



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

June 6, 2023

Mr. Mark Zuckerberg
CEO
Meta Platforms
1 Hacker Way
Menlo Park, CA 94025

Dear Mr. Zuckerberg:

We are writing to you today to urge you to prevent the sale of recalled and violative consumer products on Facebook Marketplace. These sales are illegal; it is against the law to sell recalled consumer products, whether new or used.

Each year, the Consumer Product Safety Commission (CPSC) announces the recall of hundreds of products that pose a risk of injury and potentially death to consumers. Far too often, the CPSC has found those products listed for sale on Facebook Marketplace even after recall information has been provided to your company. We call on you to identify recalled and violative products and to prevent their listing by your users. By allowing such products to be posted, you are putting Facebook Marketplace users at risk.

A particularly egregious example is the Boppy Newborn Lounger, which was recalled in September 2021. Since that time, CPSC has found thousands of these recalled loungers for sale on Facebook Marketplace. In the past year, CPSC has formally requested – on average about one thousand times a month – that Meta take down listings for the Boppy Newborn Lounger from Facebook Marketplace. Despite these repeated requests, sales of the Boppy Newborn Lounger on the platform continue.

Today, the CPSC is re-issuing its 2021 recall notice, in order to remind consumers to stop using the Boppy Newborn Lounger and to secure a refund through the recall. Today's release highlights the danger to infants posed by the product. It also includes information about two additional deaths that occurred in the Boppy Newborn Lounger shortly after the recall was announced in September 2021, bringing the total to ten deaths associated with the product. The hazard from these loungers arises because infants can suffocate if they roll, move, or are placed on the lounger in a position that

obstructs breathing, or roll off the lounger onto an external surface, such as an adult pillow or soft bedding that obstructs breathing.

While new Boppy Newborn Loungers have not been legal for sale since the recall was announced two years ago, there remains a strong secondhand market for these loungers on Facebook Marketplace.

In April, Chair Hoehn-Saric wrote to you expressing similar concerns about the robust and illegal secondary market on Facebook Marketplace for the recalled Fisher Price Rock 'n Play. After the letter was sent, CPSC staff noted that key searches for this product were no longer functional, limiting – but not eliminating – the ability for consumers to search and find such products. This is a helpful first step, but a system that prioritizes prevention of such sales should be able to spot recalled products in real time, not just restrict searches when the matter gains government attention and public notoriety.

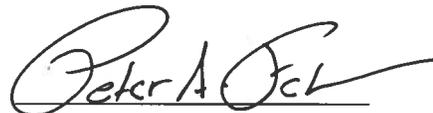
As a leading technology company, Meta can and should dedicate the necessary resources to protect consumers by preventing both the listing and the sale of recalled products. It should also incorporate access to recall information, facilitating consumer ability to identify recalled products and obtain available remedies to address the hazards they pose.

We look forward to hearing about the steps you will take to prevent illegal sales of the Boppy Newborn Lounger, as well as all other recalled and violative consumer products on Facebook Marketplace. To that end, please provide us with a response by June 30th outlining the changes you intend to make to address these issues.

Sincerely,



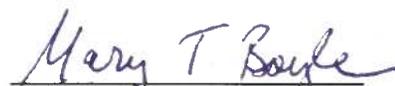
Alexander Hoehn-Saric
Chair



Peter A. Feldman
Commissioner



Richard R. Trumka Jr.
Commissioner



Mary T. Boyle
Commissioner