

PUBLIC HEARING
IMPROVEMENTS TO SAFERPRODUCTS.GOV

U.S. CONSUMER PRODUCT SAFETY COMMISSION
BETHESDA, MARYLAND

Wednesday, March 6, 2019

PARTICIPANTS:

Ann Marie Buerkle, Acting Chairman

Peter Feldman, Commissioner

Robert S. Adler, Commissioner

Dana Baiocco, Commissioner

Alberta E. Mills, Secretary

Panel 1:

Nancy Cowles, Kids in Danger

Rachel Weintraub, Consumer Federation of America

William Wallace, Consumer Reports

Also Present:

Patricia M. Hanz

Mary Boyle

1 P R O C E E D I N G S

2 ACTING CHAIRMAN BUERKLE: Good morning and
3 welcome to this public meeting of the United States
4 Consumer Product Safety Commission. We have one item
5 on our agenda this morning, and that is a public
6 hearing to receive information from interested parties
7 about possible changes to CPSC's publicly available
8 consumer product safety information database, also
9 known as www.SaferProducts.gov.

10 I often say that CPSC's mission is aided by
11 the input and the insight of our stakeholders. So I am
12 very grateful to all of today's presenters, as well as
13 those who have submitted written testimony, and for
14 taking the time and the effort to provide your input to
15 us. It's very important.

16 And I would just advise to anyone who wishes
17 to comment, the comment period is open on the RFI until
18 April 3 of 2019. So I would encourage anyone else who
19 would like to comment on our database to please submit
20 your comments by the April 3 date.

21 It has been more than 10 years since CPSC was
22 directed through the CPSIA to create this database and

1 technology has advanced dramatically in the last 10
2 years. And I think it is past time that we take a look
3 at the way SaferProducts.gov can be improved.

4 CPSC's fiscal year 2019 operating plan
5 directed staff to take a critical look at
6 SaferProducts.gov to see what improvements may be
7 necessary to make it more prominent, more functional
8 and more user friendly. I want to acknowledge CPSC's
9 staff members who are here this morning, and I will
10 start with Dr. Borlase, who is was the head of the XHR,
11 because that's -- it's his team. And then I see Steve
12 Hanway here, who is the head of epidemiology. But Ian
13 Elkin, he's upstairs, is the project manager for this
14 project, and so I wanted to recognize him as well, as
15 well as Meredith Kelchen, the Office of General
16 Counsel, and they will be leading this FY 2019
17 initiative. Thank you for being here this morning to
18 Dr. Borlase and to Mr. Hanway.

19 I do want to just quickly provide you with an
20 update on a related matter, because this is obviously
21 related to the SaferProducts.gov database. During the
22 government shutdown, CPSC received 547 reports to

1 SaferProducts.gov. As with other information received
2 through the agency during the furlough, these reports
3 were reviewed by the excepted staff to see if they met
4 the agency's "imminent threat" threshold and if they
5 did not, they were flagged for follow-up when the
6 government reopened. Although staff was unable to
7 process the reports for publication to the website
8 during the lapse in our funding and appropriations, I
9 am very pleased to announce this morning that staff has
10 reviewed and published the appropriate reports. And so
11 staff has caught up with any backlog that was created
12 by the furlough and any relevant and appropriate
13 reports made through SaferProducts.gov have been posted
14 to SaferProducts.gov.

15 And I will take this opportunity to commend
16 all staff for their work in helping the agency to catch
17 up during the furlough period of time and the backlog
18 that was created by the furlough.

19 So now on to this morning's business. We have
20 one panel of presenters. Each presenter will have 10
21 minutes to deliver his or her comments. Our secretary,
22 Ms. Alberta Mills, will track the time for all of us.

1 I would ask the presenters to watch the lights in front
2 of you to track your remaining time. Yellow lights
3 indicate that you have one minute remaining. After the
4 presentations by all panel members, the commissioners
5 will have five minutes for questions and we can go
6 multiple rounds, if necessary.

7 I also would like to note before we get
8 started that Commissioner Kaye is not here this morning
9 and developed an unexpected conflict after this hearing
10 was scheduled. He did ask me to tell you that he was
11 summoned to the Hill and will return here to the
12 hearing as soon as possible.

13 So with that, we will begin with panelists
14 which include this morning Ms. Nancy Cowles from Kids
15 in Danger, Ms. Rachel Weintraub from Consumer
16 Federation of America, and Mr. William Wallace from
17 Consumers Union.

18 Ms. Cowles, if you would begin?

19 MS. COWLES: Thank you. And thank you to the
20 Commission and to the Chairman for having this hearing.
21 Obviously, we think it's very important. We appreciate
22 the opportunity to talk to you all.

1 And I can only look at the panel and wonder if
2 they were right, that SaferProducts shut business down
3 when it was implemented, because I don't see anyone
4 here from the regulated industry. But we will have
5 plenty to say and I am sure they'll -- they will, as
6 well.

7 In 2008, as you mentioned, Congress passed and
8 the President signed into law, the Consumer Product
9 Safety Improvement Act, which strengthened CPSC through
10 granting new authority. The efforts of advocates and
11 congressional leaders to pass an overwhelmingly
12 bipartisan bill has paid off in lives saved, dangerous
13 products removed from --

14 ACTING CHAIRMAN BUERKLE: Excuse me, I don't
15 mean to interrupt, but it doesn't sound like your
16 microphone is working properly. The red is on, but it
17 doesn't sound like it's projecting.

18 (Pause.)

19 ACTING CHAIRMAN BUERKLE: Thank you. You may
20 start again and the clock will start all over again.

21 MS. COWLES: Should I start again, or just
22 pick up where I left off? Okay.

1 SaferProducts.gov is one of the safety
2 breakthroughs that came about due to the passage of the
3 landmark CPSIA. Importantly, the database provides the
4 ability to report and review incident reports involving
5 consumer products. This has provided a new and
6 important source of product safety information.
7 SaferProducts.gov is a useful tool that can be made
8 even more useful with key updates and upgrades.

9 We are encouraged by this public hearing and
10 urge the CPSC to continue to engage in an open and
11 balanced process as it considers possible improvements
12 that will result in a more user-friendly experience for
13 both posting and reviewing incident reports, and a more
14 robust database to increase its usefulness.

15 KID, along with Consumer Federation of America
16 and others, have conducted reviews and reports on
17 SaferProducts.gov. our most recent was for last year's
18 tenth anniversary of the CPSIA. Our report focused on
19 reports involving children 18 and younger, to identify
20 patterns in data and provide recommendations for
21 expanding the reach of this important safety tool.

22 Here are some of the findings of the report:

1 94 percent of the reports involved an incident, injury
2 or death, while fewer than 2 percent were concerns
3 about products with no incidents. Almost half of the
4 reports, 46 percent, involved an injury. Over half of
5 all reports, 56 percent, were made for children under
6 three. Nursery products and toys comprised 59 percent
7 of the report.

8 Some manufacturers of children's and toddlers'
9 products appear repeatedly in the list of incident
10 reports. Most frequently named companies include
11 Fisher-Price, mostly for the Rock 'n Play; Pampers for
12 diapers; and Graco for a range of their nursery
13 products. That is important to note, since outside of
14 SaferProducts.gov or recalls, CPSC provides very little
15 brand or model-specific safety information.

16 Alarmingly, the report also shows that between
17 2012, the first full year, and 2017, reports involving
18 children and children's products per year have dropped
19 by 62 percent. It is discouraging but not surprising
20 that the number of reports have dropped. We see little
21 effort to publicize the database. Most of the company
22 comments on the site appear to discourage use of the

1 database and suggest reports to the company instead,
2 where it will not be made public even if they do report
3 it to CPSC. The purpose of including the database in
4 CPSIA was to give product safety information to
5 consumers outside of the restrictive Section 6(b) rule
6 that ties CPSC's hands when it comes to releasing
7 hazard information.

8 To truly serve consumers with a robust source
9 of product safety information, the CPSC should increase
10 the database's visibility and use. Here is our general
11 recommendation and then I will respond to the specific
12 questions that were asked in the notice.

13 First, develop and implement a plan to
14 increase awareness and use of the database by the
15 public as well as health care professionals and other
16 permitted reporters through a more consumer-friendly
17 interface as well as outreach and training. Market the
18 site more widely, both to generate reports and allow
19 consumers to research products. CPSC made a few great
20 PSAs a few years ago but the continuing effort to drive
21 consumers to the site seems weak.

22 SaferProducts.gov contains a great deal of

1 data. CPSC could have a positive impact on injury
2 prevention if it would release an annual report
3 evaluating the trends and harm posed by products in the
4 database. Reports on specific injury patterns or
5 products generated from the data would be an excellent
6 way for CPSC to highlight the database and provide
7 useful information to consumers to keep children safe.

8 While there is a field on each report on the
9 database to link it to associated recalls, the recall
10 information is rarely included, leaving consumers in
11 the dark about their use of a recalled product. All
12 reports associated with recalled products should
13 include a link to the recall. This serves both the
14 original poster and others who view it. This should be
15 true even if the recall is for another reason than what
16 the incident reported. It is another opportunity to
17 reach consumers with recall information that CPSC is
18 currently missing.

19 In a quick study of reports currently on the
20 database involving either baby or children's products
21 including toys, we found that while the time stipulated
22 in the act is five business days to get the report to

1 the manufacturer and 10 days -- and a posting 10 days
2 after that, a total of 15 working days or about three
3 weeks, we found that fewer than 0.5 percent of reports
4 met that 15-day limit; 43 percent were posted within 20
5 days or a month; a few, 0.4 percent, took more than a
6 year to post; and about 1 percent took more than six
7 months. So most reports took somewhere between a month
8 and six months to post. There is a lot of room for
9 improvement there.

