.2.3	Hazard	Percentage of priority import fireworks samples tested within 60 days of collection	--	93.0%	92.0%	99.7%	90.0%	100.0%	✓
2013BK3.4.1	Import	Number of import examinations	--	7,011	9,923	18,131	13,000	26,523	✓
2013BK3.4.2	Import	Sample yield per 100 import entries examined as identified through the Risk Assessment Methodology (RAM) pilot system	--	--	--	26.0	26.0	28.8	✓
2013BK3.4.3	Import	Percentage of import shipments cleared within 1 business day	--	--	--	--	Baseline	99.5%	N/A
2013BK3.4.4	Import	Percentage of CPSC import entry hold requests acted on by CBP	--	--	--	--	Baseline	86%	N/A

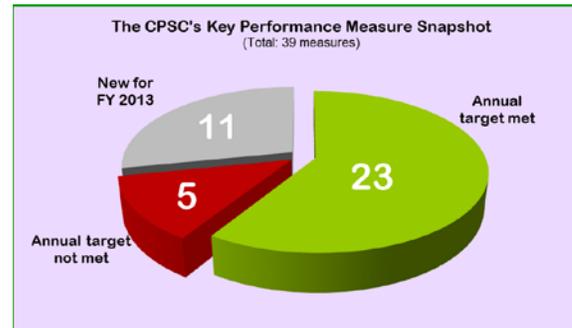
Measure ID	Program	Performance Measure Statement	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Target	2013 Actual	2013 Target Met?
2013BK3.5.1	Compliance	Total number of products screened by CPSC field staff	--	--	--	--	Baseline	240,847	N/A
2013BK3.5.2	Compliance	Number of consumer products screened by CPSC field staff through Internet surveillance activities	--	--	--	--	Baseline	24,920	N/A
2013BK3.5.3	Hazard	Number of annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	13	13	14	11	11	11	✓
2013BK3.6.1	Compliance	Number of used/resale consumer products screened by CPSC field staff	--	--	--	--	Baseline	180,808	N/A
<b>Strategic Goal 4: Decisive Response</b>									
2013BK4.1.1	Compliance	Number of establishment inspections conducted by CPSC field staff	1,155	616	1,116	1,184	1,000	3,680	✓
2013BK4.1.2	Compliance	Percentage of products screened by CPSC field staff resulting in violations	--	--	--	--	Baseline	6.9%	N/A
2013BK4.1.3	Hazard	Total number of items/component parts from samples tested at NPTEC for specific standards and regulations	21,676	30,845	32,705	40,066	36,000	37,063	✓
2013BK4.3.1	Compliance	Percentage of all cases for which the preliminary determination is made within 85 business days of the case opening	--	--	--	--	70%	84%	✓
2013BK4.3.2	Compliance	Percentage of cases for which the corrective action is accepted within 60 business days of the preliminary determination	98%	96%	95%	98%	80%	88%	✓
2013BK4.3.3	Compliance	Percentage of cases in which the firm is notified of a violation in a timely manner	--	--	--	--	Baseline	94%	N/A
2013BK4.3.4	Compliance	Percentage of Fast-Track cases with corrective actions initiated within 20 business days	93%	95%	95%	99%	90%	98%	✓
2013BK4.4.1	Communications	Average number of days from first draft of recall press release completed to recall press release issued	--	--	--	--	Baseline	27.5	N/A
2013BK4.5.1	Compliance	Percentage of compliance defect investigation cases referred within 10 business days to OGC for review of firms' timely reporting pursuant to Section 15(b)	--	--	--	--	Baseline	57%	N/A
<b>Strategic Goal 5: Raising Awareness</b>									
2013BK5.1.1	Communications	Percentage of the population that reports awareness of the CPSC	--	--	--	--	Baseline	N/A	N/A
2013BK5.1.2	Communications	Percentage of consumers who report acting on a CPSC safety message	--	--	--	--	Baseline	N/A	N/A
2013BK5.2.1	Communications	Number of public information campaigns conducted by CPSC on specifically identified consumer product safety hazards	--	23	24	23	24	24	✓
2013BK5.2.2	Communications	Number of impressions received by consumers of CPSC safety messages about targeted hazards (in millions)	1,201	3,903	1,929	4,209	2,635	4,628	✓
2013BK5.3.1	Communications	Number of impressions of CPSC safety messages on priority hazards received by consumers in vulnerable communities (in millions)	80	206	751	437	210	1,395	✓

- **Baseline:** Indicates a performance measure newly established in FY 2013 for which a target was not established. A target will be established in a future fiscal year based on analysis of the baseline data collected.
- Details on the key performance measures are available in *Supplemental Appendix on the FY 2013 Key Performance Measures*, which can be found at: <http://www.cpsc.gov/Performance-and-Budget>. The supplemental appendix contains the following details on the key performance measures: identification number; associated Strategic Goal, Strategic Objective, and Performance Goal Statement; Performance Measure Statement, Definition, and Explanation or Rationale; and historical data (2009–2013 Actuals) and 2013 Targets.

## Performance Summary: An Overview

During FY 2013, the CPSC tracked 39 performance measures. Of those 39 performance measures, 28 had established performance targets for FY 2013. The CPSC met the performance targets for 82 percent (23 performance measures) of its performance measures and did not meet the performance targets for 18 percent (5 performance measures). Overall, these results indicate progress toward achieving the CPSC’s Strategic Plan goals. In the case of 11 performance measures that were new for FY 2013, performance targets were not established, and a characterization of whether the measure was met or not has not been done. Instead, CPSC staff collected baseline data for nine of those measures, and those data will be used to set performance target levels in future years.

Figure 1: The CPSC’s Key Performance Measure Snapshot



The FY 2013 results for the key performance measures organized by the CPSC Strategic Goals to which the performance measures correspond are shown below in Figure 2. Figure 3 shows the same key performance measure results organized by the cognizant CPSC office.

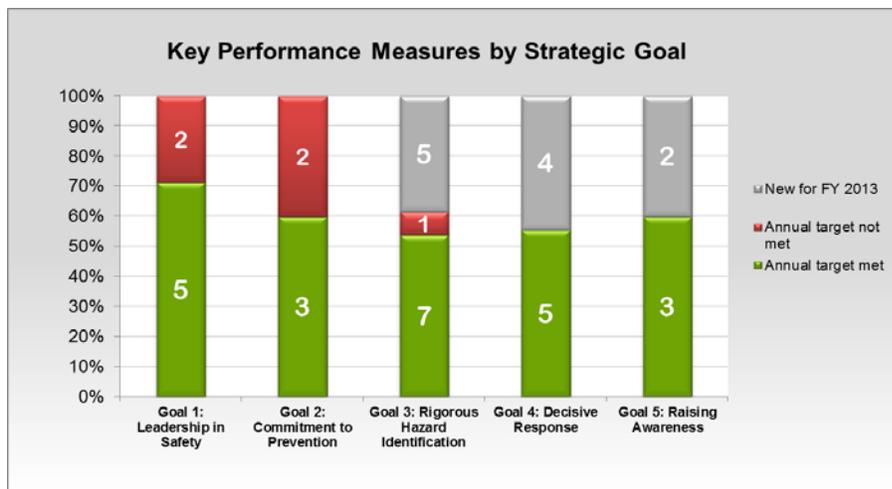
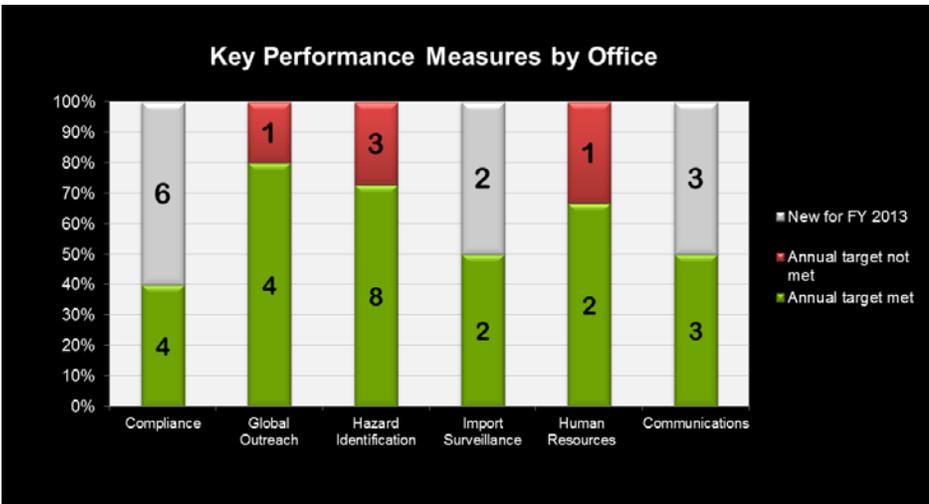


Figure 2: Summary of FY 2013 Results for Key Performance Measures by Strategic Goal

Figure 3: Summary of FY 2013 Results for Key Performance Measures by Office



### Strategic Goal 1 Performance Highlights

#### Strategic Goal 1: Leadership in Safety

Take a leadership role in identifying and addressing the most pressing consumer product safety priorities and mobilizing action by our partners.



Measure ID	Measure Statement	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Target	2013 Actual	2013 Target Met?	Trend
1.2.1	Number of training or outreach seminars for foreign manufacturers conducted by CPSC staff	3	3	3	8	1	12	✓	
1.2.2	Number of staff exchanges with foreign counterparts undertaken as part of the Extended Training Exchange Program	--	--	--	2	6	2	✗	
1.2.3	Number of new collaborations undertaken with domestic nongovernment organizations (NGOs) and universities	--	--	--	--	2	2	✓	
1.4.1	Number of products on which CPSC had consultations with foreign counterparts	--	--	--	3	3	3	✓	
1.6.1	Employee retention rate	--	85.7%	84.9%	85.0%	85.0%	84.7%	✗	
1.6.2	Average hiring time (recruitment time using OPM's End-to-End hiring process) (days)	--	92	75	75	80	73	✓	
1.6.3	Training participation rate	--	--	71.7%	73.6%	80.0%	83.0%	✓	

#### Challenges

Expansion of international trade, increasingly global supply chains, and technological advances have increased the spectrum of consumer products available to U.S. consumers; this has made the challenge for the CPSC of overseeing and regulating thousands of product types more complex. The value of U.S. imports under the CPSC's jurisdiction has skyrocketed in recent years. Product safety can suffer in countries where domestic regulation is not effective and quality control systems are lacking. Regulatory agencies, standards organizations, and consumer and industry groups worldwide are working to address consumer product safety across multiple geographies and priorities.

