



U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

**STATEMENT OF COMMISSIONER ROBERT S. ADLER
REGARDING THE
ADVANCE NOTICE OF PROPOSED RULEMAKING (ANPR)
FOR TABLE SAWS**

October 5, 2011

Today, I joined my fellow Commissioners in unanimously approving the Commission staff's recommendation to publish an Advance Notice of Proposed Rulemaking (ANPR) for table saws. This is the first step on the road to a possible mandatory performance standard. I did so with a sense that we have reached a critical point with this issue.

Shortly after I joined the Commission in 2009, I saw a demonstration of a braking mechanism for table saws, called SawStop, which would stop a saw blade instantaneously upon encountering someone's finger or hand. This led me to take a look at the injury data for table saws. The injuries associated with this product are horrific – deep lacerations to the arms and hands, broken bones and, worst of all, amputations to fingers and thumbs. Injuries like these often leave victims facing long, painful recoveries as well as significant financial hardship and employment challenges. I have met a number of these individuals, and, as far as I could tell, every one of them was an experienced woodworker who made a single small misstep or had a momentary lapse in attention – with ghastly consequences. To my mind, small errors like these should not produce tragic results on such a grand scale. In the case of table saws, roughly 36,000 blade contact injuries occur annually, with about 10 percent of them resulting in amputations.¹

Since 2003, the federal government has known that SawStop's flesh-sensing technology seems to virtually eliminate the amputations and severe lacerations that result from contact with a blade saw. Over the years, no one has stepped forward to challenge the efficacy of this technology. I realize that serious policy issues remain regarding how best to address table saw injuries, but I think that if someone had evidence that this new technology didn't work, we would have heard from that person.

¹ I note that a disproportionate number of the injured appear to be Americans 65 and older – a matter of great concern to me. I welcome any comments on specific steps that the agency might take to address safety issues with table saws for this increasingly vulnerable group of consumers.

I am also aware there are other competing technologies to SawStop that have yet to be brought to market. I know, for example, that the Power Tool Institute has developed flesh-sensing technology. Further, I have met with a gentleman named Dave Butler whose company, Whirlwind Tool Company, is seeking to patent a similar technology. I hope efforts on these and other fronts will continue. Although I find myself extremely impressed by the SawStop technology, I am not in favor of writing a standard that would result in mandating a patented technology if such a result is avoidable.

On this point, I note that when CPSC writes product safety standards, we do not mandate a particular technology. We write performance standards and leave it to manufacturers to decide how to meet them. Of course, simply writing a performance standard doesn't automatically guarantee that other technologies will find their way to the market, but I remain hopeful that they will.

My personal preference is that the table saw industry finds a way to adopt a voluntary standard that would substantially reduce or eliminate these 36,000 annual injuries. Flesh-sensing technology is definitely one solution that they should consider. Whether there are other approaches that are equally effective, I leave to them at the moment.

Our job is to work on behalf of consumers, keeping in mind that the cost of the safety must be reasonable. In making this point, I note that CPSC staff estimates the annual cost of table saw injuries in the billions of dollars. I also note the serious concerns in the industry about new technology adding considerably to the price of this product. This, of course, explains why the Commission wants to publish an ANPR: we need to gather more data on costs and benefits.

Our comment period closes in 60 days. I cannot stress how important it is for all interested parties to weigh in on the ANPR. Comments from the public inform and enlighten us as to whether moving forward with this mandatory rulemaking is necessary and, if so, exactly what direction it should take.

I know the Commission stands ready to work collaboratively with all parties on important safety improvements. Now that we have reached this critical moment it is in the interests of all stakeholders, especially consumers, that the table saw industry, including Mr. Gass and other inventors, and the Commission continue to work together to improve table saw safety.