

**UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION**

In the Matter of Amazon.com, Inc.,

Respondent.

CPSC Docket No. 21-2

Hon. Carol Fox Foelak
Presiding Officer

**DECLARATION OF LAUREN ANN SHREM
IN SUPPORT OF AMAZON’S MOTION FOR SUMMARY DECISION**

I, Lauren Ann Shrem, declare as follows:

1. I am over 18 years of age and am competent to make this declaration.
2. I have personal knowledge of all facts stated in this declaration.
3. I am currently Head of Product, Food Safety & Compliance at Amazon.com, Inc. (“Amazon”). I have served in this role since April 2022. I was previously Senior Manager, Product Safety & Compliance at Amazon. I am also an attorney and a member in good standing of the bar in the State of New York.
4. In my role at Amazon, I oversee the company’s activities to advance and promote product safety for all products on Amazon.com, including, but not limited to, (1) products sold by third-party sellers on Amazon.com who use “Fulfilled By Amazon” (“FBA”) logistical services for fulfillment of orders and (2) products sold by third-party sellers on Amazon.com who utilize the “Merchant Fulfilled Network,” to fulfill orders through non-Amazon third-party logistics providers.
5. As used in this Declaration, “Subject Products” refers to the children’s sleepwear garments, carbon monoxide detectors, and hair dryers identified by Amazon Standard Identification Number (“ASIN”) in Paragraphs 21, 30, and 39 of the Complaint, except for

approximately 32 units sold through the Amazon Warehouse program (consisting of approximately 28 carbon monoxide (“CO”) detectors and approximately 4 hair dryers).

6. As used in this declaration, “Third-Party Sellers” refers to the sellers of the Subject Products.

7. Amazon removed the Subject Products from Amazon.com after the staff at the U.S. Consumer Product Safety Commission (“CPSC”) contacted Amazon regarding potential product safety or noncompliance issues with the Subject Products.

8. Amazon removed from Amazon.com the children’s sleepwear products identified in the Complaint on or about the following dates: January 29, 2020 (Taiycyxgan), February 20, 2020 (IDGIRLS), March 12, 2020 (HOYMN), and March 31, 2020 (Home Sweet).

9. Amazon removed from Amazon.com the hair dryers identified in the Complaint on or about March 3, 2021.

10. Amazon removed from Amazon.com the carbon monoxide detectors identified in the Complaint on or about August 13, 2020.

11. In addition to removing the Subject Products from Amazon.com, Amazon also removed additional products identified as being potentially similar to the Subject Products from Amazon.com.

12. None of the Subject Products listed in the Complaint are currently listed or available for purchase on Amazon.com.

13. Amazon has prohibited Third-Party Sellers from listing on Amazon.com any of the Subject Products or any additional products Amazon identified as being potentially similar to the Subject Products.

14. Amazon quarantined all inventory of the Subject Products in its fulfillment centers as well as additional products Amazon identified as being potentially similar to the Subject Products. The act of quarantining prevents products from being shipped from Amazon fulfillment centers.

15. Amazon quarantined the children's sleepwear products identified in the Complaint on or about the following dates: January 29, 2020 (Taiycyxgan), February 20, 2020 (IDGIRLS), March 12, 2020 (HOYMN), and March 31, 2020 (Home Swee).

16. Amazon quarantined the hair dryers identified in the Complaint on or about March 3, 2021.

17. Amazon quarantined the carbon monoxide detectors identified in the Complaint on or about August 13, 2020.

18. The Subject Products and any additional products Amazon identified as being potentially similar to the Subject Products in Amazon fulfillment centers have either been (a) destroyed or (b) set aside for future destruction.

19. Amazon has destroyed a total of 45,785 units of the Subject Products identified in the Complaint.

20. As of September 23, 2022, no inventory of the children's sleepwear or carbon monoxide detector Subject Products exists in Amazon's fulfillment centers.

21. As of September 23, 2022, only 6 units of the hair dryer Subject Products remain in Amazon's inventory. These units are in queue for destruction.

22. Fulfillment centers destroy products in the order that they receive requests for destruction. The destruction process can take time due to the large number of products at issue and

the high number of requests sent to fulfillment centers, including but not limited to, requests for destruction.

23. Any products that are awaiting destruction at a fulfillment center remain quarantined and are removed from Amazon.com, meaning these products cannot be sold or shipped to customers.

24. Amazon retains email address information for purchasers of products on Amazon.com. Amazon sent a direct consumer safety notification, via email, to all purchasers of the Subject Products on Amazon.com as well as additional products Amazon identified as being potentially similar to the Subject Products.

25. Amazon sent these direct consumer safety notifications to purchasers on or about January 21, 2021 (for the children's sleepwear products) and between June 11, 2021 and August 1, 2021 (for the hair dryers, carbon monoxide detectors, and additional children's sleepwear products). Amazon sent additional direct consumer safety notifications to purchasers between May 17 and 18, 2022 (for the children's sleepwear products).

26. The January 2021 direct consumer safety notifications were sent to purchasers of the children's sleepwear Subject Products and additional products Amazon identified as potentially posing the same hazard as the Subject Products. The January 2021 notifications were substantially the same. The only differences in the notifications were the order ID numbers, product name, and Third-Party Seller name.

27. The June-August 2021 and the May 2022 direct consumer safety notifications were sent to purchasers of the children's sleepwear, carbon monoxide detector, hair dryer Subject Products, and additional products Amazon identified as potentially posing the same hazard as the Subject Products. The June-August 2021 and May 2022 notifications were substantially the same.

The only differences in the notifications were the order ID numbers, product name, Third-Party Seller name, and the description of the hazard based on the product type.

28. Amazon sent notice of the refunds to the purchasers' last known email address. The direct consumer safety notifications informed purchasers that Amazon had applied a refund of the purchase price plus shipping and tax to their account. Amazon sent refunds to all valid Amazon accounts of purchasers of the Subject Products, as well as the additional products Amazon identified as being potentially similar to the Subject Products.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 23, 2022.


Lauren Ann Shrem

Lauren Ann Shrem

CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2022 a true and correct copy of the foregoing document was, pursuant to the Order Following Prehearing Conference entered by the Presiding Officer on October 19, 2021:

- filed by email to the Secretary of the U.S. Consumer Product Safety Commission, Alberta Mills, at amills@cpsc.gov, with a copy to the Presiding Officer at alj@sec.gov and to all counsel of record; and
- served to Complaint Counsel by email at jeustice@cpsc.gov, lwolf@cpsc.gov, and sanand@cpsc.gov.



Nicholas Griepsma