#### Strategies

The CPSC strives to be at the forefront of advancing the agenda for consumer product safety and seeks to mitigate the most pressing product safety hazards by establishing a clearly defined leadership agenda and by working with key global and domestic stakeholders. The CPSC works with other regulatory agencies, standards development organizations, and consumer and industry groups across multiple geographies and priorities. The CPSC uses a risk assessment tool to determine the most critical consumer product hazards and suggest priorities for agency work on hazard reduction. The CPSC trains and collaborates with domestic and international stakeholders, including manufacturers and regulators, effectively leveraging its resources to improve product safety. The Office of Education, Global Outreach, and Small Business Ombudsman provides education and outreach activities to manufacturers, retailers, resellers, small businesses, and foreign governments. The CPSC also works to harmonize global consumer product standards as a way to improve consumer product safety, and recruits and retains leading experts to help accomplish its mission.

#### Results

The CPSC met or exceeded FY 2013 targets for five of the seven key performance measures for Strategic Goal 1 and did not meet FY 2013 targets for two key performance measures.

## Training and Collaborations

The CPSC strives to be at the forefront of advancing the agenda for consumer product safety to improve product safety throughout the supply chain by creating and strengthening collaborations with the agency's domestic and international stakeholders. The CPSC also works to harmonize global consumer product safety standards in furtherance of consumer product safety. The agency met or exceeded FY 2013 targets for three key measures (1.2.1, 1.2.3, and 1.4.1) and did not meet the FY 2013 target for one key measure (1.2.2).

### Quick Fact:

In FY 2013, the CPSC trained approximately 16,000 executives, quality control, and plant and safety professionals throughout the world.

### Key Measure 1.2.1

- ✓ **Number of training or outreach seminars for foreign manufacturers conducted by CPSC staff.**

Why we measure this: The CPSC conducts training and outreach seminars for foreign manufacturers of imported consumer products to help them comply with U.S. safety requirements. This approach is intended to reduce the need for subsequent remedial action or recalls.

Result & Explanation: The CPSC exceeded the target of one planned seminar for foreign manufacturers for key measure 1.2.1 by conducting 12 seminars during FY 2013. The target was exceeded because a critical staff vacancy in the CPSC's Beijing Office was filled, resulting in the required capacity to complete the work.

### CPSC Leadership and International Cooperation

The CPSC participated with Canada and Mexico in the second trilateral North America Consumer Product Safety Summit in September 2013 in Ottawa, Canada. Representatives from the consumer product safety regulatory agencies of the three countries expressed their commitment to improving consumer product safety, discussed future opportunities to share knowledge, and identified joint activities.

### Key Measure 1.2.2

- ✗ **Number of staff exchanges with foreign counterparts undertaken as part of the Extended Training Exchange Program.**

Why we measure this: Foreign regulators are key stakeholders because they regulate manufacturers in their jurisdictions. Exchange programs with foreign officials contribute to improved product safety. To the extent that unsafe products are not manufactured anywhere in the world, they will not find their way into the hands of U.S. consumers.

Result & Explanation: Changes in the availability of incoming staff from foreign regulatory organizations, as well as funding reductions due to sequestration, meant that only two of the planned six training exchanges were achieved during FY 2013. The CPSC coordinated an extended training exchange at the CPSC for an employee from Brazil's consumer product regulatory agency, who focused on compliance strategies and procedures. The CPSC also sent a CPSC official on a training exchange to Health Canada to work on cooperative approaches to hazard identification.

### What was discussed?

The regulators agreed to build upon the important achievements made since the 2011 Summit. Achievements included exchange of technical information through regular teleconference calls, partnering in two joint outreach campaigns on toy safety and poison prevention to raise consumers' awareness on consumer product safety issues, and completion of the first coordinated trilateral recall, which was an important step toward increased collaboration for joint bilateral and trilateral recalls.

### Key Measure 1.2.3

- ✓ **Number of new collaborations undertaken with domestic nongovernment organizations (NGOs) and universities.**

Why we measure this: Increased collaboration with domestic NGOs, such as trade associations, universities, federations, or other organizations that are involved in consumer product safety activities, will contribute to improvements in product quality, safety design, and overall consumer safety.

### What happens next?

As a result of shared goals and commitment to consumer product safety, an updated Cooperative Engagement Framework was developed to guide overarching trilateral activities over the next four years between the CPSC, Health Canada, the Mexican federal consumer protection agency (PROFECO), and the Mexican bureau of standards (DGN).

**Result & Explanation:** CPSC staff met the FY 2013 target for conducting two new collaborations during FY 2013. The collaborations involved:

- Providing an introductory webcast to the Souvenir Wholesale Distributors Association (SWDA); and
- Conducting a live presentation about the CPSIA to the Fair Trade Federation (FTF).

#### Key Measure 1.4.1



#### Number of products on which CPSC had consultations with foreign counterparts.

**Why we measure this:** The CPSC conducts discussions with foreign consumer product regulatory agencies regarding potential alignment of safety requirements for specific consumer products as part of the CPSC's strategy to work toward common approaches to high levels of consumer product safety, globally. These activities also demonstrate the CPSC's leadership role.

**Result & Explanation:** CPSC staff met the FY 2013 target of conducting discussions for three products (high-powered magnets, booster seats, and infant slings) with foreign regulatory counterpart agencies from Australia, Canada, and the European Commission. Canada and Australia have taken actions against high-powered magnets similar to those taken in the United States. Work has continued with the European Commission on identifying a consensus approach on baby slings.

#### Quick Fact:

In 2013, the CPSC developed and published the handbook, *Resellers Guide to Selling Safer Products*, and the CPSC provided training to reseller and trade associations and their members. The handbook and training are expected to contribute to reducing the number of recalled products in the marketplace.

### Effective Human Resources Programs

The three key measures below track progress toward the CPSC's performance in the area of attracting, retaining, and collaborating with leading experts to address consumer product hazards. The CPSC met or exceeded FY 2013 performance targets for two key performance measures (1.6.2 and 1.6.3) and did not meet the FY 2013 target for one key performance measure (1.6.1).



#### Key Measure 1.6.1: Employee retention rate.

**Why we measure this:** This is a direct measure of workforce retention, which contributes to achieving the goal of having a high-performance workforce. Research shows that employees who are retained for at least two years have completed agency orientation and basic training, fully understand the agency environment, and are vested, engaged employees.

**Result & Explanation:** The CPSC's employee retention rate during FY 2013 was 84.7 percent, which fell just short of meeting the target of 85.0 percent.

The CPSC's employee retention rate has fluctuated around 85.0 percent for the past several years. In FY 2011 and FY 2013, the retention rate fell slightly below the 85.0 percent retention rate. The FY 2013 target would have been met by a difference of only two employees who did not meet the two-year mark required for retention. In FY 2014, the CPSC is focusing its efforts on the outreach and recruitment for its mission-critical positions by filling them with the best qualified individuals.



#### Key Measure 1.6.2: Average hiring time (recruitment time using OPM's End-to-End hiring process) (days).

**Why we measure this:** Average hiring time is a measure of how quickly the agency recruits its workforce, which contributes to achieving the goal of having a high-performing workforce.

**Result & Explanation:** In FY 2013, the CPSC achieved an average hiring time of 73 days, exceeding the FY 2013 target of 80 days.