10 CPSC needs to answer the questions that arise.
11 What is the problem that keeps the agency from
12 following the law? And how can that time be reduced so
13 that most reports are posted within a month?

14 And these are the reports that are eventually
15 posted. It doesn't account for and we have no way to
16 track those that are never posted.

17 CPSC gets many reports from other sources that
18 would greatly increase the usefulness of the database.
19 Consider ways to get that information in the correct
20 format and with the information needed to include it in
21 the SaferProducts.gov database.

22 As many as 50 percent of the reports are not

1 included in the database for undisclosed reasons. CPSC
2 should review these to determine ways to get more
3 included. Sometimes, it's because the consumer asks
4 for it not to be posted. CPSC can do a better job of
5 explaining the utility of publishing the reports to the
6 consumers using the database so they understand the
7 benefits of having the report published, as well as the
8 fact that it will not include any of their personal
9 information.

10 Reports with required information missing may
11 not be posted. CPSC should review the form to improve
12 the quality of the reports filed by adding prompts or
13 explanations and following up with consumers or other
14 reporters to get the missing information. And if there
15 are reports not making it into the public database for
16 other reasons, CPSC should investigate that since all
17 reports are required to be posted if they meet the
18 criteria.

19 To answer some of your specific questions, how
20 can the overall design of SaferProducts be improved?
21 Make it more prominent at CPSC's website. It is now
22 very hard to find. There is no link to the site on the

1 homepage except for the little box that says, "report a
2 safety issue here." And it does not even use the name
3 SaferProducts.gov, you know, losing another opportunity
4 to build awareness of the site.

5 The webpage itself looks out of date. It's an
6 older, narrower format than most websites, including
7 CPSC's main website. It doesn't clearly state the
8 purpose or mission of the database.

9 Looking at other CPSC pages, including the
10 home page, the ATVSafety.gov page or PoolSafely, none
11 of these pages list SaferProducts.gov, while they can
12 all be accessed from the database page. This is a
13 missed opportunity to drive more traffic to the
14 database.

15 The site is also not mobile friendly, as you
16 know. It displays a full webpage that is virtually
17 impossible to navigate on a phone screen. Unlike,
18 again, CPSC's main page that has been formatted for use
19 on a mobile device.

20 One of the things I noticed, it has how can
21 the process of reporting be improved. Despite
22 SaferProducts.gov being intentionally an online portal,

1 if the consumer realizes they made a mistake, the FAQ
2 requires that they mail in a correction to that; there
3 is no way to do that online. Again, so you are taking
4 people off an online portal, requiring them to write
5 and mail a letter to you to fix an issue with it. That
6 simply slows down the process.

7 I think that the page itself, the instructions
8 can be improved by making it clear that reporting is a
9 way to have the problem investigated, that their report
10 is important, and that CPSC wants them to report, not
11 just that CPSC is required to have this portal.
12 Provide suggestions for where the required information
13 could be found, packaging, the label on the product,
14 the manufacturer website, and really to give them those
15 added cues so that they have the information they need.

16 The search function of SaferProducts.gov, I
17 have to say, is better than the search function at
18 CPSC.gov, but it still cannot always return valid
19 results. For instance, on the home page, there is a
20 search prompt, search for tip overs. When we searched
21 that, we found that the first report of a dresser or TV
22 tip over came at the end of page 4 of the search

1 results, and that was about difficulty in participating
2 in the Ikea recall. The first report of a tipping
3 dresser came on page 6. Consumers might think there
4 are just simply no tip over instances. And part of the
5 problem is most of the reports were about losing the
6 tip of your finger or cutting the tip of something else
7 and not furniture tip over.

8 As I mentioned, I think associated recalls
9 should be included. Encourage the inclusion of
10 pictures of the product. I think that helps people to
11 use it.

12 And I'm running out of time.

13 The other thing I have is I think that the
14 agency should encourage use of the product as a
15 research tool for consumers. Just like with Yelp, Trip
16 Advisors and other things, many people are users of the
17 site for information before they might make their first
18 review and report. And if more people used it for
19 reviewing information, they'd be more likely to use it
20 to make a report.

21 ACTING CHAIRMAN BUERKLE: Thank you very much.
22 Ms. Weintraub.

1 MS. WEINTRAUB: Thank you. Is this working?
2 Great.

3 Acting Chairman Buerkle, Commissioners Adler,
4 Baiocco and Feldman, thank you for holding this
5 hearing. We welcome the request by the CPSC for public
6 input about possible improvements to SaferProducts.gov.
7 we welcome the opportunity to share information about
8 the strengths and potential improvements to this
9 important database and we very much appreciate the
10 opportunity to testify before you today.

11 I am Rachel Weintraub, legislative director
12 and general counsel with Consumer Federation of
13 America. CFA is an association of nearly 300 nonprofit
14 consumer organizations across the United States.

15 So the Consumer Product Safety Improvement
16 Act, signed into law August of 2008, strengthened the
17 authority of the CPSC. The law includes many vital
18 improvements to our safety net, including directing the
19 CPSC to create this database, SaferProducts.gov, where
20 consumers can report and research safety hazards
21 experienced with a wide variety of consumer products.

22 While the CPSC has historically collected

1 consumer complaints, most were hidden from the public
2 for sometimes incredibly long periods of time, or
3 forever, until and if a recall was announced. This
4 meant that, too often, consumers were unwittingly using
5 products that CPSC and manufacturers knew posed safety
6 hazards. Too many consumers were told that their
7 individual safety hazard was the only known hazard,
8 while numerous hazards were actually known. Consumers
9 were under a veil of ignorance about too many consumer
10 product hazards.

11 Section 6(b) of the Consumer Product Safety
12 Act causes this lack of transparency, because it
13 requires the CPSC to essentially ask permission from
14 manufacturers before it can communicate information
15 about a product to the public. Before the CPSIA
16 passed, consumers were only able to find information
17 about a product if it were recalled. General safety
18 information of non-recalled products, because of 6(b),
19 was not available. And, of course, as you know, while
20 6(b) still exists, importantly, SaferProducts.gov is
21 outside of the scope of Section 6(b).

22 SaferProducts.gov went live on March 11, 2011,

1 and helps the CPSC to identify trends in product
2 hazards and allows consumers and others, such as their
3 physicians, to submit reports about a harm or risk of
4 harm associated with a consumer product to the
5 database. The database is already searchable, enabling
6 research of product hazard reports.

7 The CPSC database contains an array of
8 protections to ensure that accuracy of information does
9 not -- that inaccurate information does not get
10 published. Anonymous reports are not permitted, only
11 safety-related information is permitted. Reports are
12 only considered for publication if specific minimum
13 fields are completed and manufacturers have the
14 opportunity to correct inaccurate information and to
15 provide their own comments.

16 If consumers experienced a risk of harm or an
17 actual injury caused by a consumer product, they can
18 now quickly and easily share that experience with the
19 CPSC. Previously, consumers did not have this
20 resource. This has been a considerable increase in
21 transparency for consumer product safety.

22 Numerous studies have analyzed

1 SaferProducts.gov. In April 2012, one year after
2 SaferProducts.gov went live, CFA and Kids in Danger
3 released a study that found in the first 10 months of
4 going live, there were over 6,000 reports filed.
5 Consumers made up 97 percent of the reporters to the
6 database. Manufacturers exercised their right to post
7 additional comments on 53 percent of reports. And the
8 information provided to the database is overwhelmingly
9 specific, with 84 percent of all reports including a
10 serial number or model name or number.

11 In addition, the Government Accountability
12 Office released a report, Awareness Use and Use Limits
13 of SaferProducts.gov, in March 2013 that found that
14 many consumers in GAO's usability test thought the site
15 generally was easy to use and had helpful information
16 but identified areas for improvement, as well. GAO's
17 suggestions for areas of improvement included
18 establishing and incorporating metrics to assess
19 efforts to increase awareness and use of
20 SaferProducts.gov, looking for cost-effective ways of
21 gathering additional data about site use, and
22 implementing cost-effective usability improvements to

1 the site.

2 The CPSC has been responding to this GAO
3 report for a period of time. The first two
4 recommendations have been complied with and, according
5 to GAO, are closed. The third recommendation, however,
6 to improve the awareness, use and usefulness of
7 SaferProducts.gov and to implement cost-effective
8 usability improvements, taking into account the results
9 of usability testing, is open and has not yet been
10 fully resolved.

11 While the CPSC just last August in 2018, in
12 response to this recommendation by GAO, did make some
13 changes, added the tagline, "Report, Search, Protect"
14 to its website, the GAO indicated that the CPSC has
15 still not explored the no-cost resources identified in
16 GAO's report to assess website usability to further
17 improve SaferProducts.gov. We urge the commission to
18 continue the work and fully address this
19 recommendation. And on the other recommendations, we
20 continue to urge the commission to publish the number
21 of annual visitors to SaferProducts.gov, for example,
22 and to publicize its findings and the measures that the

1 agency has used to improve the database.

2 Further, and separately from GAO, CFA and Kids
3 in Danger have conducted a more recent analysis. For
4 example, we reviewed the number of reports included in
5 the database. And while the size of the database has
6 grown in recent years, the growth rate has been
7 decreasing. From 2012, the first full year that
8 SaferProducts.gov went online, to 2018, the number of
9 reports posted to SaferProducts.gov has annually
10 decreased 48 percent. This chart is in my submitted
11 testimony as well. But really, the question is, why is
12 this happening? And we would welcome CPSC conducting
13 this analysis and publishing its findings.

14 We conducted another study during the summer
15 of 2018 and looked at SaferProducts.gov data as of June
16 22, 2018. And based upon data reviewed as of that
17 time, there were 36,544 reports. This built on a
18 report that we originally did in 2016.

