



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

COMMISSIONER RICH TRUMKA JR.

HISTORIC TABLE SAW RULE COULD PROVIDE GREATEST NET BENEFITS OF ANY RULE IN CPSC HISTORY: \$2.32 BILLION EVERY YEAR

I get scraped and cut in my workshop pretty regularly. Sometimes I need to super glue myself shut or at worst, get a few stitches. But I still have all my fingers. And that's probably because I stopped using my table saw. I had too many close calls with it. I had pieces grab and pull my hands far too close to the saw blade. I've had pieces shoot across the room with enough force to put holes in my drywall. I couldn't justify continuing to use it—it's simply too dangerous. So, I had to create workarounds. I use my miter saw, or my router table, or homemade jigs that let me use my circular saw for long cuts.

Now that I work at CPSC, I see that my concerns are backed by tragic statistics. Table saws injure over 50,000 people a year. And these are gruesome injuries like fractures and finger amputations. The Civil War was responsible for 60,000 amputations. Table Saws are responsible for more: 65,000 amputations...and that's just since we were petitioned to fix the issue.

But today, we advanced a rule to save those fingers. To stop those amputations. Technology exists that could prevent table saws from cutting more than 3.5 millimeters into skin. That turns an ER trip to a trip to the medicine cabinet for a band aid. And our rule would require that level of safety. In doing so, the rule would provide the greatest net benefit to society of any rule in the agency's history that I'm aware of—up to a \$2.32 billion net benefit every year.

It's troubling that it took this long. An inventor created a solution to this problem a *quarter century ago*, back in 1999. And he petitioned this agency to require that level of safety on table saws *in 2003*. We've wasted 20 years. In the time it's taken this agency to act on this petition, table saws have injured one million people.

That inventor, by the way, went from idea to prototype in less than a month, entirely by himself. So, perhaps it wouldn't be difficult for major saw manufacturers to quickly come up with safe solutions. But they might not even need to. Because they might already have those solutions. Other saw makers have created and implemented equivalent solutions. There may be licensing deals and options that would allow most major brands to use that technology today. Why then, aren't they doing it? Why isn't this safety technology ubiquitous? The answer might be as simple as money. Saw sellers appear to be scared that if they start selling safer saws, they will open themselves up to product liability lawsuits when injuries occur in great numbers on their other saws. So, *we're* in danger...to protect *their* bottom line. I don't appreciate that.

And this proposal comes with a \$2.32 billion annual net benefit even with the *assumption* that companies are going to struggle with getting patent licenses or need to invent new technology from scratch. If any companies have rights to existing technology that works, the benefits would be even higher. So, that's all just a red herring—the rule assumes difficulty already, and that difficulty might not even exist.

The one place where I draw issue with the proposal is that it would require us to wait for three more years before the rule goes into effect. That would mean agreeing to severely injure 150,000 more innocent people—people we should instead be protecting.

We will have to select an effective date that is reasonably necessary to end the hazard. With a rule that has billions of dollars in net benefits to society, a logical question might be: isn't there a *reasonable need* to start gaining those benefits as soon as possible? Maybe even 30 days after a final rule. That's the shortest period we can typically select by law.

The longest effective date we are allowed to select by law is six months. To depart from that requires good cause. Here, staff seeks to depart all the way up to three years...and I don't currently see any good cause to do so.

And while we don't need to show that it will be easy for companies to comply quickly, we may learn that it is. We know that three companies have already sold a saw with AIM technology. It's also my understanding that many table saw manufacturers might currently have the rights to compliant safety features and are choosing not to incorporate them. It's my understanding that the industry group, the Power Tool Institute undertook a joint venture among its members, including Hitachi, Bosch, Stanley Black and Decker, and Techtronic Industries and appear to have created viable saw safety features which may be usable by all of its members. Today, I sent letters to the leadership at Bosch, TTS, Saw Stop, Hitachi, Stanley Black and Decker, and Techtronic Industries seeking information on which of them have access to AIM technology which would allow them to comply with the proposed performance requirements (See Attachment A). Their answers are due on November 15th, and I have asked them to submit those answers to the Commission's Secretary for inclusion in the public record. While we don't *need* that information to go forward with the rule that's written, it would be relevant to shortening the effective date considerably. And Commenters, please weigh in with other reasons why a shorter effective date is reasonably necessary.