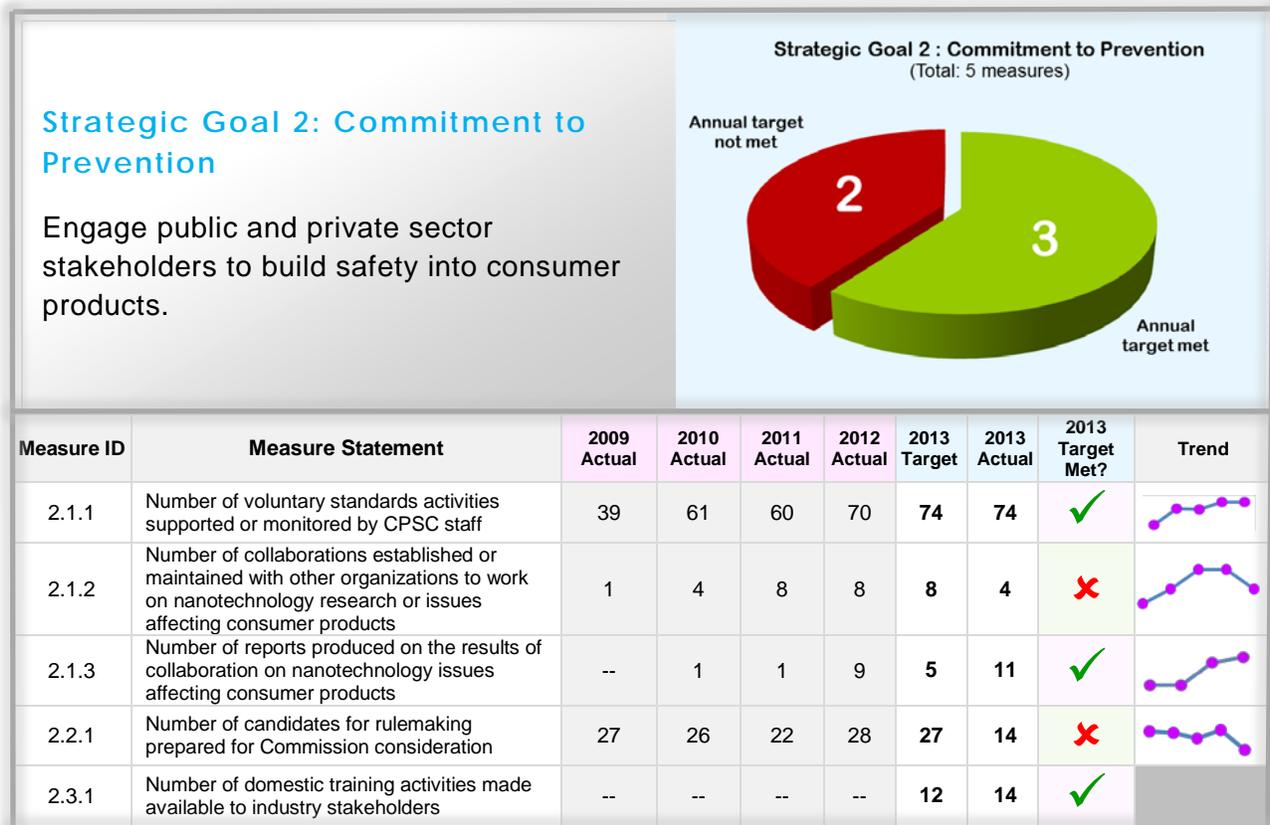


#### Key Measure 1.6.3: Training participation rate.

**Why we measure this:** The training participation rate is a measure of the goal of developing a high-performing workforce.

**Result & Explanation:** In FY 2013, the CPSC achieved an 83 percent training participation rate, exceeding the FY 2013 target of 80 percent staff training participation rate.

### Strategic Goal 2 Performance Highlights



#### Challenges

The value of consumer product imports under the CPSC’s jurisdiction grew from \$410.8 billion in 2002 to \$684.2 billion in 2011, an increase of 67 percent over the period. Many consumer product hazards and safety defects arise in the very early stages of the supply chain, including product design and the selection and use of raw materials. Given the large volume and diversity of products under the jurisdiction of domestic and foreign regulatory agencies, enforcement activities alone are unlikely to succeed in preventing product hazards from occurring.

#### Strategies

Preventing hazards from entering the marketplace is one of the most effective ways the CPSC can protect consumers. The CPSC participates in the development of new safety standards, creates regulations, and educates manufacturers on those safety requirements so that safety is built into consumer products. The CPSC staff works with voluntary standards organizations to create and strengthen voluntary safety standards for consumer products. Because their development involves the consensus agreement of relevant stakeholders, voluntary standards are an effective means to address the injuries and deaths associated with the use of consumer products. The CPSC has made significant progress toward creating stronger mandatory standards pursuant to the CPSIA. CPSC staff provides guidance and educational materials to explain federal safety regulations and conducts training and outreach events. The CPSC develops incentive programs to encourage industry to build safer consumer products and engages with foreign product safety regulators and foreign manufacturers to reduce the production of unsafe consumer products that may enter the U.S. market. By encouraging industry leaders and foreign safety agencies to focus on safety early in the global supply chain, the CPSC helps prevent hazards from entering consumer markets.

#### Results

The CPSC met or exceeded FY 2013 targets for three of the five key performance measures for Strategic Goal 2 and did not meet the FY 2013 targets for two key performance measures.

## Standards Activities

The CPSC contributes to preventing future incidents by improving product design standards to address hazards identified through hazard analysis. Key measures 2.1.1 and 2.2.1 track the CPSC's progress toward its standards activities.

### Key Measure 2.1.1

#### ✓ **Number of voluntary standards activities supported or monitored by CPSC staff.**

Why we measure this: The CPSC works to minimize hazardous defects through increased participation in voluntary standards activities. The CPSC's statutory authority requires the agency to rely on voluntary standards rather than promulgate mandatory standards, if compliance with a voluntary standard would eliminate or adequately reduce the risk of injury identified and it is likely that there will be substantial compliance with the voluntary standard.

A 2012 report by the U.S. Government Accountability Office (GAO) recommended a more active role in voluntary standards development by CPSC staff. Based on this recommendation, the CPSC published a notice of proposed rulemaking (NPR) in 2013 to amend the Commission's regulations at 16 CFR § 1031 that would eliminate prohibitions on staff participating as voting members of, and accepting leadership positions in, voluntary standards development groups. It is anticipated that staff will provide a final rule (FR) briefing package to the Commission in FY 2014.

Result & Explanation: The CPSC met the FY 2013 target of supporting 74 voluntary standards.

#### Quick Facts:

Between the CPSIA passage in 2008, and the end of September 2013, the CPSC completed 160 CPSIA-related rulemaking activities, of which 39 were final rules (FRs). During FY 2013, the CPSC completed seven FRs.

### Key Measure 2.2.1

#### ✗ **Number of candidates for rulemaking prepared for Commission consideration.**

Why we measure this: Safety standards address hazards associated with the use of consumer products. Consumer products that have been designed and manufactured to mandatory safety standards help prevent future hazards from occurring.

Result & Explanation: In FY 2013, the CPSC prepared 14 candidates for rulemaking for Commission consideration, falling short of the target of 27 candidates. A number of factors caused the shortfall, including: (1) unanticipated delays and changes in voluntary standards organizations' balloting, approval, and publication schedules; (2) resource availability; (3) unanticipated technical complexity that required staff to spend additional time in review and evaluation; and (4) counting notice of third party conformity assessment body (labs) accreditation requirements targets as separate targets prior to FY 2014. Notably, of the 13 targets that were not met in FY 2013, four were met in the first quarter of 2014, one was met early in the second quarter of FY 2014, an additional six are anticipated to be met by the end of the second quarter of 2014, and the remaining two will be met in FY 2014.

## Nanotechnology Safety Issues

The CPSC collaborates with other federal agencies to support the development of exposure and risk assessments of nanomaterials, to collect information on consumer products reported to contain nanomaterials, and to flag reports of incidents that involve nanotechnology and consumer products. Since 2003, the CPSC has participated in the U.S. federal government's nearly \$2 billion per year National Nanotechnology Initiative (NNI), a collaborative effort among 20 federal departments and agencies with scientific missions (see [www.nano.gov](http://www.nano.gov)). Key measures 2.1.2 and 2.1.3 track the CPSC's progress on its nanotechnology work.

### Key Measure 2.1.2

#### ✗ **Number of collaborations established or maintained with other organizations to work on nanotechnology research or issues affecting consumer products.**

Why we measure this: Due to the complexity of nanotechnology, GAO and other entities have advised federal agencies working on nanotechnology to collaborate and monitor progress. The

CPSC's collaboration with other organizations on nanotechnology research and issues affecting consumer products is expected to contribute to the responsible development of consumer products containing nanomaterials.

**Result & Explanation:** The CPSC did not meet the FY 2013 target of eight collaborations established or maintained with organizations working on nanotechnology issues affecting consumer products. For FY 2013, the CPSC reduced its support for nanotechnology research and development by approximately \$700,000 due to funding reductions resulting from the government-wide sequestration. Due to reduced funding, the CPSC accomplished four collaborations in FY 2013.

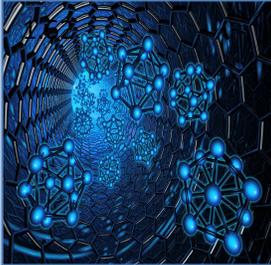
### Key Measure 2.1.3



#### **Number of reports produced on the results of collaboration on nanotechnology issues affecting consumer products.**

**Why we measure this:** The purpose of the CPSC's collaborative efforts on nanotechnology issues is to produce reports and manuscripts that provide data on nanomaterials used in or released from consumer products. The data should be made available, when appropriate, to assist stakeholders in addressing nanomaterial safety and ultimately should contribute to improved safety of nanomaterial use in consumer products.

**Result & Explanation:** With 11 reports on nanotechnology issues affecting consumer products completed during FY 2013, the CPSC exceeded the target of completing five reports on the results of collaboration. This was due in part to research initiated prior to FY 2013. Highlighted below are two reports that were published in scientific journals during FY 2013.



***Published Reports on  
Nanotechnology Issues Affecting Consumer Products***

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**Pulmonary and Cardiovascular Responses of Rats to Inhalation of Silver Nanoparticles**  
For more information, visit: <http://www.tandfonline.com/doi/abs/10.1080/15287394.2013.792024>

**Release of Silver from Nanotechnology-Based Consumer Products for Children**  
For more information, visit: <http://pubs.acs.org/doi/abs/10.1021/es4015844>

### CPSC Training for Stakeholders

Part of the CPSC's strategy in facilitating the development of safer products is training industry stakeholders on CPSC regulatory requirements and hazard identification best practices.

#### Key Measure 2.3.1



#### **Number of domestic training activities made available to industry stakeholders.**

**Why we measure this:** Increasing the number of training activities made available to industry stakeholders on CPSC regulatory requirements and hazard identification best practices will ultimately facilitate development of safer products.

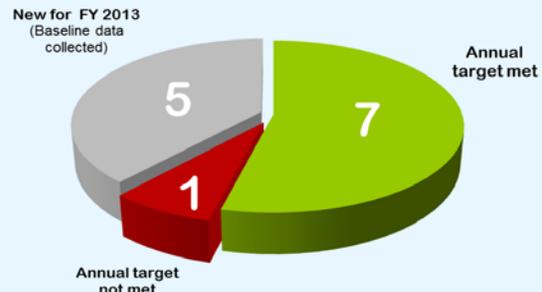
**Result & Explanation:** During FY 2013, CPSC staff conducted 14 domestic training activities for industry stakeholders, exceeding the target of 12 training activities. Highlights included the CPSC Safety Academy in Seattle, WA, in September 2013, which was attended by more than 180 people from occupations such as product sourcing, regulatory compliance, customs brokerage and trade compliance, logistics, and quality assurance. Continuing education credit was awarded for the CPSC training by the National Customs Brokers and Forwarders Association of America. Another FY 2013 event was an All-Terrain Vehicle (ATV) Safety Summit in October 2012, which provided stakeholders with a venue to share safety information regarding public awareness, information and education, training, and technology related to ATVs.