19 To summarize, we found that reports of harm
20 are concentrated among 10 manufacturers; that
21 appliances make up a large percentage of reports among
22 those 10 manufacturers; 30 percent of reports document

1 some level of injury; and the percentage of reports
2 with manufacturer comments on SaferProducts.gov now is
3 less than half, at 47 percent.

4 So based on our analysis over the years, and
5 GAO's and others' analysis, we have a number of
6 recommendations, all consistent with Nancy's. But we
7 focus a little bit on different things.

8 So first, increase use. How can we change
9 this number? And also, how many visitors to
10 SaferProducts.gov are there? I think this is a missing
11 piece of data that would be very useful to have. We
12 urge the agency to develop and implement a plan to
13 increase awareness and use of the database by the
14 public, as well as health care professionals and other
15 permitted reporters through a more consumer-friendly
16 interface, as well as outreach and training. We urge
17 the agency to fold additional data sources into
18 SaferProducts.gov, collect the information statutorily
19 required for a report to be included in the database
20 when collecting information, and consider what other
21 publicly available sources of information could be
22 included as well.

1 Analyze data and release reports.
2 SaferProducts.gov contains a great deal of very useful
3 information. CPSC could have a positive impact on
4 injury prevention if it would release its annual report
5 evaluating the trends and harm posed by products in the
6 database. Other reports on specific emerging hazards
7 or items in the news could be conducted more regularly.

8 We urge the agency to analyze why published
9 reports are decreasing each year. Publicize this
10 analysis and then publicize the steps that the CPSC
11 will take to increase reporting. And if increased
12 reporting does not occur, take additional steps to
13 successfully increase reports.

14 And then, finally, we know that a large number
15 of reports are not being published. We don't know why.
16 We urge the CPSC to document and release to the public
17 why this discrepancy exists.

18 We thank you very much for your consideration.
19 We look forward to working with the commission to
20 continue to improve this very important consumer
21 resource. Thank you.

22 ACTING CHAIRMAN BUERKLE: Thank you very much.

1 Mr. Wallace.

2 MR. WALLACE: Thank you, Chairman Buerkle, and
3 thank you to the full commission and staff for the
4 chance to testify today on behalf of Consumer Reports,
5 an independent nonprofit organization. We have retired
6 the Consumers Union name. We are all Consumer Reports
7 now.

8 SaferProducts.gov is a useful tool. It can be
9 improved, as my colleagues have mentioned, through key
10 upgrades. Particularly through an open process for
11 feedback like this one.

12 We support the CPSC's intention to evaluate
13 the database and develop proposed enhancements. Here
14 are our top priorities as the CPSC carries out that
15 work.

16 First, CPSC and all stakeholders should push
17 to increase reports to SaferProducts.gov. The database
18 is fundamentally sound, publicly available, searchable,
19 online accessible as a product safety information
20 database. Consumers and others are readily able to
21 provide reports of harm related to the use of consumer
22 products.

1 The site is also useful. Specific to Consumer
2 Reports, it's useful to our safety research, journalism
3 and advocacy. And we understand that CPSC staff also
4 use the reports and responses from companies in the
5 database to help assess the risk of harm from a
6 potential product hazard.

7 At the same time, we are concerned that
8 reports of harm received via SaferProducts.gov are an
9 exceedingly small portion of the actual product hazard-
10 related incidents that are out there. As discussed,
11 there are far fewer reports in SaferProducts.gov than
12 in other similar government databases that accept
13 reports from consumers. Also in just a back-of-the-
14 envelope calculation, based on CFA's and CPSC's data,
15 the number of reports collected in the database in more
16 than seven years, including, of course, near misses, is
17 just over half of the number of estimated emergency
18 department treated injuries associated just with
19 nursery products and just with children younger than
20 age five just in the year 2016. Clearly, there is more
21 -- there is room for improvement.

22 We all should have a goal to capture as many

1 reports of harm as we can that are eligible to be
2 submitted to SaferProducts.gov. The CPSC should take
3 steps to increase the use of the site by both consumers
4 and others mentioned in statute as those expected to
5 submit reports of harm.

6 We know that the CPSC does a really good job
7 making sure that its recall announcements include a
8 reference to the website, to SaferProducts.gov. And
9 several of our advocate partners also make sure to
10 mention the database every chance they get, when doing
11 a media interview or otherwise making public comments.

12 For our part, Consumer Reports has referenced
13 SaferProducts.gov in more than 30 different online
14 stories in just the last 24 months on our website,
15 CR.org, which receives an average of 15 million unique
16 visitors every month, so we are trying to do our part
17 as well. At the same time, more should be done.

18 We recommend a significant increase in general
19 marketing of SaferProducts.gov by the CPSC and
20 additional funding for this activity from Congress.
21 The CPSC and stakeholders should also pursue voluntary
22 marketing of SaferProduct.gov by industries

1 particularly represented in database reports and
2 explore opportunities for public service announcements.
3 I understand some have been done previously. But there
4 may be opportunities to partner on these kinds of
5 announcements in a way that would help get them funded
6 and get them out there on the airwaves.

7 We also suggest special CPSC outreach to
8 physicians, medical examiners and first responders, as
9 these sources could provide a wealth of information to
10 help consumers' purchasing decisions and help
11 researchers conduct more complete analyses.

12 Second, CPSC should redesign and clean up
13 parts of the website and ease the reporting process.
14 The overall design of SaferProducts.gov can be improved
15 in several ways to help make the site easier to use and
16 more readily understandable by consumers and other
17 potential submitters. In particular, we recommend
18 making reporting links as prominent as possible;
19 establishing greater integration between CPSC.gov and
20 SaferProducts.gov; starting the reporting process
21 immediately from the SaferProducts.gov homepage as
22 opposed to, you know, one click later; designing an

1 infographic to help consumers understand the reporting
2 process better -- we know there's a video but we're
3 thinking that at one glance, it would be helpful if
4 consumers could right away understand it; and it would
5 also be helpful, if possible, to introduce automated
6 texting or chat window capabilities to allow additional
7 convenient ways for consumers to file reports.

8 In addition, we suspect the SaferProducts.gov
9 search results page can be unwieldy to many consumers
10 and researchers. For search results, we recommend
11 adding a higher-level summary page of results with full
12 results to view or download. We also recommend
13 routinely cleaning up the data, to ensure proper
14 spelling and categorization of companies and models,
15 and producing results pages based on product
16 classification that more reliably reflect the product
17 that is the subject of the search by a site user. This
18 will go a long way toward enabling better analysis by
19 safety researchers including those in house at CR.

20 We support the CPSC's idea of creating a data
21 visualization tool to help consumers and businesses
22 better understand the data captured through

1 SaferProducts.gov. But, where possible, we would urge
2 the agency to provide context in the tool on the
3 severity of the hazard to consumers.

4 With regard to easing the reporting process on
5 SaferProducts.gov, we recommend that the CPSC add the
6 capability to suggest autopopulate or autocorrect
7 entries for items such as brands, models, injuries and
8 body parts involved. Codes from NICE for injuries and
9 body parts could be a good resource for that
10 information, in part. Such an improvement would make
11 the data cleaner, enabling better understanding and
12 analysis of the data by users.

13 We also encourage optimization of
14 SaferProducts.gov, as mentioned, for mobile devices,
15 and a CPSC app that prioritizes reporting of harm and
16 SaferProducts.gov, in addition to providing information
17 about recalls. Eventually, the app could include image
18 recognition capability that would allow shoppers to
19 take a picture of a product they are considering
20 purchasing and receive information regarding recalls or
21 reports for that product or a similar product from the
22 same manufacturer. I know from an IT perspective, this

1 is sort of a holy grail, but we are dreaming big.

2 Even in the absence of this capability, we
3 suggest developing a simple, intuitive process for
4 uploading photos that requires only one or two steps,
5 in order to help increase the number of photos
6 associated with reports and therefore assist in
7 identification of potentially hazardous products.

8 Third, the CPSC should improve data source
9 integration and public availability of reports. CPSC's
10 data generally is high quality and includes many
11 sources but rarely is it presented to the public in a
12 unified manner that draws on all relevant sources. It
13 would be helpful for safety researchers for
14 SaferProducts.gov data to be presented alongside other
15 data sources to get a fuller and more complete picture
16 of a hazard to consumers. For bulk data, it would be
17 helpful for analysis to include associated photos or
18 videos.

19 Additionally, we support the development of
20 robust artificial intelligence and machine learning
21 capabilities to help build a tool for identifying
22 safety-related consumer feedback from online retail

1 platforms and social media. This is a potentially
2 powerful untapped source of analysis that could be
3 presented to SaferProducts.gov users beside information
4 submitted to the database. And it's something that I
5 believe sister agencies may have some experience with
6 some guidance that could be helpful.

7 We strongly urge the CPSC to review current
8 practices and procedures to ensure that they promote
9 maximum public availability of reports and follow
10 statutory requirements applying to the timeliness of
11 public disclosure of reports of harm submitted to
12 SaferProducts.gov. We would be very concerned if a
13 significant number of reports that users wished to be
14 made public are being withheld or delayed from
15 publication under conditions that are broader than
16 those included in the statute.

17 In response to CPSC's specific question about
18 the checkbox allowing reporting users to consent to
19 making the report public, because the CPSC -- because
20 the reports the CPSC publishes are already prohibited
21 by law from including personal information, we support
22 the box being checked by default, to help increase the

1 number of published reports and increase awareness of
2 potentially unsafe products. In advance of this
3 change, we also urge the CPSC to collect and make
4 public aggregate stats on reports from users that do
5 not wish to have their exact report published. We
6 suggest that this could be achieved and could provide
7 useful safety information while maintaining privacy in
8 keeping with the wishes of the reports submitted.