I wish this agency had done 20 years ago what we are doing today. A million people would have stayed out of the ER. 65,000 people would still have their fingers. And at least one friend of mine would still have his.

Today, we did good. And in the coming months...let's decide to do good faster.

ATTACHMENTS

ATTACHMENT A

LETTER TO BOSCH



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

COMMISSIONER RICH TRUMKA JR.

October 18, 2023

Mike Mansuetti
President, Bosch North America
Robert Bosch LLC
38000 Hills Tech Drive
Farmington Hills, MI 48331-3417

Dear Mr. Mansuetti,

The Consumer Product Safety Commission (CPSC) has an open rulemaking proceeding on the safety of table saws. Supporting that proceeding, CPSC's staff recently prepared a public briefing package, which mentions a Power Tool Institute (PTI) Joint Venture effort among Bosch, Hitachi, Stanley Black and Decker, and Techtronic Industries (PTI's Joint Venture).¹ I understand that the purpose of PTI's Joint Venture was to develop new technologies that would allow companies to comply with the substantive requirements now proposed in CPSC's Supplemental Notice of Proposed Rulemaking (SNPR). In fact, according to CPSC staff, PTI's Joint Venture resulted in at least one commercially viable product containing active injury mitigation (AIM) technology.² The briefing package also mentions patent litigation that may influence the ownership and availability of specific AIM technologies.

To better understand the existing technologies that may be used to comply with the proposed safety requirements and to better understand the breadth of ownership of the property rights in those technologies, I ask that you provide responses to the following questions no later than November 15, 2023:

¹ CPSC, Staff Briefing Package: Staff's Draft Proposed Ruel for Table Saws (Sept. 20, 2023), at OS 128.

² *Id.* at OS 127-28.

1. What are the terms of PTI's Joint Venture? Please provide documents describing the complete terms of PTI's Joint Venture.
2. What AIM-related technologies were developed by, through, or as a result of PTI's Joint Venture? Please provide copies of any patents issued or documents describing any non-patented technologies developed by, through, or as a result of PTI's Joint Venture.
3. Does Bosch own property rights—including but not limited to patents, licenses, and options to license—in the AIM-related products of PTI's Joint Venture and what are the rights owned?
4. Does Bosch hold licenses to use SawStop/TTS technologies related to AIM and what are the terms of those licenses?

I hope that you will provide this information, which will be useful to CPSC's consideration of the proposed rule, including determining how quickly a rule could be implemented. Please provide a copy of your response to Commission Secretary Alberta Mills at cpsc-os@cpsc.gov, for inclusion in the public record. Confidentiality concerns should not be a basis for failing to provide responsive information, as confidential treatment may be requested under the Commission's rules, 16 C.F.R. § 1015.18.

At this time, I am asking for this information solely in my capacity as Commissioner, and not pursuant to the Commission's compulsory powers under Section 27(b) of the Consumer Product Safety Act, 15 U.S.C. § 2076.

Please send the requested responses to RLipp@cpsc.gov.

Thank you for your attention and assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Trumka Jr.", written in a cursive style.

Richard L. Trumka Jr.
Commissioner
U.S. Consumer Product Safety Commission

ATTACHMENT B

LETTER TO TTS



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

COMMISSIONER RICH TRUMKA JR.

Matt Howard
Chief Executive Officer
TTS Tooltechnic Systems North America, LP
400 N Enterprise Blvd
Lebanon, IN 46052

Dear Mr. Howard,

The Consumer Product Safety Commission (CPSC) has an open rulemaking proceeding on the safety of table saws. Supporting that proceeding, CPSC's staff recently prepared a public briefing package, which mentions a Power Tool Institute (PTI) Joint Venture effort among Hitachi, Bosch, Stanley Black and Decker, and Techtronic Industries (PTI's Joint Venture).¹ I understand that the purpose of PTI's Joint Venture was to develop new technologies that would allow companies to comply with the substantive requirements now proposed in CPSC's Supplemental Notice of Proposed Rulemaking (SNPR). In fact, according to CPSC staff, PTI's Joint Venture resulted in at least one commercially viable product containing active injury mitigation (AIM) technology.² The briefing package also mentions patent litigation that may influence the ownership and availability of specific AIM technologies.

