



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
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COMMISSIONER PETER A. FELDMAN

**STATEMENT OF COMMISSIONER PETER A. FELDMAN
OPPOSING BESTAR INC., CORRECTIVE ACTION PLAN
THURSDAY, APRIL 7, 2022**

Today, the Commission announced a Corrective Action Plan (CAP) with Bestar Inc. (Bestar), which came to the commissioners for approval because of a death after a Bestar wall bed fell on a 79-year-old woman. As the only commissioner to oppose the CAP, I want to explain my vote. In short, I cannot say how it benefits future Bestar customers, or whether the approved remedies are sufficient to prevent tragedies like this from occurring again.

My primary concern is specific to the CAP's forward-looking remedy, which disclaims installation liability for the firm, unless the wall beds are installed either by a "qualified individual" or a "construction professional," but without defining these key terms. It remains unclear what level of assistance consumers will receive in identifying such installers, whether these remedies will mitigate consumer confusion and installation error, and the extent to which the liability waiver limits consumer redress in other venues.

Despite our disagreement, I want to express my appreciation for the collaborative efforts my colleagues and I undertook to try to find a compromise that we could all support. Unfortunately, we were not able to do so.