9 In conclusion, thank you very much for your
10 consideration of our comments. We look forward to
11 continuing to work together with the CPSC to develop
12 and implement enhancements to SaferProducts.gov that
13 would bolster product safety and help protect
14 consumers, including by increasing reports of harm,
15 taking steps to redesign and clean up parts of the
16 website and ease the reporting process, and improving
17 data source integration and public availability of
18 data. Thank you.

19 ACTING CHAIRMAN BUERKLE: Thank you all very
20 much for the very useful testimony and for the
21 information you have provided for all of us. We will
22 now begin our five-minute rounds of questions from the

1 commissioners. And, as I mentioned previously, if need
2 be, we will go several rounds.

3 So I wanted to ask all three of you this
4 question because I think in the 10 years since CPSIA
5 and since the database was put in place, e-commerce has
6 grown exponentially. And Will, you just ticked off
7 technology, a whole list of technology that just didn't
8 exist 10 years ago. And while I'm sure my colleagues
9 as well as I will get to that in a bit.

10 But I just want to hear your opinions and then
11 how you think we could use the advancement of e-
12 commerce to help us here. Because, I think as e-
13 commerce has grown, I would like to hear your opinion,
14 is that a reason why the number of reports have
15 declined? And if -- so that's where I would like you
16 to start. But then, beyond that, is there something we
17 can do to improve the number of reports besides what
18 we've talked about. There's a whole lot of good ideas
19 here, in terms of marketing and PSAs and workshops and
20 a whole host of things.

21 But I would like to hear your comments. Do
22 you think even that e-commerce and the rise of e-

1 commerce have affected the number of reports going into
2 SaferProducts.gov? And just along those same lines,
3 because if you purchase something online, you
4 intuitively you want to go back there if you're not
5 happy with that product. So how do we get the consumer
6 to be intuitive about SaferProducts.gov?

7 So I realize that's a long question. Take
8 your time, we have plenty of time. Thank you.

9 MS. COWLES: Okay, thank you. I think that's
10 a great question. And I think that there are ways to
11 incorporate it, such as Will suggested, actually using
12 that data yourselves for part of the information that
13 you're providing to the public or using for your own
14 things. Because people do talk about it there.

15 I thought it was very interesting, I think
16 just last week, when Dr. Alsani from Johns Hopkins was
17 talking about kind of different language that consumers
18 use in their reports when they are reporting harm.
19 It's much less -- surprisingly, much less angry than
20 when they, you know, if your package is late, their
21 response may be very angry, it didn't come, it was
22 broken. But when they were talking about an injury, it

1 was very matter of fact, I think contains some very
2 good information. So I think that we should be looking
3 for that data.

4 I think that, you know, CPSC works with these
5 e-commerce companies in a variety of ways, whether it's
6 through import surveillance or other things. It would
7 be a simple matter to have a simple link to
8 SaferProducts.gov on the main sites. It would be a way
9 to direct consumers that if you have a safety issue
10 with any product sold, let us know but also report it
11 here, so that it can lead to an investigation and for
12 other consumers to know about it. So I think that
13 there are ways to interact, as you do on many other
14 issues, with the e-commerce platforms that I would
15 recommend pursuing.

16 MS. WEINTRAUB: So I agree. I think this is a
17 great question. I don't know the answer. I've not
18 come across any research, nor have we done specific
19 research about the rise of e-commerce and consumers'
20 then impact of their increased purchasing of products
21 online and SaferProducts.gov.

22 I would surmise, though, that perhaps it's

1 actually the opposite. That, as consumers are more
2 comfortable purchasing products online, are more
3 comfortable providing comments on those online
4 websites, they would be more comfortable to report
5 incidents of harm that they've incurred to
6 SaferProducts.gov.

7 I think that lack of familiarity that, in
8 fact, may have existed to a larger degree when the
9 database went live in 2011, there's no longer sort of
10 that obstacle because consumers are so much more used
11 to reading and taking into account and taking into
12 perspective different online reviews.

13 I do agree though that, with the rise of
14 online or e-commerce, that there could be a better
15 integration of the database with the places where
16 consumers actually purchase products. So creating
17 partnerships with those online retailers and other
18 entities, I think, would be a great advance.

19 How I talk about SaferProducts.gov, I want
20 SaferProducts.gov to be part of a new parent's
21 checklist. Just as every new parent will lock
22 cabinets, will think about how their baby, as they're

1 becoming mobile, how they will babyproof their home, I
2 want SaferProducts.gov to be a part of their list, to
3 be a part of what they look at when they are
4 considering purchasing new products, especially at a
5 time where developments in the child's life occur very
6 quickly and they are purchasing products for different
7 needs. But also if they associate -- if they
8 experience a harm with a product, that they know it's a
9 place where they can report.

10 We also, as Will mentioned, we mention
11 SaferProducts.gov very often in almost every release
12 that we put out. We talk about it very often, we do
13 social media on SaferProducts.gov. But we have a long
14 way to go to make this a household name, which is what
15 we hope ultimately.

16 ACTING CHAIRMAN BUERKLE: Thank you very much.
17 Mr. Wallace, my time is up but I will get back to you
18 on the second round.

19 Commissioner Adler.

20 COMMISSIONER ADLER: Thank you very much. And
21 I was just reflecting as I was listening to your
22 testimony, that if we had gone out and hired a

1 consultant at many, many hundreds of thousands of
2 dollars, I doubt that we would have gotten as useful
3 advice that we have gotten from you. So thank you for
4 your free labor and for assisting us. This is
5 extraordinarily valuable.

6 So at moments like this, I do occasionally
7 reflect back on the history of the Consumer Product
8 Safety Commission, especially the database. So I'd
9 like to ask all of you one question. The commission
10 has been in existence for 40-plus years. And we still
11 remain the only agency in the federal government that
12 is subject to the kinds of information disclosure
13 restriction that are found in Section 6(b). One of the
14 rationales, only one of them, not the main rationale
15 for the database, was that it would operate free,
16 separate and apart from 6(b).

17 So I guess my question is, does the fact that
18 the Commission has a public database that's not subject
19 to 6(b) restrictions solve the problem of getting vital
20 safety information to the public in light of Section
21 6(b)? And I'd invite anybody -- I know Rachel and
22 Nancy have been immersed in this a lot --

1 MR. WALLACE: No, it doesn't.

2 COMMISSIONER ADLER: Thank you.

3 MS. COWLES: We would all have the same
4 answer.

5 COMMISSIONER ADLER: And I certainly agree.

6 I also remember when the database was under
7 consideration and we were drafting the rules that one
8 would have thought from the outcry from our friends in
9 regulated industry and from some of my former
10 colleagues on the commission that the zombie apocalypse
11 had arrived, that we'd be threatened by crazy,
12 irresponsible consumers and wild trial lawyers
13 submitting reams of frivolous data into the database.

14 So I'm curious, have you noticed any abuses in
15 the system that are evident to you, from either
16 irresponsible complaints being filed or from trial
17 lawyers salting the database with frivolous complaints?

18 MS. WEINTRAUB: We have not. If anything, we
19 think there is an underutilization of the appropriate
20 reporters to the database. And ultimately, as we've
21 discussed, a lack of awareness of the database.

22 MS. COWLES: I would also say, I think, if

1 that had been true, those regulated industries would be
2 here today to tell you about it.

3 COMMISSIONER ADLER: Yeah, well, what was
4 fascinating is after a long, long period of bitter
5 opposition, one of my colleagues I think about a year
6 later was describing the database as a nothing-burger.
7 So somewhere between zombie apocalypse and nothing-
8 burger, I'm hopeful that we can make it into a safety-
9 burger.

10 And I did also -- I'm reflecting on the fact
11 that a number of you have asked that we beef up our
12 annual reports. To my surprise, when I asked to see
13 our recent annual reports yesterday, it turns out, I
14 think, that we haven't filed an annual report since
15 about 2012, even though the statute clearly calls for
16 us to file annual reports.

17 But could you elaborate a little bit on what
18 you would like to see put in these annual reports?
19 Because I think that that would be a terrific approach
20 to sharing information about the database. That is,
21 you were talking about trends, and I'm curious,
22 trends --

1 MS. COWLES: Well, I think, you know, I use
2 SaferProducts all the time. I want to know about, you
3 know, if a parent calls me about a problem, I can
4 almost always look and find a similar problem on
5 SaferProducts. That indicates to me it might be a
6 trend. It's a wealth of information.

7 I note that CPSC has been doing annual reports
8 with NICE data and the other sources you have for death
9 data. But I think that this is an area that would,
10 one, provide just a snapshot of what injury patterns
11 you're seeing that year, what kind of products. I
12 think some of them obviously would correlate to some of
13 the recalls that you're doing and some of the other
14 safety messaging you're doing. I see it as a tool both
15 to get out that information to the public about things
16 they might not have thought of as being a hazard when
17 other people use them, but also it will increase the
18 visibility of the database, that it is there, that it
19 has data that can be used, not only for individual
20 consumers but for researchers.

21 I think, you know, the more robust we could
22 make it, the more reports that are in it, as Will said,

1 it has, you know, a sliver of the injuries that are
2 happening out there with product safety. It would be
3 more and more useful. So I think that it is both a way
4 to talk about current trends and issues because I think
5 they're going to change every year and it would be
6 interesting, but also to draw attention to the
7 database.

8 COMMISSIONER ADLER: Alas, my time has
9 expired.

10 ACTING CHAIRMAN BUERKLE: Thank you,
11 Commissioner Adler. Commissioner Baiocco.

12 COMMISSIONER BAIOTTO: Thank you. Thank you
13 for doing our job.

14 This has been very hard for me to listen to
15 because I think that we have failed you and the
16 consumer in the way our database functions. It was one
17 of the very first things I mentioned when I walked
18 through the door here on how important this is. And in
19 my opinion, it's not that hard. There is no excuse for
20 not having a user-friendly database. There is no
21 excuse for not having a stronger marketing plan. Those
22 are things that we all agree on. I'm not sure why we

1 have been as ineffective as we have been.