To better understand the existing technologies that may be used to comply with the proposed safety requirements and to better understand the breadth of ownership of the property rights in those technologies, I ask that you provide responses to the following question no later than November 15, 2023:

¹ CPSC, Staff Briefing Package: Staff's Draft Proposed Ruel for Table Saws (Sept. 20, 2023), at OS 128.

² *Id.* at OS 127-28.

Which companies hold licenses to use SawStop/TTS technologies related to AIM and what are the terms of those licenses?

I hope that you will provide this information, which will be useful to CPSC's consideration of the proposed rule, including determining how quickly a rule could be implemented. Please provide a copy of your response to Commission Secretary Alberta Mills at cpsc-os@cpsc.gov, for inclusion in the public record. Confidentiality concerns should not be a basis for failing to provide responsive information, as confidential treatment may be requested under the Commission's rules, 16 C.F.R. § 1015.18.

At this time, I am asking for this information solely in my capacity as Commissioner, and not pursuant to the Commission's compulsory powers under Section 27(b) of the Consumer Product Safety Act, 15 U.S.C. § 2076.

Please send the requested responses to RLipp@cpsc.gov.

Thank you for your attention and assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Trumka Jr.", written in a cursive style.

Richard L. Trumka Jr.
Commissioner
U.S. Consumer Product Safety Commission

ATTACHMENT C

LETTER TO SAWSTOP



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

COMMISSIONER RICH TRUMKA JR.

Matt Howard
Chief Executive Officer
SawStop
11555 SW Myslony Street
Tualatin, OR 97062

Dear Mr. Howard,

The Consumer Product Safety Commission (CPSC) has an open rulemaking proceeding on the safety of table saws. Supporting that proceeding, CPSC's staff recently prepared a public briefing package, which mentions a Power Tool Institute (PTI) Joint Venture effort among Hitachi, Bosch, Stanley Black and Decker, and Techtronic Industries (PTI's Joint Venture).¹ I understand that the purpose of PTI's Joint Venture was to develop new technologies that would allow companies to comply with the substantive requirements now proposed in CPSC's Supplemental Notice of Proposed Rulemaking (SNPR). In fact, according to CPSC staff, PTI's Joint Venture resulted in at least one commercially viable product containing active injury mitigation (AIM) technology.² The briefing package also mentions patent litigation that may influence the ownership and availability of specific AIM technologies.

To better understand the existing technologies that may be used to comply with the proposed safety requirements and to better understand the breadth of ownership of the property rights in those technologies, I ask that you provide responses to the following question no later than November 15, 2023:

¹ CPSC, Staff Briefing Package: Staff's Draft Proposed Ruel for Table Saws (Sept. 20, 2023), at OS 128.

² *Id.* at OS 127-28.

Which companies hold licenses to use SawStop/TTS technologies related to AIM and what are the terms of those licenses?

I hope that you will provide this information, which will be useful to CPSC's consideration of the proposed rule, including determining how quickly a rule could be implemented. Please provide a copy of your response to Commission Secretary Alberta Mills at cpsc-os@cpsc.gov, for inclusion in the public record. Confidentiality concerns should not be a basis for failing to provide responsive information, as confidential treatment may be requested under the Commission's rules, 16 C.F.R. § 1015.18.

At this time, I am asking for this information solely in my capacity as Commissioner, and not pursuant to the Commission's compulsory powers under Section 27(b) of the Consumer Product Safety Act, 15 U.S.C. § 2076.

Please send the requested responses to RLipp@cpsc.gov.

Thank you for your attention and assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Trumka Jr.", written in a cursive style.

Richard L. Trumka Jr.
Commissioner
U.S. Consumer Product Safety Commission

ATTACHMENT D

LETTER TO HITACHI



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

COMMISSIONER RICH TRUMKA JR.