### Strategic Goal 3 Performance Highlights

#### Strategic Goal 3: Rigorous Hazard Identification

Ensure timely and accurate detection of consumer product safety risks to inform agency priorities.

**Strategic Goal 3 : Rigorous Hazard Identification**  
(Total: 13 measures)



Measure ID	Measure Statement	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Target	2013 Actual	2013 Target Met?	Trend
3.1.1	Percentage of National Electronic Injury Surveillance System (NEISS) member hospitals evaluated at least once a year	100%	100%	100%	98%	98%	99%	✓	
3.1.2	Percentage of consumer product-related injury cases correctly captured at NEISS hospitals	88%	90%	94%	92%	90%	92%	✓	
3.2.1	Time from incident received to adjudication of incident report (days)	--	--	--	--	10	6.5	✓	
3.2.2	Percentage of priority import regulated samples (excluding fireworks) tested within 30 days of collection	--	--	--	85%	95%	92%	✗	
3.2.3	Percentage of priority import fireworks samples tested within 60 days of collection	--	93.0%	92.0%	99.7%	90%	100.0%	✓	
3.4.1	Number of import examinations	--	7,011	9,923	18,131	13,000	26,523	✓	
3.4.2	Sample yield per 100 import entries examined as identified through the Risk Assessment Methodology (RAM) pilot system	--	--	--	26.0	26.0	28.8	✓	
3.4.3	Percentage of import shipments cleared within 1 business day	--	--	--	--	Baseline	99.5%	N/A	
3.4.4	Percentage of CPSC import entry hold requests acted on by CBP	--	--	--	--	Baseline	86%	N/A	
3.5.1	Total number of products screened by CPSC field staff	--	--	--	--	Baseline	240,847	N/A	
3.5.2	Number of consumer products screened by CPSC field staff through Internet surveillance activities	--	--	--	--	Baseline	24,920	N/A	
3.5.3	Number of annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	13	13	14	11	11	11	✓	
3.6.1	Number of used/resale consumer products screened by CPSC field staff	--	--	--	--	Baseline	180,808	N/A	

#### Challenges

The CPSC must determine quickly and accurately which product hazards represent the greatest risks to consumer safety. Information on injuries, deaths, and other consumer product safety incidents comes from a wide range of sources, including consumers and consumer groups, hospitals and clinics, industry, and the press. Used and resale consumer products must also be monitored to prevent previously identified hazardous products from re-entering the marketplace. A large volume of data must be analyzed to identify patterns and trends that reflect potential emerging hazards. Moreover, the CPSC has to determine which addressable hazards present the greatest risk to the consumer in order to focus the agency's limited resources.

#### Strategies

The CPSC uses a systematic approach to enhance the quality of crucial product hazard data and reduce the time needed to identify trends. The agency's approach includes improving collection and

assessment of hazard data, scanning the marketplace regularly, expanding import surveillance efforts, and increasing surveillance of used consumer products offered for resale.

The CPSC has made significant investments in information technology to enhance and streamline hazard detection processes and improve analytic capabilities. This includes development of the CPSIA-mandated public database ([www.SaferProducts.gov](http://www.SaferProducts.gov)), which enables consumers and others to submit reports of harm and view publicly reported incident information in a Web-based, searchable format. The CPSC collaborates with U.S. Customs and Border Protection (CBP) to improve import surveillance at ports, and the CPSC developed a pilot Risk Assessment Methodology surveillance system that enables the CPSC to analyze systematically import line entries to identify the highest risk shipments. The CPSC also monitors the marketplace, including brick and mortar and Web-based businesses, for potentially hazardous consumer products.

#### Quick Fact:

The CPSC received more than 984,000 calls to the CPSC Hotline in FY 2013.

#### Quick Facts:

In FY 2013, [www.SaferProducts.gov](http://www.SaferProducts.gov) received more than 2.4 million visits and more than 3.4 million page views.

## Results

The CPSC met or exceeded FY 2013 targets for seven of the 13 key performance measures for Strategic Goal 3 and did not meet the FY 2013 target for one key performance measure. Baseline data were collected for FY 2013 for an additional five key performance measures of Strategic Goal 3.<sup>3</sup>

### National Electronic Injury Surveillance System (NEISS)

The CPSC met the FY 2013 targets for key measures 3.1.1 and 3.1.2, which are related to the National Electronic Injury Surveillance System (NEISS), a unique system that provides statistically valid national estimates of product-related injuries from a probability sample of hospital emergency rooms. NEISS is critical for achievement of the CPSC's strategy of improving the quality and comprehensiveness of crucial product hazard data.

#### Quick Facts:

During FY 2013, the CPSC collected nearly 400,000 NEISS reports and almost 10,000 death certificates and medical examiner and coroner reports.

#### Key Measure 3.1.1

##### ✓ Percentage of NEISS member hospitals evaluated at least once a year.

Why we measure this: Evaluation visits are conducted at most NEISS hospitals every year to provide CPSC staff the opportunity to review hospital records and to ensure that hospital coders are capturing and correctly coding reportable cases, thus improving the comprehensiveness and quality of data.

Result & Explanation: The CPSC met the FY 2013 target of 98 percent, evaluating 99 percent of NEISS member hospitals.

#### Key Measure 3.1.2

##### ✓ Percentage of consumer product-related injury cases correctly captured at NEISS hospitals.

Why we measure this: Evaluation visits are conducted at NEISS hospitals to determine the percentage of reported consumer product-related cases captured correctly by hospital coders, indicating the quality of consumer product-related incident data from the hospitals.

Result & Explanation: The CPSC exceeded its FY 2013 target of 90 percent; 92 percent of product-related injury cases at NEISS hospitals were captured correctly.

### National Product Testing and Evaluation Center (NPTEC)

Key Measures 3.2.2, and 3.2.3 are related to NPTEC testing. The NPTEC, which opened in June 2011, consists of several modernized laboratory facilities and testing equipment and enhances the CPSC's

<sup>3</sup> One additional key measure for Goal 3 does not have a relevant target until FY 2014 and is not included in this report (3.4.5- Establish an ITDS/RAM rule set to target intellectual property violations where a health and safety hazard is suspected in consumer product imports).

ability to protect consumers from harm, by expanding the CPSC's testing capabilities, increasing the efficiency of agency staff and equipment, and facilitating more rapid testing. The work of CPSC staff at the NPTEC supports agency strategies of improving the quality and comprehensiveness of crucial product hazard data and reducing the time to identify hazard trends by improving collection and assessment of hazard data.

### Key Measure 3.2.2

#### ✘ Percentage of priority import regulated samples (excluding fireworks) tested within 30 days of collection.<sup>4</sup>

Why we measure this: This performance measure tracks the timeliness with which CPSC staff processes imported non-fireworks samples, from initial collection at U.S. ports, through processing and testing of samples until the NPTEC report is available for case compliance staff action. Processing and testing samples is critical to the compliance and hazard identification process.

Result & Explanation: The agency did not meet its FY 2013 target of 95 percent; the CPSC achieved 92 percent of testing priority import regulated samples (excluding fireworks) within 30 days of collection. For this measure, the target was met in all areas except toys/children's imports. To improve future performance, CPSC staff plans to improve coordination across operating units to increase efficiency, better utilize existing testing capacity, and schedule staff time even more effectively for testing toys/children's imports.

### Key Measure 3.2.3

#### ✔ Percentage of priority import fireworks samples tested within 60 days of collection.

Why we measure this: This performance measure tracks the timeliness with which CPSC staff processes imported fireworks samples, from initial collection at U.S. ports, through processing and testing of samples until the NPTEC report is available for case compliance staff action. Processing and testing fireworks samples is critical to the compliance and hazard identification process.

Result & Explanation: The CPSC exceeded its FY 2013 target of 90 percent by testing 100 percent of priority import fireworks samples within 60 days of collection.

## Import Surveillance

Expansion of international trade and increasingly global supply chains have contributed to increased imports of consumer products to the United States. During calendar year 2012, more than \$706.6 billion worth of consumer products under the CPSC's jurisdiction entered the United States, averaging nearly \$2 billion per day. Since 2008, four out of five product recalls in the United States involved an imported product, making import surveillance a critical focus area for the CPSC. Currently, the CPSC has only 21 federal inspectors collocated with CBP at 16 of the 327 ports of entry. The CPSC seeks to identify and interdict violative and potentially hazardous consumer products at U.S. ports of entry and expedite the release of compliant cargo.



In response to congressional direction in Section 222 of the CPSIA, the CPSC initiated a pilot Risk Assessment Methodology (RAM) surveillance system to begin targeting and identifying certain products imported into the United States that are most likely to violate consumer product safety statutes and regulations and that contain defects. The pilot system, which was initiated in October 2011, integrates a limited set of data routinely collected by CBP with data used in the CPSC surveillance systems. Certain high-risk imports are targeted based on a predetermined rule set and stopped at the port for inspection. If

<sup>4</sup> Fireworks testing is excluded from this measure and has its own separate measure because the nature of fireworks functional testing requires that it be done at a remote, secure test site owned and operated by the U.S. Army. It also requires the CPSC to schedule firing range time with the Department of Defense (DOD) test site to conduct the testing. To meet these requirements, the CPSC's fireworks testing has been established on a 60-day timeframe based on agreements between CBP and the CPSC.

a violation is found, the shipment is denied entry into the United States, preventing a public safety concern before the product enters the marketplace. More than 3.6 million violative or potentially hazardous consumer product units were stopped from entering commerce in 2012. The CPSC has assessed the effectiveness of the pilot import program with four key performance measures. FY 2013 targets for two measures were exceeded and baseline data were collected for the other two measures.