2 It is something that I talk about on a daily
3 basis. And I don't think we need a public hearing for
4 all of us to agree that there are very simple, basic
5 ways to make this happen and make it happen fast, to
6 make it happen effectively. And we -- we agree. And
7 as I listened to some of your comments on the obstacles
8 such as 6(b) and other constraints that are statutorily
9 imposed, I wish we could talk about those and how to
10 get around them. But until we have an absolutely
11 functional and useful and user-friendly database, we
12 can't even get to those issues.

13 So I have a lot of ideas, many of which you've
14 named. I'm sure there are additional ideas. I know,
15 Mr. Wallace, you brought up some things I hadn't
16 thought of. Ms. Cowles, the comment about like how
17 Yelp is used, fascinating. Somebody brought up -- and
18 I apologize, I don't remember who -- about having a
19 chat, you know, being able to chat. You can do that
20 anywhere. A lot of this technology is not difficult.

21 So I will continue to push. I do think a lot
22 of this stuff can be fixed without annual reports or

1 analyses. Some of the analyses that you have done,
2 thank you. I would like to talk to you further about
3 them. I don't want to limit your time to 10 minutes.
4 Come talk to me. And I will continue to walk down the
5 hall and, you know, beg and plead and, you know,
6 communicate that this needs to be changed and needs to
7 be changed now.

8 We should be in a room with our team saying,
9 make this better. How do we make this better? I know
10 I had the same experience with a recall. It took six
11 months to get it up and it was basically a scrape of
12 material that was already on our website.

13 And then I think we could do better in
14 promoting just our recall. I have a couple more ideas
15 on that. This is not hard.

16 And so I apologize to you that we have not
17 done a better job because I do think we have failed you
18 in that regard. So let's talk a little bit more.

19 And I don't have any questions because I --
20 I'm with you. I mean, like I said, some of the areas
21 that are statutorily, you know, constraining and
22 Commissioner Adler, I thought, raised a very good

1 question about whether the database itself was being
2 populated with skewed reports. I wish that was our
3 only problem. We can get to that. There are
4 safeguards that can be put in place.

5 I do agree with you, Ms. Weintraub, that
6 having parents -- I think it's a wonderful idea. Why
7 aren't we doing that? Telling parents, this is your
8 checklist. Go check and make sure.

9 And there are ways, of course there are ways,
10 to work with e-commerce retailers to make a connection.
11 And I have mentioned this to every retailer or e-
12 commerce entity that has come into my office. And I
13 can assure you, they are willing to work with us. So
14 let's make it happen.

15 I would like to see us talk a little less, do
16 a little more. I'm working for you on this one. So I
17 hope I don't let you down, try to get everybody on the
18 same page. Thank you for your good work.

19 ACTING CHAIRMAN BUERKLE: Thank you,
20 Commissioner Baiocco. Commissioner Feldman.

21 COMMISSIONER FELDMAN: Thank you and good
22 morning. I want to begin by thanking the Acting

1 Chairman for scheduling the hearing to examine the
2 Commission's product safety information database,
3 SaferProducts.gov. Today actually marks the first
4 public hearing the commission has held since I joined.
5 So thank you for that. I think the work of the agency
6 and our safety mission is too important for us to
7 become a do-nothing agency. So I welcome you here
8 today and hearing your comments on how we can improve
9 generally and your thoughts on improvements to
10 SaferProducts.gov specifically.

11 We're here today to examine one of the key
12 marketplace surveillance tools that the agency uses to
13 hear directly from consumers, service providers, health
14 care professionals, government officials, public safety
15 entities about potentially harmful consumer products.
16 As a threshold matter, as we've discussed today, the
17 database is only as useful as consumers who know about
18 it. In examining consumers' awareness of
19 SaferProducts.gov, the Government Accountability Office
20 found back in 2013 that none of the participants in the
21 GAO-convened consumer focus group had heard of the
22 website and few had actually heard of CPSC itself.

1 So I echo Ms. Weintraub's concerns that CPSC
2 has not fully implemented GAO's recommendations here,
3 including its recommendation that we improve the
4 usefulness and awareness of the website. GAO
5 recommended that CPSC implement cost-effective
6 usability improvements, taking into account the results
7 of existing testing. And while the agency has taken
8 some steps to address that recommendation, it remains
9 open and clearly there's more work to be done.

10 Madam Chair, with your permission, I would
11 like to ask unanimous consent that that GAO study be
12 entered into the record.

13 ACTING CHAIRMAN BUERKLE: Without objection.

14 COMMISSIONER FELDMAN: It's important that
15 CPSC comply with the statutory directive underpinning
16 the database. Section 212 of CPSIA directs the agency
17 to establish and maintain the database. And the
18 section includes specific direction with respect to how
19 information is submitted and verified, how the database
20 is to be organized and for the correction of inaccurate
21 information, among other things.

22 I am also mindful of the general duties that

1 apply to the agency's information security management,
2 including those arising under FIMSA. The most recent
3 report on CPSIA activity for fiscal 2018, our inspector
4 general contracted with a management consulting firm to
5 perform a review of CPSC's compliance with FISMA
6 reporting requirements for that fiscal year. His
7 review found that CPSC was not compliant with all of
8 FISMA's requirements and that the agency's
9 noncompliance has "a direct impact on the
10 confidentiality, integrity and availability of
11 SaferProducts.gov."

12 So again, while the agency is making progress
13 in implementing these requirements, the IG found 17
14 findings of noncompliance supporting 52 recommendations
15 to improve the agency's information security posture,
16 all of which remain open.

17 So I would also like to ask unanimous consent
18 that that 2018 report be included in the record.

19 I am also aware that eight separate IG
20 recommendations from a 2012 report remain open with
21 respect to SaferProducts.gov. I would like to ask
22 unanimous consent that that 2012 report be included in

1 the record.

2 This is a high-dollar and high-visibility
3 program that's specifically called out in statute.
4 And, simply put, we must do better. As we work to
5 improve SaferProducts.gov, it's incumbent on us that we
6 do so with an eye towards the agency's overall IT
7 architecture, our security and our technical competency
8 at the agency. So it is my hope that we are going to
9 work to close out these recommendations and raise
10 awareness of the website to improve its usability.

11 I have no further questions, but I would yield
12 back the balance of my time. Thank you.

13 ACTING CHAIRMAN BUERKLE: Thank you very much.

14 I will continue my line of questioning and I
15 will go to Mr. Wallace to give you the opportunity to
16 talk about e-commerce.

17 MR. WALLACE: Great. Thank you for the
18 question and it's a great question and I appreciate the
19 chance to address it.

20 For your first question, this is just my
21 opinion but I would be -- e-commerce certainly has
22 grown dramatically since 2011. It was still pretty big

1 in 2011. And so I would be doubtful that an increase
2 in e-commerce would account for a decrease in reports
3 to SaferProducts.gov. Just my opinion, though.

4 In terms of how to improve the number of
5 reports, I think that, as my colleagues and as I
6 mentioned in my testimony, there is a real opportunity
7 here. There is a real opportunity for partnership
8 coming at it from multiple directions. I think that
9 there is an opportunity for partnership when it comes
10 to simple consumer awareness of SaferProducts.gov,
11 links to SaferProducts.gov. But I think there may also
12 be, and I know this would be a, you know, somewhat more
13 difficult but I think still imminently doable, I think
14 that when you look to large e-commerce companies and
15 the reviews that they receive, certainly everyone wants
16 to foster their own website and their own community.
17 But at the same time, when it comes to safety, everyone
18 should be able to agree that those should be shared
19 with the CPSC.

20 So if major e-commerce companies could set up
21 some sort of system to get you comments from consumers
22 or reviews from consumers that clearly identify a

1 product safety issue, that would be huge. I know that
2 that's something we at Consumer Reports have been doing
3 with the CPSC for a little while. And I think there's
4 a lot of potential to improve sharing on that side of
5 things.

6 ACTING CHAIRMAN BUERKLE: Thank you very much.

7 I wanted to just -- because, Ms. Cowles, in
8 your testimony, you talked about open, transparent and
9 the way forward. I know, Ms. Weintraub, you did as
10 well, just in terms of how we go from here. And I
11 would like to ask all three of you, how would you
12 suggest that the agency go forward in this analysis
13 with improvements? How do we keep it open and
14 transparent? How do we keep it balanced and address
15 the concerns you raised in your testimony? What would
16 you like? How would you like to go from here?

17 MS. WEINTRAUB: Well, one thing I want to say,
18 which I think is only a partial answer to your
19 question, is that some of the work the agency has done
20 and some of the findings, I had a hard time finding. I
21 couldn't find on the CPSC's website the communication
22 and the changes that the agency has made in response to

1 the GAO. I was only able to find that when I clicked
2 through the GAO report and saw that the agency had made
3 some changes and there was a correspondence in 2018.
4 But I couldn't actually find that correspondence.

5 So I think even the work that the agency is
6 doing now in response but not completed yet, but in
7 response to the GAO, that should be easily available.
8 And I wasn't able to find anything on the commission's
9 website about that.

10 So I think, in general, and to answer the
11 question about what would be in an annual report, I
12 think generally what type of information does the CPSC
13 have now? What is viewership like? Is that
14 increasing, is that decreasing? Is it consistent with
15 the number of reports, is it inconsistent with the
16 number of reports? What really is the reason that
17 there's a huge discrepancy between the number of
18 reports filed and the number of reports published? Is
19 it hard for consumers to complete it, as Nancy said,
20 because if there's a mistake they then need to mail it
21 in? Are some of the questions hard for consumers to
22 understand? Is the process so long that consumers

1 don't ultimately complete the process?

