

MEETING LOG

SUBJECT: Remand from the DC Circuit in *Window Covering Manufacturers Association v. CPSC* (No. 22-1300)

DATE OF MEETING: October 24, 2023

LOG ENTRY SOURCE: Austin Schlick

LOCATION: Virtual

LOG FILING ENTRY DATE:

CPSC ATTENDEES: Austin Schlick, General Counsel; Mark Kumagai, Assistant Executive Director for Engineering Sciences; Jose Tejada, Supervisory Economist; Rana Balci-Sinha, Director, Division of Human Factors; Sarah Bock, Paralegal Specialist

NON-CPSC ATTENDEES: Courtery Griffin (Consumer Federation of America), Nancy Cowles (Kids In Danger), Trista Hamsmith (Reese's Purpose), Linda Kaiser (Parents for Window Blind Safety)

SUMMARY OF MEETING: The safety advocate attendees expressed disappointment with the recent ruling of the U.S. Court of Appeals for the District of Columbia Circuit. In response to Ms. Kaiser's request for an assessment of the decision, Mr. Schlick stated his view that the current ruling does not prevent CPSC from promulgating a robust safety standard. Ms. Kaiser requested that CPSC not lose sight of the fact that the strangulation hazard that was initially the reason for promulgating a safety standard—arising from looped operating cords—has not been removed by a voluntary standard for custom window coverings. The advocates expressed frustration that industry has not provided better market data for custom products. Ms. Kaiser indicated that she is not seeing a significant change toward standard-complaint stock window coverings, and that non-compliance in online sales is a particular concern.