#### Key Measure 3.4.1

##### ✓ **Number of import examinations.**

Why we measure this: The total number of import examinations performed by CPSC staff is a measure of surveillance at U.S. ports to reduce entry of unsafe consumer products.

Result & Explanation: In FY 2013, CPSC staff screened more than 26,500 imported products, roughly double the target of 13,000.

#### Key Measure 3.4.2

##### ✓ **Sample yield per 100 import entries examined as identified through the RAM pilot system.**

Why we measure this: This measure is an indicator of the effectiveness of import surveillance targeting efforts using the pilot RAM surveillance system. If an entry is examined and suspected of containing a hazard, a sample is taken. The pilot system, which involves risk analysis, is expected to result in more violative samples being collected per entry examined, which in turn, measures the effectiveness of the targeting system.

Result & Explanation: The actual sample yield was 28.8 in FY 2013, better than the target of 26. CPSC staff attributed this success to process and system updates made during the year.

#### Key Measure 3.4.3

##### **(Baseline) Percentage of import shipments cleared within 1 business day.**

Why we measure this: The percentage of import shipments that are cleared within one business day is a measure of how successful the CPSC is at expeditiously processing compliant imports of consumer products and facilitating legitimate trade.

Result & Explanation: Baseline data were collected for this measure during FY 2013; 99.5 percent of import shipments cleared within one business day, indicating that the CPSC's import surveillance work is conducted efficiently.

#### Key Measure 3.4.4

##### **(Baseline) Percentage of CPSC import entry hold requests acted on by CBP.**

Why we measure this: The percentage of CPSC import entry hold requests on which CBP acts reflects CBP cooperation with the CPSC's targeting of specific import entries likely to contain noncompliant products. The percentage is expected to increase with implementation of the RAM.

Result & Explanation: Baseline data were collected for this measure during FY 2013; 86 percent of CPSC import entry hold requests were acted on by CBP.

## Marketplace Surveillance

The CPSC scans the marketplace regularly to determine whether previously identified significant hazards exist in similar products. The CPSC also works on increasing surveillance of used and resale consumer products to identify and remove recalled products and substantial product hazards. Baseline data were collected during FY 2013 for the three key performance measures in this area.

#### Key Measure 3.5.1

##### **(Baseline) Total number of products screened by CPSC field staff.**

Why we measure this: The CPSC tracks the total number of product units screened to measure the extent of CPSC field staff surveillance activities at traditional retail and secondhand stores, over the Internet, and at import.

Result & Explanation: Baseline data were collected for this measure during FY 2013; CPSC field staff screened a total of more than 280,000 consumer products.

**Key Measure 3.5.2**

**(Baseline) Number of consumer products screened by CPSC field staff through Internet surveillance activities.**

Why we measure this: The number of products screened over the Internet is a measure of the extent of the CPSC field staff surveillance of Internet sales of consumer products.

Result & Explanation: Baseline data were collected for this measure during FY 2013; CPSC field staff screened nearly 25,000 consumer products (counted by units) through Internet surveillance activities.

**Quick Fact:**

In FY 2013, the CPSC's Internet Surveillance unit contacted approximately 12,040 firms and individuals who were attempting to sell banned or previously recalled consumer products via Internet websites, causing sales to be halted.

**Key Measure 3.6.1**

**(Baseline) Number of used/resale consumer products screened by CPSC field staff.**

Why we measure this: The number of used or resale consumer products screened is a measure of the extent of CPSC surveillance of used or resale consumer products. This performance measure tracks the results of efforts to educate the secondhand/used consumer product retail industry on the importance of ensuring that previously recalled or banned products are not being reintroduced into the consumer market.

Result & Explanation: Baseline data were collected for this measure during FY 2013; CPSC field staff screened more than 180,000 used/resale consumer products.

**Other Key Measures****Key Measure 3.2.1**

**Time from incident received to adjudication of incident report (days).**

Why we measure this: Timely review of incoming incident reports is critical to identification of emerging hazards associated with the use of consumer products. The CPSC measures the average time from receipt of an incident report to determination of whether the incident report is actionable.

Result & Explanation: In FY 2013, the CPSC surpassed the FY 2013 target of 10 days by achieving an average time from incident report to determination of 6.5 days.

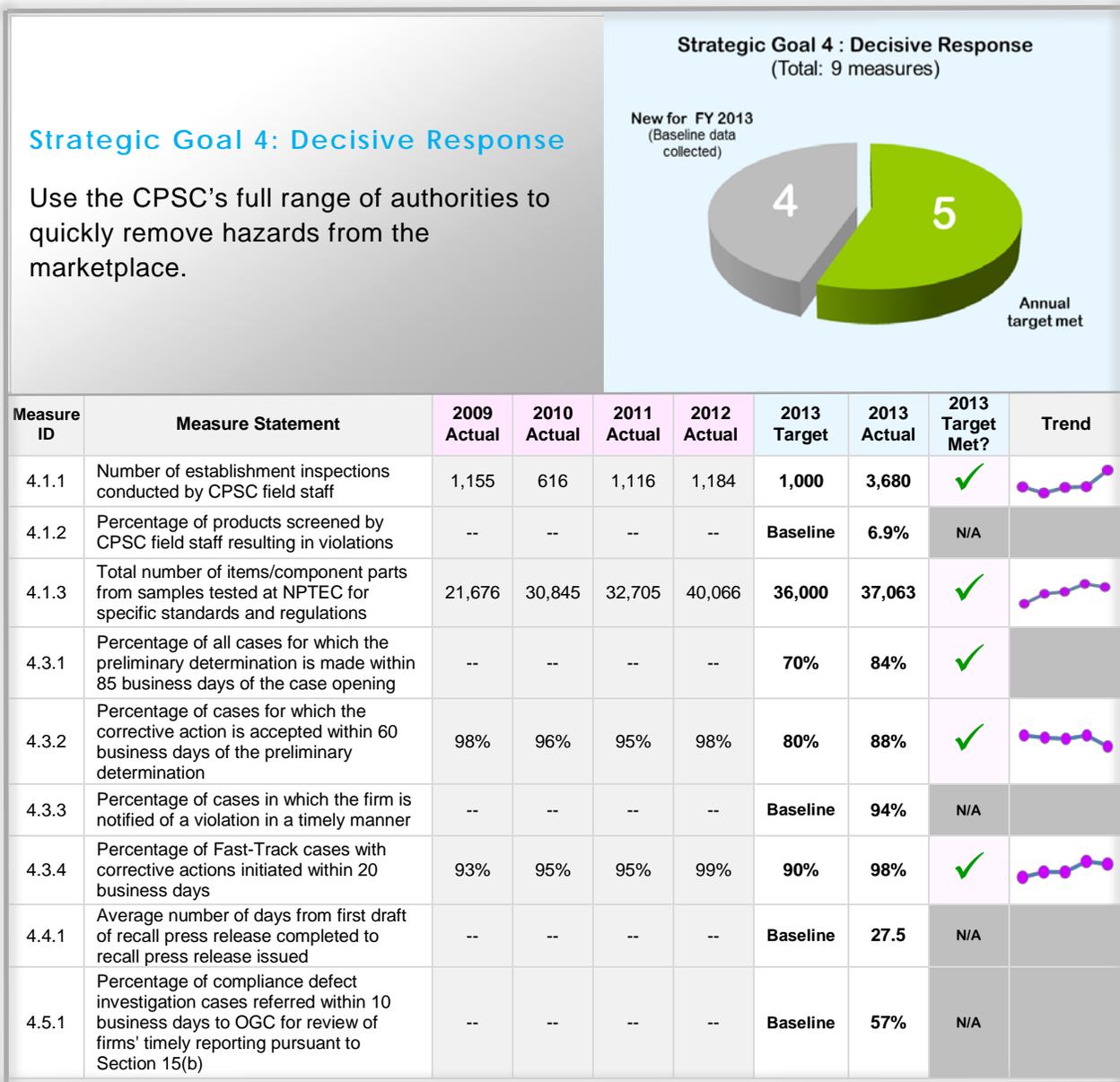
**Key Measure 3.5.3**

**Number of annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards.**

Why we measure this: This key measure is an element of the CPSC's strategy for hazard identification by scanning the marketplace to determine whether previously identified significant hazards exist in similar products. Annual reports presenting statistics on the numbers of reported deaths and estimates of emergency department-treated, product-related injuries for specific product-related hazards or categories allow for trend assessments and inform management decisions and information and education campaigns.

Result & Explanation: The CPSC met the FY 2013 target of completing 11 annual reports on consumer product-related fatalities, injuries, and/or losses for specific hazards.

### Strategic Goal 4 Performance Highlights



#### Challenges

The longer a hazardous consumer product remains on store shelves or in homes, the greater the potential for that hazard to cause injuries and deaths. Once hazardous products have been identified, the CPSC takes action to protect consumers, remove the products from the marketplace, and hold violators accountable. Industry and consumer groups demand that response and enforcement efforts be predictable and carried out in a consistent manner.

#### Strategies

The CPSC takes a multifaceted approach to addressing incidents and injuries. Field staff investigates reports of incidents and injuries; conducts inspections of manufacturers, importers, and retailers; and identifies potential regulatory violations and product defects that could harm the public. CPSC field staff conducts hundreds of establishment inspections every year, and screens many consumer products. The CPSC also responds to industry-generated reports. The agency tests products and component parts for compliance with specific standards and regulations at the NPTEC,

and technical staff determines which possible violations and defects warrant corrective action. When a recall is necessary, compliance staff negotiates with the responsible firm to seek a voluntary recall whenever possible. CPSC staff strives to reduce the amount of time needed to conduct investigations and negotiate corrective actions, as well as to notify firms about violative or potentially hazardous products. Industry has an opportunity to participate in a streamlined recall process through the Fast-Track Recall Program. This expedited recall process removes potentially dangerous products from the marketplace more quickly, saving the company and the CPSC time and resources. The CPSC holds violators accountable for hazardous consumer products. When companies fail to report potentially hazardous products as required, the CPSC uses its enforcement authority to seek civil, and in some cases, criminal penalties, as appropriate.