2 I feel like there is a lot of information that
3 the agency has that we don't know that would be
4 incredibly useful to know about the user experience.
5 And I think that's something that, with e-commerce,
6 consumers have vastly more experience with e-commerce
7 platforms and online interactions in general. So I
8 think information like that, that -- so we can conduct
9 our analyses looking at the database itself. But sort
10 of what goes on behind the curtain is information that
11 we don't have that I think is very useful. It could be
12 useful in us thinking about and making more
13 recommendations and other academics who work in this
14 field. But also, I think it would be useful to see
15 what other information exists so we have a sense of the
16 more -- more broadly of what's going on with how
17 consumers and others who are approved reporters for
18 this system, how they have interacted with the
19 database.

20 ACTING CHAIRMAN BUERKLE: Thank you very much.
21 My time has expired.

22 Commissioner Adler.

1 COMMISSIONER ADLER: Thank you very much. And
2 I did want to make one quick observation. I believe
3 that our database is more constrained in terms of
4 what's permitted and what must be filed than any other
5 database. And I keep coming back to the fact that the
6 database should not be considered a court of law. And
7 that was one of the big objections that was raised
8 during the debate, is that the opponents of the
9 database seemed to think unless it would be admissible
10 in a court of law, it shouldn't be permitted to be
11 filed in the database, which then means people turn to
12 Yelp and other much less formal structures for
13 complaints and we don't get the kind of information
14 that we need and we don't share it with the public.

15 Mr. Wallace, when I was looking through the
16 report that the consumer groups did about five years
17 ago, and I hope I have this statistic right or I hope
18 -- I'd love to hear that it's wrong. But comparing
19 CPSC to the Consumer Financial Protection Bureau, am I
20 right in saying that they got something like 600,000
21 complaints in roughly the same time frame where we got
22 29,000? Am I correct in stating that?

1 MR. WALLACE: My understanding is that that's
2 correct. We are, you know, we at CR are standing on
3 the shoulders of giants when it comes to CFA's analysis
4 that was done here.

5 COMMISSIONER ADLER: I'm sorry.

6 MR. WALLACE: Yeah, but that would be my
7 understanding.

8 COMMISSIONER ADLER: Okay.

9 MS. WEINTRAUB: So if I could? Yeah, so in
10 that report, we looked at different agencies' databases
11 and CFPB at the time had over 600,000 reports, CPSC had
12 29,000. The Department of Transportation and Air
13 Travel consumer reports, we couldn't get that number.
14 But the Consumer Sentinel at the FTC, which is a long-
15 established network, had over 12 million. And NHTSA
16 SaferCar had over a million.

17 So other databases, newer databases, have
18 vastly larger numbers of reports and there's a number
19 of reasons. For CFPB, they did an extensive amount of
20 marketing. They had a budget. They put it out there.
21 You would see -- you would see information about it.
22 They did periodic reports of what the database found,

1 looking at different trends, highlighting prominent
2 areas.

3 And also, of course, there's the issue of the
4 impact of financial harm versus consumer harm, and
5 people have different perceptions about that for sure.
6 But I think the CFPB, what they did then when the
7 database went live, was really interesting and really
8 impressive to look at how much effort they put into
9 making their database a household name.

10 COMMISSIONER ADLER: I'm struck by, and again
11 I think this is correct, comparing us to NHTSA, to me,
12 is actually a good comparison because we're both safety
13 agencies dealing with products. NHTSA's database
14 requirements are much, much less formal than our
15 database is. And so, as I understand it, during the
16 government shutdown, NHTSA's database continued to
17 publish reports. They have an automatic stripping of
18 personally identifiable information. And otherwise,
19 what people complain about goes up on their database
20 and, unfortunately, by show of contrast, even though we
21 did yeoman's work, our database was not operating.

22 So one of the questions I think I would have

1 is, have you studied what you call the abandonment
2 rate? As I understand it, for each additional question
3 that you ask people to fill out, you get a huge number
4 of people say, not worth it, I'm not going to do it.
5 Would it make sense to make our database somewhat less
6 complex and make it simpler for consumers to be able to
7 file complaints? And I ask that generally.

8 MS. WEINTRAUB: I would say, yes. We don't
9 have information about the abandonment rate; you do.
10 So I think looking at that information, publicizing it,
11 figuring out as much information as you can about it.
12 But yes, I would say, if we're not looking at changing
13 the statute right now but looking at what can be done
14 within the statute and trying to decrease barriers to
15 completion, absolutely.

16 COMMISSIONER ADLER: Just one quick comment, I
17 think the idea of giving reasons for why we don't
18 publish reports is a superb idea. Because I ask that
19 when I talk to staff and my understanding is a lot of
20 the information that we get is information that, under
21 current database rules, we could never publish. So
22 we're always going to have a huge chunk of information

1 that's not published which is what casus me concerns.
2 And I see I am running out of time, so I will hold off
3 further questions.

4 ACTING CHAIRMAN BUERKLE: Thank you.
5 Commissioner Baiocco.

6 COMMISSIONER BAIOTTO: So, Commissioner Adler,
7 as always, you raise a very interesting point about
8 different people have different views on does it have
9 to be admissible in a court of law. I do think it
10 needs to be credible. But I think what you made me
11 consider is, maybe we're getting really bogged down in
12 a lot of the details. And there are ways to -- we have
13 consumer products -- right, SaferProducts.gov, and it
14 has a particular statutory directive and we should be
15 functioning, following that directive and making it
16 user friendly, marketing it, getting it out there.
17 Those are things we can do.

18 There are other ways to get information and
19 reports out there. It doesn't have to fall under that
20 umbrella. So I think we ought to be looking at we have
21 this statutory charge. How do we make that as
22 effective and user friendly and well known as possible,

1 number one? Then we can talk about taking a deeper
2 dive into some of the things you've raised. Number
3 two, what else can we do?

4 So, Mr. Wallace, I love your ideas on the e-
5 commerce thing. But they're separate, right? And I
6 have also ideas on we don't need to use
7 SaferProducts.gov to come up with, you know, ways we
8 can work together with the industry or e-commerce.

9 One of the things that I have in my mind that
10 I would like to see the agency do is get ahead of the
11 curve on hazard identification. And this is -- I'm
12 speaking off the cuff, so consider that. But having
13 been a litigator for 20 years, how we did discovery.
14 You have key buzzwords. If fire or shock or -- why
15 don't we have a system that we share? It doesn't have
16 to be -- I don't mean a physical system, but why aren't
17 we all using the same key buzzwords to identify a
18 particular hazard and then be able to say, hey, we're
19 seeing this, are you seeing this, and start
20 investigating a little bit earlier, rather than being
21 reactive?

22 There are lots of different ways that we can

1 achieve the same result, which is finding the hazard,
2 communicating it, hearing from the consumers and
3 capitalizing on that information. So I do hear what
4 you're all saying. I don't want -- I think sometimes
5 we get stuck in our own mud because we're trying to fit
6 everything into the same place and we get to arguing
7 about things that, we're not even there yet because
8 nobody knows the SaferProducts.gov exists. So I think
9 we need to start small, work big. But it can be done.

10 Some of it is financially intensive, some of
11 it is not. It does not cost anything these days to
12 tweet out something and say, hey, SaferProducts.gov or,
13 you know, whatever the particular link or promotion is.

14 So I do thank you again. And let's keep the
15 dialogue open. Keep pushing us. It needs to be fixed.

16 ACTING CHAIRMAN BUERKLE: Thank you.

17 Commissioner Feldman.

18 COMMISSIONER FELDMAN: Thank you. I come to
19 this agency with some background and familiarity with
20 consumer reviews. The Senate Commerce Committee, for
21 instance, I worked on legislation, the Consumer Review
22 Fairness Act that preserves the ability of consumers to

1 post honest but negative and critical reviews about
2 products and services without fear of retribution or
3 liquidated damages and the kinds of things that you
4 actually saw in the marketplace being leveled to stifle
5 those kinds of critical reviews.

6 Listening to the discussion today, I am
7 wondering, and my question for the panel writ large is,
8 how familiar are you with syndicated product review
9 services? And is it your view whether that's something
10 that makes sense to explore integration with the larger
11 consumer products -- SaferProducts.gov website? Nancy?

12 MS. COWLES: Yeah, I'm not really familiar
13 with them. And I would say, you know, one of the
14 benefits, and to go back to Commissioner Baiocco's
15 point, too, is not just to get safety information into
16 CPSC where you can take action, but because of 6(b) and
17 because you currently have a wealth of product safety
18 information, hazard information that consumers have no
19 way to access unless you get to the point of a recall
20 and that rarely happens. So we're not -- we want you
21 to have all the information. The hazard analysis, I
22 think, is a great idea. The work at Virginia Tech, I

1 think, has kind of modeled how that can be done.

2 But SaferProducts is also to get information
3 outside of 6(b) and to consumers. So if there's a
4 different way to do it that meets the guidelines of
5 SaferProducts or, and I think your point is well taken,
6 there's nothing to stop CPSC from doing other types of
7 databases that consumers have access to that aren't
8 under the same restriction. You can just have a big
9 caveat on it of where it's from and how to take it. So
10 I think there are additional ways to get more
11 information.

12 But our particular interest is making sure
13 that it's consumer facing. You know, because whatever
14 safety information is currently at CPSC or hazard
15 identification, there's no way for us to know what
16 happens to it.

17 COMMISSIONER FELDMAN: Thank you. Rachel.

18 MS. WEINTRAUB: Yeah, so I also don't know a
19 lot about those syndicated --

20 COMMISSIONER FELDMAN: Syndicated consumer
21 review reporting services.

22 MS. WEINTRAUB: Yeah, so I don't actually know

1 a lot about them. I welcome learning more.