October 18, 2023

Christopher Leslie
General Counsel, SVP, Chief Legal & Compliance Officer
Hitachi America, Ltd.
2535 Augustine Drive
Santa Clara, CA 95054

Dear Mr. Leslie,

The Consumer Product Safety Commission (CPSC) has an open rulemaking proceeding on the safety of table saws. Supporting that proceeding, CPSC's staff recently prepared a public briefing package, which mentions a Power Tool Institute (PTI) Joint Venture effort among Hitachi, Bosch, Stanley Black and Decker, and Techtronic Industries (PTI's Joint Venture).¹ I understand that the purpose of PTI's Joint Venture was to develop new technologies that would allow companies to comply with the substantive requirements now proposed in CPSC's Supplemental Notice of Proposed Rulemaking (SNPR). In fact, according to CPSC staff, PTI's Joint Venture resulted in at least one commercially viable product containing active injury mitigation (AIM) technology.² The briefing package also mentions patent litigation that may influence the ownership and availability of specific AIM technologies.

To better understand the existing technologies that may be used to comply with the proposed safety requirements and to better understand the breadth of ownership of the property rights in those technologies, I ask that you provide responses to the following questions no later than November 15, 2023:

¹ CPSC, Staff Briefing Package: Staff's Draft Proposed Ruel for Table Saws (Sept. 20, 2023), at OS 128.

² *Id.* at OS 127-28.

1. What are the terms of PTI's Joint Venture? Please provide documents describing the complete terms of PTI's Joint Venture.
2. What AIM-related technologies were developed by, through, or as a result of PTI's Joint Venture? Please provide copies of any patents issued or documents describing any non-patented technologies developed by, through, or as a result of PTI's Joint Venture.
3. Does Hitachi own property rights—including but not limited to patents, licenses, and options to license—in the AIM-related products of PTI's Joint Venture and what are the rights owned?
4. Does Hitachi hold licenses to use SawStop/TTS technologies related to AIM and what are the terms of those licenses?

I hope that you will provide this information, which will be useful to CPSC's consideration of the proposed rule, including determining how quickly a rule could be implemented. Please provide a copy of your response to Commission Secretary Alberta Mills at cpsc-os@cpsc.gov, for inclusion in the public record. Confidentiality concerns should not be a basis for failing to provide responsive information, as confidential treatment may be requested under the Commission's rules, 16 C.F.R. § 1015.18.

At this time, I am asking for this information solely in my capacity as Commissioner, and not pursuant to the Commission's compulsory powers under Section 27(b) of the Consumer Product Safety Act, 15 U.S.C. § 2076.

Please send the requested responses to RLipp@cpsc.gov.

Thank you for your attention and assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Trumka Jr.", written in a cursive style.

Richard L. Trumka Jr.
Commissioner
U.S. Consumer Product Safety Commission

ATTACHMENT E

LETTER TO STANLEY BLACK & DECKER



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

COMMISSIONER RICH TRUMKA JR.

October 18, 2023

Frank Mannarino
President of U.S. Retail & Canada
Stanley Black & Decker
1000 Stanley Drive
New Britain, CT 06053

Dear Mr. Mannarino,

The Consumer Product Safety Commission (CPSC) has an open rulemaking proceeding on the safety of table saws. Supporting that proceeding, CPSC's staff recently prepared a public briefing package, which mentions a Power Tool Institute (PTI) Joint Venture effort among Stanley Black & Decker, Techtronic Industries, Hitachi, and Bosch (PTI's Joint Venture).¹ I understand that the purpose of PTI's Joint Venture was to develop new technologies that would allow companies to comply with the substantive requirements now proposed in CPSC's Supplemental Notice of Proposed Rulemaking (SNPR). In fact, according to CPSC staff, PTI's Joint Venture resulted in at least one commercially viable product containing active injury mitigation (AIM) technology.² The briefing package also mentions patent litigation that may influence the ownership and availability of specific AIM technologies.

To better understand the existing technologies that may be used to comply with the proposed safety requirements and to better understand the breadth of ownership of the property rights in those technologies, I ask that you provide responses to the following questions no later than November 15, 2023:

¹ CPSC, Staff Briefing Package: Staff's Draft Proposed Ruel for Table Saws (Sept. 20, 2023), at OS 128.

² *Id.* at OS 127-28.