## Results

The CPSC met or exceeded FY 2013 targets for five of the nine key performance measures for Strategic Goal 4. Baseline data were collected for FY 2013 for four remaining key performance measures for Strategic Goal 4.

## Inspections, Surveillance, and Monitoring for Noncompliant and Defective Products

To remove consumer product hazards from the marketplace, the CPSC must conduct a range of inspections, screen numerous products offered for sale throughout the domestic consumer product supply chain, and test products for compliance with consumer product safety standards. The CPSC exceeded FY 2013 targets for two key performance measures used to monitor progress toward this surveillance objective, and the CPSC collected baseline data for a third measure.

### Key Measure 4.1.1

#### ✓ **Number of establishment inspections conducted by CPSC field staff.**

Why we measure this: The number of establishment inspections conducted is a measure of CPSC surveillance of the domestic consumer product supply chain. Establishment inspections are one of the key enforcement tools used by the CPSC to ensure industry is manufacturing, importing, and distributing consumer products that meet federal regulations. Inspections are also the primary method the CPSC uses to conduct defect investigations involving products that may pose an unreasonable risk of serious injury or death to consumers.

Result & Explanation: CPSC field staff exceeded the FY 2013 target of 1,000 establishment inspections by conducting nearly 3,700 inspections of importers, manufacturers, wholesalers, and retailers, partially due to expansion of the program as a result of initial surveillance activities of the secondhand/thrift retail market.

### Key Measure 4.1.2

#### **(Baseline) Percentage of products screened by CPSC field staff resulting in violations.**

Why we measure this: This measures CPSC success in identifying previously recalled or banned products being offered for sale throughout the domestic consumer product supply chain, so that such sales can be stopped through appropriate compliance activities.

Result & Explanation: Baseline data were collected for this measure during FY 2013; 6.9 percent of products screened resulted in violations.

### Key Measure 4.1.3

#### ✓ **Total number of items/component parts from samples tested at NPTEC for specific standards and regulations.**

Why we measure this: Laboratory sciences staff at the CPSC's NPTEC evaluate domestic and imported product samples collected by CPSC staff, testing them to various standards and identifying noncompliant and defective products. This performance indicator tracks NPTEC's ability to evaluate a wide range and large quantity of products, which is an important part of the CPSC's enforcement strategy.

Result & Explanation: In FY 2013, the CPSC tested more than 37,000 items/component parts from samples, surpassing the target of 36,000.

## Increasing Efficiency and Speed of Recalls

Another CPSC strategy to achieve Strategic Goal 4 is to increase the efficiency and speed of recalls of noncompliant and defective products. Increased efficiency in CPSC case work contributes to the efficiency and speed of recalls for noncompliant and defective products. CPSC programs exceeded FY 2013 targets for Key Measures 4.3.1, 4.3.2, and 4.3.4, and baseline data were collected for key measure 4.3.3.

### Quick Facts:

During FY 2013, the CPSC conducted approximately 370 recalls, involving approximately 31 million units and negotiated nearly \$8 million in civil penalties through out-of-court settlements.

### Key Measure 4.3.1

- ✓ **Percentage of all cases for which the preliminary determination is made within 85 business days of the case opening.**

Why we measure this: This performance measure is an indicator of the timeliness of CPSC case work (excludes Fast-Track cases). Making preliminary determinations more quickly contributes to the efficiency and speed of recalls for noncompliant and defective products.

Result & Explanation: CPSC staff exceeded the FY 2013 target of 70 percent for this measure by achieving 84 percent, largely due to continued cooperation among CPSC directorates.

### Key Measure 4.3.2

- ✓ **Percentage of cases for which the corrective action is accepted within 60 business days of the preliminary determination.**

Why we measure this: This performance measure tracks the timeliness of the CPSC's negotiations of Corrective Action Plans (CAPs) with companies (excludes Fast-Track cases). More timely negotiations of CAPs contribute to the efficiency and speed of recalls for noncompliant and defective products.

Result & Explanation: The CPSC exceeded the 80 percent target for FY 2013, by achieving 88 percent for key measure 4.3.2. The CPSC attributes success to diligent collaboration with outside firms, work on internal controls, improved case work and negotiation, and cross-training and reallocating staff to match resources to needs better.

### Quick Facts:

CPSC staff sent nearly 1,900 Letters of Advice (LOAs), which are notices of noncompliance with product safety regulations or notices of a potential product hazard, and negotiated nearly 350 CAPs to address safety in consumer products.

### Key Measure 4.3.3

- (Baseline) Percentage of cases in which the firm is notified of a violation in a timely manner.**

Why we measure this: This performance measure is an indicator of the timeliness of CPSC notice to firms of violations. "Timely" is defined as notification occurring within 30 business days after the violation.

Result & Explanation: In FY 2013, CPSC staff collected baseline data for this measure; the result was 94 percent of cases had notification occur within 30 days after the date the violation was determined. The FY 2013 data will be used to set annual targets for future years.

### Key Measure 4.3.4

- ✓ **Percentage of Fast-Track cases with corrective actions initiated within 20 business days.**

Why we measure this: Industry has an opportunity to participate in a streamlined recall process through the Fast-Track Product Recall Program, which can remove potentially dangerous products from the marketplace more quickly and save the company and the CPSC time and resources. To potentially take advantage of the Fast-Track program, a firm must, among other steps, commit to implementing a sufficient consumer-level voluntary recall within 20 business days of the case opening. The percentage of Fast-Track cases opened that result in a CAP within 20 business days of the case opening is a measure of the timeliness with which these expedited cases move from report to resolution. Increased timeliness of processing these cases contributes to the efficiency and speed of recalls for noncompliant and defective consumer products.

Result & Explanation: Actual performance for FY 2013 for key measure 4.3.4 was 98 percent, exceeding the target of 90 percent. The target was exceeded by assigning additional staff to the Fast-Track team.

**Key Measure 4.4.1**

**(Baseline) Average number of days from first draft of recall press release completed to recall press release issued.**

Why we measure this: This performance measure monitors progress toward reducing the time it takes to inform consumers and stakeholders of product-specific hazards and the actions consumers should take to receive a free remedy. Reducing the average time it takes the CPSC to issue press releases announcing product recalls will get product hazard information to consumers more quickly and reduce the risk of harm. There is high variability with this goal due to logistical challenges that recalling firms may face prior to the announcement of the recall.

Result & Explanation: The baseline result for this measure was 27.5 days.

**Other Key Measure****Key Measure 4.5.1**

**(Baseline) Percentage of compliance defect investigation cases referred within 10 business days to the Office of the General Counsel for review of firms' timely reporting pursuant to Section 15(b).**

Why we measure this: Under the Consumer Product Safety Act, stakeholders have statutory reporting obligations that include when a product they produce or distribute contains a defect that presents or could present a significant risk of injury. CPSC Compliance officers, during the investigation of those reports, as well as during investigations initiated by staff where there is no report, review the firm's report or failure to report. When a CAP is negotiated and accepted, Compliance officers formally refer the case to the Office of the General Counsel (OGC), when there is reason to believe that a stakeholder has failed to report in a timely manner. Compliance Officers refer a Compliance Defect Investigation case to the OGC so that they can review the file and determine whether the firm reported under Section 15(b) as required. Referring cases to the OGC for follow-up review in a timely manner contributes to the CPSC's ability to hold violators accountable for hazardous consumer products in the market.

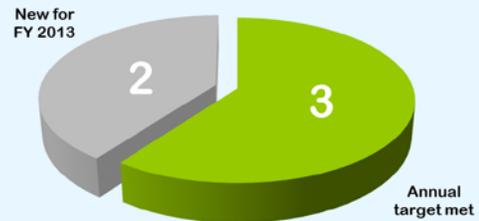
Result & Explanation: Baseline data were collected for this measure during FY 2013; 57 percent of Compliance Defect Investigation cases were referred within 10 business days to the CPSC's OGC for review of firms' timely reporting pursuant to Section 15(b).

### Strategic Goal 5 Performance Highlights

#### Strategic Goal 5: Raising Awareness

Promote a public understanding of product risks and CPSC capabilities.

Strategic Goal 5 : Raising Awareness  
(Total: 5 measures)



Measure ID	Measure Statement	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Target	2013 Actual	2013 Target Met?	Trend
5.1.1	Percentage of the population that reports awareness of the CPSC	--	--	--	--	Baseline	N/A	N/A	
5.1.2	Percentage of consumers who report acting on a CPSC safety message	--	--	--	--	Baseline	N/A	N/A	
5.2.1	Number of public information campaigns conducted by CPSC on specifically identified consumer product safety hazards	--	23	24	23	24	24	✓	
5.2.2	Number of impressions received by consumers of CPSC safety messages about targeted hazards (in millions)	1,201	3,903	1,929	4,209	2,635	4,628	✓	
5.3.1	Number of impressions of CPSC safety messages on priority hazards received by consumers in vulnerable communities (in millions)	80	206	751	437	210	1,395	✓	

#### Challenges

Raising awareness is crucial to empowering consumers to make informed safety choices. Useful, timely information helps make consumers aware of hazardous products in the marketplace and can instruct them to act quickly if they own recalled products. Minority, vulnerable, and underserved groups who might not otherwise receive safety messages, or who may be affected disproportionately by particular product-related hazards, need to be reached. Industry, safety advocates, and partner government agencies also need high-quality information about consumer product safety issues. However, the diverse audiences have different information needs and respond to different methods of communication.

#### Strategies

The CPSC uses a wide array of communication channels and strategies to provide the public with timely and targeted information about safety issues and CPSC capabilities. The CPSC disseminates safety messages through press releases; newspaper stories, radio stories, TV appearances, and video broadcasts. The CPSC has an increasing presence on the Internet and uses a variety of social media platforms to disseminate information, including an *OnSafety* blog, Twitter, YouTube, Flickr, and Widgets. CPSC staff conducts public information campaigns on a wide variety of consumer product-related hazards, as well as outreach on specific high-profile topics, such as pool and spa safety, and Safe to Sleep environments for babies. CPSC public information efforts entail working with a variety of partners, including collaborations with other government agencies.