2 But I think what all of this really teaches us
3 is that there is a bizarre inverse reaction to more
4 opportunities for consumers to share their experience,
5 share what they like, share what they don't like about
6 products. And yet, for SaferProducts.gov, those
7 numbers are going down.

8 So I think really for the agency to get to the
9 root at why that is, why are those types of services
10 and comments -- I mean, I don't know if there are more
11 comments on certain online retailers than there used to
12 be. But it seems like, again, I said this before,
13 consumers have a familiarity, they have a comfort level
14 with reporting. And I guess also now with a lack of
15 fear of retribution for negativity, though you still
16 hear about it occasionally. But I think people are
17 comfortable sharing their points of view. And I think
18 consumers also have a sense of perspective that they
19 can get a sense of reading a review and how that would
20 impact their use of a particular product and their
21 decision to purchase.

22 So I think what all of these things show is

1 that, with consumers interacting more online, that
2 SaferProducts.gov should be seeing an increase not a
3 decrease.

4 COMMISSIONER FELDMAN: The challenge is
5 ongoing.

6 MS. WEINTRAUB: Yes.

7 COMMISSIONER FELDMAN: Thank you.
8 Mr. Wallace?

9 MR. WALLACE: I, too, am not familiar. But I
10 have some colleagues who are and I'll check on it.

11 COMMISSIONER FELDMAN: I appreciate that.
12 Thank you very much. I have no further questions.

13 ACTING CHAIRMAN BUERKLE: Thank you very much.
14 I want to follow up on my last question, just in terms
15 of how you would like to see us go forward from here,
16 what would be useful, what would maintain this open and
17 transparent? Nancy, do you have any comments to add to
18 what Rachel mentioned?

19 MS. COWLES: Yes, and I would -- again, I
20 think that the public hearing is a great place to
21 start. I think there have been a few questions that we
22 have raised in our testimony that would be helpful

1 information, as Rachel said, in order to keep it an
2 open process. So, Commissioner Adler, you mentioned
3 that a lot of the reports that aren't filed are because
4 they're missing information or they're not specific and
5 are there ways to get that information to clean those
6 up? And is there some kind of reporting on -- you
7 know, we hear from your staff and others it's 50
8 percent of the reports that come in don't get
9 published. And so that's a lot of reports and they
10 can't all be because they don't have the right
11 information.

12 I also had in my written testimony to look
13 more, you know, how you can bring those other reporters
14 in and not just consumers. And there, that's going to
15 be an additional problem, too, because oftentimes they
16 won't have that product-level description that you
17 might need so how do you follow up on that? So I think
18 to keep that information open, as Rachel said, to have
19 the usage numbers out there. So whatever information
20 you do have on consumer products, on SaferProducts.gov,
21 remember this is the one thing that 6(b) can't touch,
22 right? So whatever information you have on it, you are

1 free to share with the public. And share it and we can
2 use that to help give better advice on how to make
3 improvements.

4 Because we all -- I mean, this is what we do.
5 We're all nonprofits. I spend every day trying to
6 figure out how to reach more and more parents with our
7 safety information. And so we do have ideas on it, we
8 do have suggestions. But the more information we have,
9 the more helpful we can be.

10 ACTING CHAIRMAN BUERKLE: Mr. Wallace.

11 MR. WALLACE: Thanks for the question. So, as
12 long as all of us, the commission, all stakeholders
13 can, you know, firmly agree on some principles for the
14 database and on its fundamental usefulness to
15 consumers, and can agree that we want to make it easier
16 to use, we want to make it more widely used, we want to
17 make it better, as long as we start from that place, I
18 think that it would be really useful for the CPSC to
19 put out a proposal for improving, put out a proposal
20 for improving it, put out a plan. And, you know,
21 everyone can weigh in in a notice and comment type
22 process with their views. And I think that taking that

1 step, exercising that leadership, is going to be
2 critical.

3 ACTING CHAIRMAN BUERKLE: To that point and to
4 all three of you, so if something were put out, is it
5 better to do it incrementally and say, okay, we're
6 doing to deal with this question right now, you know,
7 why is usership going down or why aren't more consumers
8 turning to use of the database? Do you see it would be
9 better, more beneficial to do it more incrementally or
10 just put together a plan, a total plan?

11 You know, you mentioned -- and I guess one of
12 my questions to all of you would be, because you've
13 raised some good points, some helpful information that
14 would help your inquiry and help your getting that
15 information, is that something that would be useful
16 before we even go forward, you know, in answering some
17 of those questions?

18 MR. WALLACE: It seems to me like it would be
19 very useful to have an overarching strategy and then
20 some short, medium and long-term activities and
21 objectives.

22 MS. WEINTRAUB: I would agree. My concern

1 that sometimes one thing is done and then people could
2 argue it's solved. And I think in this case, you know,
3 an incremental approach, I think it would make sense to
4 have a larger sense of issues to be addressed and do
5 them as what makes sense. But I think just doing --
6 putting everything out incrementally could stifle the
7 broader goals and once that task is completed, I'd want
8 to make sure that the momentum would continue.

9 So I think there is wisdom to having a larger
10 -- a larger plan but acknowledging that things could be
11 achieved at different periods of time.

12 ACTING CHAIRMAN BUERKLE: Thank you. Nancy.

13 MS. COWLES: Yeah, I would agree with that.

14 As to your question about the information, I think that
15 figuring out the answers to some of the questions we've
16 raised here is part of putting together that plan.
17 Because, you know, so why the 50 percent have not been
18 posted? Why is there the lag that we noticed when
19 there is a very quick law of how quickly that needs to
20 be posted? And yet we see -- we see reports. And it
21 could be you're getting more information. There could
22 be logical information -- you know, reasons for all of

1 it. But there's in the law how many days it should
2 take and very few meet that.

3 So I think those are questions that would be
4 helpful to maybe see where some of the problems would
5 be with what the process currently is. And then, you
6 know, it's a big task, right? It involves all of your
7 departments, you know, from communications to figure
8 out how to market it, to compliance and the people
9 actually running the database. So I think it will take
10 a while. But I think getting something, getting input
11 on things, is a good thing, good way to go.

12 ACTING CHAIRMAN BUERKLE: Thank you very much.
13 Commissioner Adler.

14 COMMISSIONER ADLER: thank you very much. And
15 I keep thinking of this line that I've heard before.
16 And that is, safety information release delayed is
17 often safety information denied. And people then
18 suffer harm because they didn't have the information
19 for them.

20 And so the point you're making, and all of you
21 were making this, about the lag in releasing
22 information is something that puzzles me. And in all

1 honesty, I haven't had a chance to sit down and talk
2 with staff and ask them what's going on. But I did re-
3 read the comments to our interpretive rule. And I do
4 remember that several manufacturers said the time
5 frames are too strict, can't you come up with a relaxed
6 approach to time frames? And boy, did we shoot that
7 down. And I was reading, "We are bound by the time
8 frames set forth in Section 6(a)(C)(3)(a) of the CPSC
9 and do not have the authority to establish a different
10 time frame. Under Section 6(a) of the CPSIA, once we
11 transmit a report of harm to a manufacturer or private
12 labeler, we must publish the report of harm no later
13 than the tenth business day after transmission, unless
14 a determination of material inaccuracy has been made."

15 Now, there may be some perfectly reasonable
16 and human reasons why we are not meeting that. But I
17 do promise you that, after this meeting, I am going to
18 sit down with staff and talk over what the issues are
19 about getting information out. Because the clock
20 doesn't start once we receive a report, the clock
21 starts once we've determined that it's an adequate
22 report and then we forward it to the manufacturer. So

1 that is a point of concern.

2 Another point you make in picking up on what
3 the Chairman was saying about do we adopt an
4 incremental approach or do we adopt a cosmic approach?
5 And I, as usual, don't know that they're mutually
6 exclusive. But one of the things that I do when I read
7 testimony from you is I try to see what life is like
8 from your perspective.

9 So I went back to our homepage and I said,
10 now, where am I going to find a link to reading reports
11 in SaferProducts.gov? And there is no link. There is,
12 I think, a fairly prominent link to filing a complaint.
13 But if you don't want to necessarily file a complaint
14 and you just want to read it the way you'd read an
15 issue of Consumer Reports, I couldn't find it. Now, I
16 may be missing that. But I do think, if it's there,
17 it's not prominent enough and that would be something
18 that would be a very small step that might produce some
19 big results.

20 So at this point, Mr. Wallace, I am about to
21 demonstrate my complete ignorance of some of the
22 terminology that you were using. So if I might, one of

1 the things that you said, on page 3 you said that the
2 commission ought to introduce automated texting or chat
3 window capabilities to enable filing of complaints.
4 Could you expand on that a little bit and explain to
5 those of us who are not quite so conversant with
6 technology terms exactly what you mean? And is this
7 something that Consumer Reports does itself or is this
8 something that you know other agencies do?

9 MR. WALLACE: So it's not something that CR
10 does. But we -- what the idea is, is that -- you know,
11 as established by statute, there is -- there are the
12 different pieces of information that a submitter must
13 -- that a user of the site must submit in order for the
14 report to be accepted and get through. And, you know,
15 they are pretty clearly laid out. It is a pretty
16 linear process.

17 And so what we're envisioning is that, you
18 know, instead of or in addition to a multistep form
19 that consumers need to go through where, again, you
20 risk abandonment, perhaps consumers who are more
21 familiar with texting or more familiar with, you know,
22 immediate messaging online --

1 COMMISSIONER ADLER: Unlike me.

2 MR. WALLACE: -- maybe that would be a format
3 that, although it collects the same information, may be
4 more convenient for them.

