



UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
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**COMMISSIONER RICH TRUMKA JR.**

## **CPSC OPERATING PLAN FAILS TO ADDRESS GLARING SAFETY CONCERNS Commissioner Trumka Forced to Vote “No”**

Each year the Consumer Product Safety Commission (CPSC) decides its priorities for the upcoming year. This includes what rules we plan to put in place for which product hazards.

As Commissioners of CPSC we are charged with a heavy responsibility: to keep people safe. But the Operating Plan that passed against my objection today does not fulfill our duty. It leaves too many Americans in jeopardy. I put forward proposals to address the pressing safety issues of the day, and the majority of this Commission rejected them. That leaves us with an operating plan that fails to make sufficient progress towards the concerning hazards posed by water beads, weighted infant blankets, ATVs and side-by-sides, and lithium-ion batteries in e-bikes.

This Commission heard first-hand from Ashley Haugen as she and other brave mothers came forward to tell the heart-breaking stories of their children who are currently suffering long-term effects after the ingestion of water beads. They also heard from Mayra Thomas-Romero as she discussed the tragic death of her beloved infant daughter Alicia Isabel Thomas, who passed while wearing a product deemed dangerous by NIH, CDC, and the American Academy of Pediatrics: a weighted infant sleep sack. Yet even after being made aware of the threats that water beads and weighted sleep sacks pose to children everywhere, my fellow Commissioners voted not to support my amendment that prioritizes these alarming hazards.

The Commission is also aware of the 106,000 emergency room trips per year caused by ATVs and side-by-sides, as well as the 750 deaths resulting from them each year. Despite these products being tied to the most deaths of any product category in our jurisdiction, my fellow Commissioners voted not to address the grave hazards they pose.

And it's truly disheartening that the Commission refused to move faster to address lithium ion battery fires in e-bikes, because there, we're ignoring a direct plea for intervention from industry. In July of this year, CPSC held a forum with experts including members of industry, voluntary standards bodies, the country's largest fire department, and consumer advocates. The clear takeaway, is that they were all calling on CPSC to set a mandatory rule for lithium-ion batteries in e-bikes as quickly as possible. Yet, my amendment to force a final rule

on this hazard in 2024 was rejected by my colleagues. They seem resigned to inch towards a longer process to solve the issue. But while we wait, people are at risk.

We need to intervene to prevent deaths in emerging products. And we can only do that if we act faster and more boldly. If what the American people expect out of CPSC is gradual progress on a modest set of goals, then that's what this operating plan has given them. Today, I offered amendments to address pressing and emerging hazards that would have made this Operating Plan something to be proud of. My fellow Commissioners rejected those amendments, and I won't put my name on a plan for this agency that falls short of what I know we can deliver for the American people.

So, what can be done? As far as water beads go, I believe that Congress can help. They could direct us to act faster. They could even give us greater tools to do that. I believe they must. With that said, I want to make clear that even with this operating plan, the people of this agency will save lives. It just does not go far enough, fast enough. It does not reflect what we need to be doing. It stops short of tackling pressing issues that would have a bigger impact.

I take no pleasure in voting no. But I will continue to do so if unambitious plans continue to be put before me for consideration.