#### Results

The CPSC met or exceeded FY 2013 targets for three of the five key performance measures for Strategic Goal 5. The two remaining key performance measures (5.1.1 and 5.1.2) were new for the agency in FY 2013. Baseline data were not available for these measures in FY 2013, due to delays in launching an awareness survey.

## CPSC Outreach Efforts

The CPSC provides stakeholders with easily accessible, timely, and useful safety information on consumer product hazards and implements targeted outreach campaigns for priority hazards and vulnerable communities. The CPSC met or exceeded the FY 2013 targets for three key measures used to track progress toward these objectives.

### Key Measure 5.2.1

- ✓ **Number of public information campaigns conducted by CPSC on specifically identified consumer product safety hazards.**

Why we measure this: The CPSC conducts public information campaigns on high-concern consumer product safety issues. A campaign, which may be conducted by the CPSC alone, or may involve partnerships, consists of multiple communications products on a single issue that are distributed to audiences using an assortment of traditional and new media.

Result & Explanation: The CPSC met the FY 2013 target of 24 public information campaigns conducted on specific hazards.

### Key Measure 5.2.2

- ✓ **Number of impressions received by consumers of CPSC safety messages about targeted hazards.**

Why we measure this: This performance indicator tracks the number of impressions received by consumers of CPSC safety messages. The number of impressions is an estimate of the number of people who have been exposed to particular CPSC consumer product safety messages. This includes people who have seen or heard messages delivered via TV, radio, newspaper, online and social media, billboards, and public events. There is a direct relationship between the number of times people are exposed to a safety message and the level of awareness of the message in the general population. The number of impressions provides an estimate of the extent of consumer awareness.

Result & Explanation: In FY 2013, approximately 4.6 billion impressions of CPSC safety messages were received by consumers, exceeding the target of 2.6 billion impressions. Extremely high interest in recall announcements of products associated with children's injuries and deaths, as well as products causing home fires resulted in a significant increase in impressions. Agency press events and expanded use of social media also multiplied impressions.

#### Success through Social Media:

The CPSC uses a variety of social media to disseminate consumer product safety messages, including Twitter. In FY 2013, there were an estimated 27,000 Twitter followers of CPSC safety messages through the @USCPSC, @PoolSafely, and @SeguridadConsum accounts.

### Key Measure 5.3.1

- ✓ **Number of impressions of CPSC safety messages on priority hazards received by consumers in vulnerable communities.**

Why we measure this: The CPSC's communications strategy includes a focus on deploying targeted outreach campaigns that aim to prevent deaths and injuries from hazards that disproportionately impact vulnerable communities. Priority hazards include drowning and drain entrapment prevention in pools and spas, Safe to Sleep, TV/furniture tipovers, and poison prevention. Vulnerable communities include minority and underrepresented population groups, such as children, low-income, and limited English-speaking audiences.

Result & Explanation: In FY 2013, an estimated 1.4 billion impressions were received by consumers, exceeding the performance target of 210 million impressions. Some of the increase in the CPSC's reported impressions for measure 5.3.1 over the past five years is due to inclusion of additional priority hazard campaigns in 2010 (added minority outreach) and 2011 (added Safe to Sleep). The rise in social media has also increased impressions.

## Survey of Consumer Awareness

The CPSC has developed a proposed survey to collect data on progress toward its goal of increasing awareness of the CPSC. The planned survey has been designed to provide valuable outcome-level data on the impact of CPSC information dissemination efforts. It will provide representative national estimates of consumer awareness of CPSC safety messages and the extent to which consumers act on CPSC safety messages. The survey will provide data for the following key performance measures:

### Key Measure 5.1.1

#### **(Baseline) Percentage of the population that reports awareness of the CPSC.**

Why we measure this: This is a direct measure of consumer awareness of the CPSC and its work on improving consumer product safety. The survey will be used to gather information about consumer awareness of CPSC messages. Consumer awareness of consumer product safety issues is assumed to have a direct, positive relationship to consumer safety.

Result & Explanation: Baseline data were not collected during FY 2013; the proposed survey is currently under review by Office of Management and Budget's (OMB's) Office of Information and Regulatory Affairs.

### Key Measure 5.1.2

#### **(Baseline) Percentage of consumers who report acting on a CPSC safety message.**

Why we measure this: This is a measure of the extent to which consumers take actions based on their awareness of the CPSC and its safety messages. The assumption is that increased consumer awareness leads to increased consumer actions, which, in turn, contribute to improvements in consumer safety.

Result & Explanation: Baseline data were not collected during FY 2013; the proposed survey is currently under review by OMB's Office of Information and Regulatory Affairs.

## Challenges

### Challenge 1: Improving U.S. effectiveness at ports of entry in identifying and interdicting noncompliant trade.

**Import Surveillance:** During calendar year 2012, more than 235,000 importers brought into the United States imports of consumer products under CPSC jurisdiction having a total estimated value of approximately \$706.6 billion. That averages nearly \$2 billion per day in imports of consumer products under the Commission's jurisdiction. Since 2008, four out of five product recalls in the United States have involved an imported product. The CPSIA was enacted, in part, because of a wave of noncompliant imported children's products.

### Challenge 2: Implementing congressional requirements in a prudent and timely manner.

**CPSIA:** The CPSIA increased the mission requirements of the CPSC, requiring new regulations and mandates to improve consumer product safety. The Danny Keysar Child Product Safety Notification Act (Section 104 of the CPSIA) requires the Commission to study and develop safety standards for at least two durable infant or toddler products every six months. In FY 2015, the CPSC will propose new safety standards for children's and toddler's folding chairs, hook-on chairs, infant bathtubs, and infant's inclined sleep products. Draft final rules (FRs) will be presented to the Commission for high chairs, infant bouncer seats, and frame-back infant carriers.

**Public Law No. 112-28:** This law provided the CPSC with greater flexibility in enforcing consumer product safety laws and established new mandates and requirements for the Commission. Among other things, Public Law No. 112-28 required that the Standards Development Organization (SDO) responsible for voluntary standards for durable infant or toddler products notify the Commission when a voluntary standard that has been incorporated by reference into a mandatory consumer product safety

standard is revised. Effective 180 days after notification, the revised voluntary standard is considered a consumer product safety standard unless, within 90 days after notification, the CPSC notifies the SDO that the proposed revision does not improve the safety of the consumer product covered by the standard and that the Commission is retaining the existing consumer product safety standard. The CPSC will have incorporated by reference more than one dozen voluntary standards for durable infant or toddler products by the start of FY 2015. In FY 2015, as SDOs notify the CPSC of a revised voluntary standard, the CPSC will evaluate the revised voluntary standard and update the regulation, as appropriate.

### Challenge 3: Identifying emerging hazards and protecting the public.

**Reporting Systems:** An ongoing challenge that the CPSC will face in FY 2015 is the need to improve the analysis from numerous hazard-reporting systems so that Integrated Product Teams can identify emerging hazards sooner. The CPSC considers that data regarding injuries and deaths resulting from consumer products will remain the most effective tool to identify, evaluate, assess, and respond to consumer products that present unreasonable risks to the public. Improving the quantity and the quality of the data from systems, including the NEISS, the death certificate file, [www.SaferProducts.gov](http://www.SaferProducts.gov), and the Injury and Potential Injury Incident (IPII) file, are important steps to earlier identification of emerging hazards, which will likely contribute to additional reductions in injuries and deaths.

### Other Challenges

Other challenges identified by the CPSC's Inspector General are found in the *2013 Agency Financial Report* (AFR), pages 57–59, which can be found at: [www.cpsc.gov/performance-and-budget](http://www.cpsc.gov/performance-and-budget).

## Cross-Agency Collaborations

### Collaboration with CBP on Import Surveillance

The CPSIA directed the CPSC to create a RAM surveillance system to target and identify products imported into the United States that are most likely to violate consumer product safety statutes and regulations and contain defects. The CPSC launched a pilot in October 2011, which integrates data collected by CBP with data used in CPSC surveillance systems. The CPSC's strategy is consistent with OMB's "Shared-First" approach, which increases communication with partnering government agencies and the trade community to avoid unnecessary entry delays for compliant cargo and improves efficient identification of noncompliant cargo.

### Collaboration with National Nanotechnology Initiative (NNI)

Since 2003, the CPSC has participated in the National Nanotechnology Initiative (NNI), an interagency research and development initiative involving 20 federal departments and agencies (see [www.nano.gov](http://www.nano.gov)). The CPSC has a special focus on the health and safety issues associated with nanomaterial use in consumer products, a role that is expected to become more prevalent as the use of nanomaterials in consumer products increases. The CPSC is involved in a number of specific collaborative activities with NNI members, including research agencies, such as the National Institute for Occupational Safety and Health (NIOSH), and regulatory agencies, such as the U.S. Environmental Protection Agency (EPA) and the U.S. Food and Drug Administration (FDA). These collaborative

activities provide support for studies on the releases of nanomaterials from consumer products and potential exposures to humans, collection of information on products reported to contain nanomaterials, and working towards identifying incidents of harm involving consumer products that contain nanomaterials.

### Collaboration with Centers for Disease Control and Prevention (CDC) on Data Collection through the NEISS

The CPSC collects information about product-related injuries treated in hospital emergency rooms through the NEISS. The CPSC has a national network of hospitals that collect and submit the information to the CPSC. This unique system provides statistically valid national estimates of product-related injuries from a probability sample of hospital emergency rooms. The NEISS data, which are available on the agency website at: <http://www.cpsc.gov/en/Research--Statistics/NEISS-Injury-Data/>, are a critically important component in the CPSC's data-driven approach to identifying emerging trends and consumer product hazards. The CDC provides funding to the CPSC to support the collection of additional data through the NEISS system on non-consumer product-related injuries. These comprehensive data on all trauma-related injuries, (not just consumer product-related injuries), are available to other federal agencies, researchers, and the public. This creates an interagency efficiency in that CDC does not have to replicate a network of data providers similar to what exists at the CPSC.