5 COMMISSIONER ADLER: Thank you. I appreciate
6 that.

7 Ms. Weintraub, one of the questions that we
8 asked our -- or anybody -- in our Federal Register
9 notice seeking feedback was this option of a precheck
10 box where permission to publish the report of harm is
11 granted automatically by the submitter unless he or she
12 opts out of publication. I don't know how many of you
13 read this delightful book called Nudge by Thaler and
14 Sunstein, in which they say let's apply some of the
15 research from social science to make life better for
16 people in a noncoercive but in a gently pushing way.

17 This seems to me to be one of those instances
18 where that kind of an approach might work. And so I'm
19 wondering, can you think of a single reason why we
20 should not do that? Maybe that's not the right way to
21 ask that question.

22 MS. WEINTRAUB: I would agree. I mean, I just

1 think you need to be clear about what that means and so
2 the consumer knows what they're agreeing to. Which I
3 don't think that would be difficult in this context.
4 But it's about transparency and opting in in an
5 informed way.

6 COMMISSIONER ADLER: Yeah, because opt in/opt
7 out can be abused. And so if we were to do that, we
8 would certainly want to do it in a nonabusive manner.
9 My time is up.

10 ACTING CHAIRMAN BUERKLE: Thank you very much.
11 Commissioner Baiocco.

12 COMMISSIONER BAIOTTO: Thank you. I would
13 like to just put a finer point on two very good points
14 that both Commissioners Buerkle and Adler raise. And
15 that is, you know, you have to have plans, you have to
16 have a proposal. And I think that's important.

17 However, I do worry and I have experience
18 since I've been here that plans and proposals often get
19 in the way of getting anything accomplished. So when
20 Commissioner Adler says he wanted to look at our own
21 website, he couldn't find a link, I don't think anybody
22 would oppose or object to us not having a plan for

1 making the link easier to find. So I think that's
2 important and to make those distinctions.

3 I do agree with what Ann Marie said about
4 having incremental steps because they're easy to
5 control and you can move the thing forward. If we get
6 bogged down in a plan that we're waiting and then we
7 have to vote on and then we take comments, again, we're
8 going to find ourselves exactly where we are right now
9 and I would hate to see that happen.

10 So I do support having a plan. There's a lot
11 of issues you've all raised today, a lot of issues to
12 address. But let's do what we can do fast and
13 effectively. That's simple as making the link easily
14 found if somebody wants to get to it. And moving that
15 kind of stuff forward, that's -- as I was listening to
16 them and their good points, I thought I wanted to call
17 attention to.

18 ACTING CHAIRMAN BUERKLE: Thank you very much.
19 Commissioner Feldman.

20 COMMISSIONER FELDMAN: Thank you. I have no
21 further questions. I yield back the balance of my
22 time.

1 ACTING CHAIRMAN BUERKLE: Thank you very much.
2 And I'm going to begin my last round of questioning.
3 Okay.

4 I wanted to just follow up on Commissioner
5 Adler's point, Mr. Wallace, and I apologize getting
6 your name wrong. We do know it's Consumer Reports.

7 Because he mentioned whether or not you used
8 the technology, texting and conversation technology.
9 You also raised in your comments AI. Do you use AI at
10 Consumer Reports?

11 MR. WALLACE: We're working on it. It's
12 something we have been investigating. But it is not
13 something that we have rolled out.

14 ACTING CHAIRMAN BUERKLE: Thank you.
15 Ms. Weintraub, in your comments, and I thought this was
16 interesting, and I want to ask the reasoning behind it,
17 because you mentioned manufacturers' comments and
18 including those. And I would like to know how you
19 think and why you think that that would enhance the
20 consumer's experience and enhance safety?

21 MS. WEINTRAUB: Well, so when the database was
22 debated, when it was merely an idea, there was a lot of

1 concern about a manufacturer's ability to respond. So
2 ultimately, obviously, like everything in life, this
3 was a compromise. Considering all the issues and
4 overwhelmingly it being outside of 6(b) was the only
5 way it could work and then there were other factors.

6 So I think manufacturers' comments can be very
7 helpful. They also can be somewhat limiting for
8 consumers. So, as Nancy mentioned, some of them seemed
9 to say, report to us, don't report here. I think
10 different manufacturers have different strategies in
11 terms of how they choose to respond. Some are very
12 specific comments, some are very general saying, thank
13 you, we're concerned about every report of harm, we are
14 looking into this. And some are very specific about
15 the particular use and whether they can or can't tell
16 whether, you know, from the incident what it means
17 about their product generally.

18 So I think it's important because I think
19 every touchpoint between a consumer and a manufacturer,
20 even through this sort of CPSC portal, is very
21 important. We know from before the database was
22 created that consumers would report incidents and

1 sometimes they were -- they were told their incident
2 was the only incident that the manufacturer knew about.
3 And that's incredibly isolating for a consumer. And
4 especially later, when we found out that actually they
5 knew of hundreds of incidents.

6 So I think that this type of information is
7 incredibly important. I think it tells a lot about how
8 the manufacturer approaches their relationship with the
9 consumers who purchase their products. And I think
10 ultimately it's a -- it could be a very informative and
11 helpful interaction between the consumer and the
12 manufacturer but sometimes it isn't.

13 At the time, we thought it was important to
14 note because it was an important issue of debate and we
15 wanted to see how it played out, how manufacturers used
16 it, what consumer responses were.

17 ACTING CHAIRMAN BUERKLE: Thank you very much.
18 That ends my questions. Commissioner Adler.

19 COMMISSIONER ADLER: Thank you very much,
20 Madam Chair. And I did want to underscore a point that
21 Commissioner Baiocco made about planning because I
22 think it's spot on. And I'm reminded of that great

1 philosopher, Mike Tyson, who once said, everybody has a
2 plan until I punch them in the mouth. So --

3 COMMISSIONER BAIOTTO: Should I protect
4 myself?

5 (Laughter.)

6 COMMISSIONER ADLER: No, no. There's many a
7 slip 'twixt the cup and the lip when it comes to
8 planning.

9 But actually, I just had just one final
10 question. Because in the very large amount and
11 terrific amount of suggestions you've made, I'm
12 wondering if you could give us your one, two or three
13 top priorities for action that the commission ought to
14 take? And that would be my final question.

15 And again, I thank you all so much for superb
16 performance in testimony.

17 MS. COWLES: Well, again, thank you guys for
18 having us here and doing that.

19 I think in terms of priorities, you know, it
20 is the -- the general priority is to get the database
21 used, both for reporting and for reviewing. And
22 anything that contributes to that would be a priority.

1 I think, secondly, it would be to make the
2 process as quick and easy as possible for consumers.
3 But also to make sure that we answer some of these
4 questions we've raised about why recalls aren't
5 included, why, you know, some things aren't getting
6 posted. So certain more of the behind-the-scene
7 things.

8 MS. WEINTRAUB: I would say number one
9 priority, increase use. Number two -- and all of them
10 are related to number one -- why? CPSC, looking at the
11 information you have, releasing it publicly and
12 publicizing it. And, three, what else can the agency
13 do built on that analysis, built on the information you
14 have? Whether you need more, get more, but take
15 action. And concrete steps, from the low-hanging fruit
16 to putting SaferProducts.gov on the website
17 immediately, to things that could be more complicated.

18 MR. WALLACE: What I'd say is first to raise
19 awareness. Specifically, you know, my recommendation
20 would be, you know, identify a targeted group of
21 consumers that would be most likely to use the website
22 and make sure that they're aware of it. The second,

1 certainly there is broader marketing to be done than
2 has been done, including in partnership as we
3 suggested. But I think that getting the word out, you
4 know, getting the word out in a strategic manner is
5 critical. When it comes to usability, I agree with
6 Commissioner Baiocco and other commissioners who have
7 said that there are certain usability improvements that
8 seem like no briners. That doesn't mean they don't
9 cost money or they don't take time. But I think
10 identifying those and getting those done is critical,
11 too. And then finally if, if in any way the statute
12 isn't being complied with, comply with the statute.

13 ACTING CHAIRMAN BUERKLE: Thank you,
14 Commissioner Adler. Commissioner Baiocco?

15 COMMISSIONER BAIOTTO: No, thank you.

16 ACTING CHAIRMAN BUERKLE: Commissioner
17 Feldman.

18 COMMISSIONER FELDMAN: No questions. Thank
19 you.

20 ACTING CHAIRMAN BUERKLE: Thank you.

21 Hearing no further questions, I know I speak
22 for all of us up here at the dais when we extend to you

1 really our appreciation for you coming in and, as
2 Commissioner Adler mentioned, really providing us with
3 some useful, helpful, practical information. And we
4 really do appreciate your time here this morning.

5 As a reminder, I do want to mention again that
6 the time for comment on the RFI that is out there for
7 SaferProducts.gov is April 3, 2019. And I would
8 encourage any of our stakeholders to please comment and
9 offer your suggestions on how we could make
10 SaferProducts more consumer friendly and more useful.

11 I also want to acknowledge for the record that
12 we did receive additional written comments for today's
13 hearing from Public Citizen and they -- I just want to
14 acknowledge their testimony has been received and it
15 will be entered into our record.

16 And finally, as always, I want to thank our
17 executive director and her staff, the Office of the
18 Secretary, Office of Facilities, general counsel and
19 Rock Grant from communications for their work. It's
20 always a team effort to make these hearings, these
21 public hearings happen and to run smoothly.

22 And, Nancy, I want to apologize for your

1 microphone not functioning. But thanks to Rock for
2 getting it back up and running.

3 Again, thank you to our panelists for being
4 here for your testimony today and for everyone here who
5 is in attendance or watching online this morning. I
6 think we have heard some very valuable information and
7 testimony to the agency. We look forward to going
8 forth from here and incorporating some of that into a
9 plan that will address some of these concerns and these
10 issues.

11 Thank you all very much. And that concludes
12 the Consumer Product Safety Commission meeting.

13 (Whereupon, the hearing was adjourned at 11:35
14 a.m.)

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