1. What are the terms of PTI's Joint Venture? Please provide documents describing the complete terms of PTI's Joint Venture.
2. What AIM-related technologies were developed by, through, or as a result of PTI's Joint Venture? Please provide copies of any patents issued or documents describing any non-patented technologies developed by, through, or as a result of PTI's Joint Venture.
3. Does Stanley Black & Decker own property rights—including but not limited to patents, licenses, and options to license—in the AIM-related products of PTI's Joint Venture and what are the rights owned?
4. Does Stanley Black & Decker hold licenses to use SawStop/TTS technologies related to AIM and what are the terms of those licenses?

I hope that you will provide this information, which will be useful to CPSC's consideration of the proposed rule, including determining how quickly a rule could be implemented. Please provide a copy of your response to Commission Secretary Alberta Mills at cpsc-os@cpsc.gov, for inclusion in the public record. Confidentiality concerns should not be a basis for failing to provide responsive information, as confidential treatment may be requested under the Commission's rules, 16 C.F.R. § 1015.18.

At this time, I am asking for this information solely in my capacity as Commissioner, and not pursuant to the Commission's compulsory powers under Section 27(b) of the Consumer Product Safety Act, 15 U.S.C. § 2076.

Please send the requested responses to RLipp@cpsc.gov.

Thank you for your attention and assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Trumka Jr.", is positioned above the typed name.

Richard L. Trumka Jr.
Commissioner
U.S. Consumer Product Safety Commission

ATTACHMENT F

LETTER TO TECHTRONIC



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

COMMISSIONER RICH TRUMKA JR.

October 18, 2023

Joseph Galli Jr.
Chief Executive Officer
Techtronic Industries North America, Inc.
450 East Las Olas Boulevard
Suite 1500
Fort Lauderdale, FL 33301

Dear Mr. Galli,

The Consumer Product Safety Commission (CPSC) has an open rulemaking proceeding on the safety of table saws. Supporting that proceeding, CPSC's staff recently prepared a public briefing package, which mentions a Power Tool Institute (PTI) Joint Venture effort among Techtronic Industries, Hitachi, Stanley Black and Decker, and Bosch (PTI's Joint Venture).¹ I understand that the purpose of PTI's Joint Venture was to develop new technologies that would allow companies to comply with the substantive requirements now proposed in CPSC's Supplemental Notice of Proposed Rulemaking (SNPR). In fact, according to CPSC staff, PTI's Joint Venture resulted in at least one commercially viable product containing active injury mitigation (AIM) technology.² The briefing package also mentions patent litigation that may influence the ownership and availability of specific AIM technologies.

To better understand the existing technologies that may be used to comply with the proposed safety requirements and to better understand the breadth of ownership of the property rights in those technologies, I ask that you provide responses to the following questions no later than November 15, 2023:

¹ CPSC, Staff Briefing Package: Staff's Draft Proposed Ruel for Table Saws (Sept. 20, 2023), at OS 128.

² *Id.* at OS 127-28.

1. What are the terms of PTI's Joint Venture? Please provide documents describing the complete terms of PTI's Joint Venture.
2. What AIM-related technologies were developed by, through, or as a result of PTI's Joint Venture? Please provide copies of any patents issued or documents describing any non-patented technologies developed by, through, or as a result of PTI's Joint Venture.
3. Does Techtronic Industries own property rights—including but not limited to patents, licenses, and options to license—in the AIM-related products of PTI's Joint Venture and what are the rights owned?
4. Does Techtronic Industries hold licenses to use SawStop/TTS technologies related to AIM and what are the terms of those licenses?

I hope that you will provide this information, which will be useful to CPSC's consideration of the proposed rule, including determining how quickly a rule could be implemented. Please provide a copy of your response to Commission Secretary Alberta Mills at cpsc-os@cpsc.gov, for inclusion in the public record. Confidentiality concerns should not be a basis for failing to provide responsive information, as confidential treatment may be requested under the Commission's rules, 16 C.F.R. § 1015.18.

At this time, I am asking for this information solely in my capacity as Commissioner, and not pursuant to the Commission's compulsory powers under Section 27(b) of the Consumer Product Safety Act, 15 U.S.C. § 2076.

Please send the requested responses to RLipp@cpsc.gov.

Thank you for your attention and assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Trumka Jr.", is positioned above the typed name.

Richard L. Trumka Jr.
Commissioner
U.S. Consumer Product Safety Commission