## Evaluation and Research

### Key Performance Measures

During fiscal years 2012–2013, CPSC staff extensively reviewed the more than 180 existing annual goals and measures reported in the FY 2013 Performance Budget Request and identified a core set of 40 key performance measures that quantitatively describe progress in implementing the strategic plan. The key performance measures form a manageable set of tools for monitoring and reporting progress toward the agency's strategic goals and strategic objectives and facilitate using evidence in management and resource decisions across the agency. The key performance measures continue to form the foundation of the performance information in the FY 2015 request.

### Strategic Data Review Meetings

The CPSC implements a number of different mechanisms to review financial and performance data and manage programs during the course of the fiscal year. The Chief Financial Officer's (CFO's) office produces a monthly Resource Status Report (RSR) for senior managers' use, which summarizes the status of the agency's financial and human resources. Financial data presented in the report include the current fiscal year's annual level, cumulative allowances, cumulative funds obligated, and expended obligations, as well as information on Full-Time Equivalents (FTEs). Another helpful agency practice has been conducting a Mid-Year Review process, during which the fiscal year budget request and corresponding planned programs are reviewed for potential mid-year changes based on new information or emerging priorities of the Commission. In December 2013, the CPSC's Office of the Executive Director (OEX) brought managers together for a Strategic Data Review meeting. In preparation for these data-driven, interim progress review meetings, managers provide the latest summary data for their key performance measures, as well as budget, financial, and procurement information contained in the Commission-approved Operating Plan. The information is analyzed in the meeting, and managers report to their peers on progress toward goals. Managers also identify constraints or problems for discussion by the group, as well as follow-up actions to be taken to address issues. Senior managers find the review meetings to be useful and plan to continue to conduct these meetings on a regular basis.

### Evaluation Plan

Agency staff is in the early stages of developing a multiyear evaluation plan. As part of this process, staff will identify critical questions about implementation, efficiency, and/or impact of agency programs, and will use this information to develop a list of priority programs for evaluation. A multiyear evaluation plan will be developed, which will address, subject to availability of resources for evaluation, key questions and contribute to developing future program strategies to accomplish the CPSC's mission.

### Importance of Data and Evidence in Determining Program Priorities

The CPSC is a data-driven agency. The agency regularly collects and analyzes a wide range of data from multiple sources that are relevant to its mission and uses that information to shape program strategies and select priorities. For example, the CPSC systematically reviews and analyzes data on injury and death incidents related to consumer products to develop the CPSC's hazard mitigation strategies. The CPSC receives data from NEISS, as well as from death certificates, Medical Examiner and Coroners Alert Project (MECAP) reports, incident reports, and [www.SaferProducts.gov](http://www.SaferProducts.gov). The CPSC's NEISS system provides statistically valid national estimates of product-related injuries and provides the foundation for many CPSC activities because NEISS provides the means for estimating the magnitude of consumer product-related injuries in the United States and serves as a source for gathering information on the nature and probable cause of injury incidents. For FY 2015, the CPSC has budgeted for work on rulemaking projects that were initiated based on analysis of death and injury data that showed emerging or potential hazards.

### *Firepots and Gel Fuels*

Injuries involving firepots and gel fuels were identified in 2011 as an emerging hazard, based on the CPSC's statistical analysis. Firepots were relatively new products just entering the market. As of August 2012, the CPSC identified 165 firepot-related incidents that resulted in two deaths and 114 injuries. The resulting injuries were serious and were primarily second- and third-degree burns, requiring hospitalization.

Based on the data, the agency initiated assessments of firepot design, the flammability of the gel fuel, the market for firepots and gel fuels, and patterns of consumer use. This culminated in a staff recommendation to the Commission to publish an advance notice of proposed rulemaking (ANPR). An ANPR was published in 2012, and CPSC staff plans to submit to the Commission for its consideration a draft NPR in 2014.

#### *Portable Generators*

Analysis of data also revealed an upward trend in carbon monoxide (CO) poisoning incidents between 1999 and 2010, related to the use of portable generators. The CPSC initiated research to evaluate the performance of a prototype low CO-emission portable generator that would give exposed consumers more time to recognize the CO poisoning risk and to escape. In addition to this research, the CPSC issued press releases and educational information, especially during weather-related power outages when portable generators are used frequently, to educate consumers on the dangers of CO poisoning when using portable generators in homes and garages. Based on recently completed CPSC research and the continued increasing trend in portable generator CO poisoning fatalities, the CPSC anticipates Commission deliberations on a draft NPR in 2015.

#### *Recreational Off-Highway Vehicles*

Recreational off-highway vehicles (ROVs) are a relatively new product category with a significant number of fatalities and injuries. CPSC staff reviewed ROV-related incidents from the IPII and In-Depth Investigation (INDP) databases that occurred between January 1, 2003 and December 31, 2011. From the 428 reported incidents, there were 388 injured victims and 231 fatalities. Children younger than 16 years old made up 23 percent of the injured victims and 33 percent of the fatalities. Nonfatal injuries have also been traumatic, often involving amputation, degloving, or other severe injuries to the extremities, resulting in permanent

disfigurement. The CPSC published an ANPR to communicate that the Commission was assessing whether there may be an unreasonable risk of deaths and injury associated with ROVs that ultimately might need to be addressed through rulemaking. Subsequent analysis and evaluation has focused on rollover propensity and the performance of occupant protection systems. The CPSC anticipates Commission deliberations on a draft NPR in FY 2014.

#### *Table Saws*

In 2003, the Commission was petitioned to require performance standards for a system to reduce or prevent injuries from contact with the blade of a table saw. In 2006, CPSC staff recommended granting the petition based on results of a 2001 special study that provided estimates for 2001 of 38,000 table saw-related injuries and associated costs of \$2.13 billion. A trend analysis conducted by CPSC staff of the annual estimates from 2001 to 2008 indicated that the number of table saw-related injuries have been steady. CPSC staff conducted a second special study on stationary saw-related injuries between January 2007 and December 2008, and found that an estimated 88 percent of injuries in this period involved blade contact. Injuries resulting from blade contact include lacerations, amputations, fractures, and avulsions. The estimated 33,450 total annual emergency department-treated blade contact injuries extrapolates to 67,300 total medically treated blade contact injuries with associated costs of \$2.36 billion per year. In FY 2012, the CPSC published an ANPR to communicate that the Commission is assessing whether a new performance safety standard is needed to address unreasonable risk of injury associated with table saws. Staff has been evaluating technologies to address these injuries and has been participating in voluntary standards activities to develop performance requirements to address blade contact injuries on table saws. The CPSC anticipates Commission deliberations on an NPR in 2015.

## Data Validation and Verification

The CPSC has several processes and criteria in place to help ensure that data used to measure progress toward performance goals are reasonably complete and reliable. Clearance procedures for information to be provided to the public, including data on performance measures, involve review by agency managers, the OEX, and the OGC. This helps to confirm accuracy. In addition, senior managers must submit annual letters of assurance on the integrity of internal controls for programs, which includes providing reasonable assurance that reliable and timely information is obtained, maintained, reported, and used for decision making. Information on the

quality of performance data reported for the agency's key performance measures is maintained in a Performance Management Database. This system was designed to store detailed information on agency performance measures, including notes on definitions, data sources, collection procedures, methods of computation, and information on any known limitations to data quality. Additional information on the agency's key performance measures is provided on the CPSC's website at: [www.cpsc.gov/performance-and-budget](http://www.cpsc.gov/performance-and-budget). Program managers also maintain additional supporting documentation for data reported for key measures, as needed.

## Acronyms

AFR	Agency Financial Report
ANPR	Advance Notice of Proposed Rulemaking
APR	Annual Performance Report
ATV	All-Terrain Vehicle
CAP	Corrective Action Plan
CBP	U.S. Customs and Border Protection
CDC	U.S. Centers for Disease Control and Prevention
CFO	Chief Financial Officer
CPSA	Consumer Product Safety Act
CPSC	U.S. Consumer Product Safety Commission
CPSIA	Consumer Product Safety Improvement Act
DGN	<i>Direccion General de Normas</i> (Mexican bureau of standards)
DHHS	U.S. Department of Health and Human Services
DOD	U.S. Department of Defense
DOE	U.S. Department of Energy
EPA	U.S. Environmental Protection Agency
FDA	U.S. Food and Drug Administration
FR	Final Rule
FTE	Full-Time Equivalent
FTF	Fair Trade Federation
FY	Fiscal Year
GAO	U.S. Government Accountability Office
GPRA	Government Performance and Results Act
INDP	In-Depth Investigation
IPII	Injury and Potential Injury Incident
ITDS	International Trade Data System
LOA	Letter of Advice
MECAP	Medical Examiner and Coroners Alert Project
NEISS	National Electronic Injury Surveillance System
NGO	Nongovernment Organization
NIH	National Institutes of Health
NIOSH	National Institute for Occupational Safety and Health
NIST	National Institute of Standards and Technology
NNI	National Nanotechnology Initiative
NPR	Notice of Proposed Rulemaking
NPTEC	National Product Testing and Evaluation Center
OEX	Office of the Executive Director
OGC	Office of the General Counsel
OMB	Office of Management and Budget
OPM	Office of Personnel Management
PAR	Performance and Accountability Report
PROFECO	<i>Procuraduria Federal del Consumidor</i> (Mexican federal consumer protection agency)
RAM	Risk Assessment Methodology
ROV	Recreational Off-Highway Vehicle
SDO	Standards Development Organization
SWDA	Souvenir Wholesale Distributors Association

**U.S. Consumer Product Safety Commission  
Bethesda, MD 20814**