

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

In the Matter of

**Amazon.com, Inc.**

CPSC Docket No. 21-2

July 10, 2023

**Initial Decision and Order on Remedies**

This initial decision resolves the Consumer Product Safety Commission’s complaint against Respondent Amazon.com, Inc., and orders remedial action to protect the public from certain substantial product hazards. Complaint Counsel and Amazon previously briefed and argued two sets of significant motions. The then-presiding officer resolved the first set of motions in January 2022, and concluded, among other things, that Amazon is a distributor of the Subject Products under the Consumer Product Safety Act. Order on Mot. to Dismiss and Mot. for Summ. Dec. (Jan. 19, 2022), Dkt. 27. The parties then briefed a second set of summary decision motions related to remedies and other issues. I issued an order resolving those motions in May 2023. Order on Summ. Dec. Mots. (May 8, 2023), Dkt. 109 (May Order). This decision incorporates the findings and conclusions made in the January 2022 and May 2023 orders. 16 C.F.R. § 1025.51(b)(1).

The May Order also instructed the parties to brief the scope of various remedies including notice, refund or replacement, and monitoring. This consisted of an opening brief by Complaint Counsel on May 16, a response by Amazon on May 30, and Complaint Counsel’s reply brief on June 6. This decision makes additional findings and conclusions, clarifying the products covered, the scope of the cease distribution order, notice, logistics, refunds, replacements, and monitoring. Finally, I issue an “appropriate order” specifying the remedies granted. 16 C.F.R. § 1025.51(b)(2).

**I. The Subject Products include “child” ASINs identified by Amazon**

An important preliminary matter is to prescribe all products covered by this order. Other than the Subject Products defined by the parties’ stipulation and the Complaint, based on evidentiary record, which is complete for purposes of this proceeding, the only other products subject to this order are those that Amazon already identified as sufficiently likely to pose the same hazards, such

that it ceased their distribution and notified the purchasers. Amazon utilized an analytical process—that I credited in the May Order—to identify products of different “size,” “color,” or “style” that posed similar risks to the Subject Products and ceased their distribution. *See* May Order 30 (citing Amazon 30(b)(6) testimony); Amazon Suppl. Br. on Remedies 4 (May 30, 2023) (citing Amazon Ex. 130, at 3–4); *see also* Amazon Exs. 9, 42, 133. Amazon has since clarified that its own use of the word “style” was imprecise, as the only relevant style variation addressed was for “print pattern” of children’s sleepwear garments. Amazon’s response to Interrogatory No. 17 explains that the Amazon Standard Identification Numbers (ASINs) in the complaint for the Home Sweet, HOYMN, and Taiyexgan children’s clothing were “parent” ASINs. A “parent” ASIN is a category for organizing products and is not a purchasable product. As confirmed by Exhibit 9, no products under those ASINs were sold (marked “#N/A” on the spreadsheet). For that reason, Amazon “voluntarily identified Home Sweet and Taiyexgan child ASINs that appeared to be similar to the actual product purchased and tested by CPSC staff based on testing summary material appended to the NOV’s” and messaged customers who bought products under so-called “child” ASINs. Amazon Ex. 130, at 4.

Amazon’s process in identifying these hazards is sufficient to support ameliorative action. This clarifies the May Order that those enumerated items constitute a substantial product hazard for the same reason the related Subject Products do, as they differ only with respect to size, color, or print pattern and are products under a “parent” ASIN listed in the Complaint. Although it is possible that variances in color might affect flammability (such as by virtue of different dyes increasing or decreasing that risk), Amazon conducted a thorough analysis of risk before removing these other products, and it could be counterproductive at this point, or at least inefficient, to diminish the scope of the remedy based on such second-guessing.

Amazon argues that there is no authority to extend the scope of the order beyond the products identified in the stipulation, which in turn references the products identified in the Complaint, unless a formal determination is made that each additional product poses a substantial product hazard. Amazon Suppl. Br. 3–4. As Amazon has pointed out, however, no products under “parent” ASINs included in the Complaint were sold to the public. The “child” ASIN products are the ones that were purchased by consumers, tested by the CPSC, and are a substantial product hazard. Because the best and only evidence in the record of what the “child” products are is Amazon’s

determination, I conclude that the products listed by ASIN on pages 4 to 5 of Exhibit 130 pose a substantial product hazard.<sup>1</sup>

Because the Complaint Counsel’s briefing does not reflect that it identified and advised Amazon of any additional products that should be subject to the order—other than those that fall in the preceding categories—the scope of the ordered remedies regarding products is hereby limited to those specifically identified by ASIN in the Complaint—as stipulated by the parties—and in Amazon Exhibit 130. For the sake of simplicity, subsequent use of the phrase “Subject Products” in this order refer to the foregoing products. No other products are subject to this remedial order.

## II. Cease Distribution

Amazon was ordered to immediately cease distribution of the Subject Products and notify third parties it distributed those products for to cease distribution. See May Order 27–29, 47 ¶ 1. Complaint Counsel contends that Amazon must also “notify all persons or entities in its distribution chain to cease distribution.” Complaint Counsel Br. in Supp. of Amended Proposed Initial Order 2 (May 16, 2023) (CC Br.). Other than purchasers, who are addressed *infra*, this group also involves “the upstream third-party sellers/manufacturers whom Amazon already [voluntarily] notified about ... applicable notices of violation involving the Subject Products.” Amazon Suppl. Br. 2. Since Amazon has previously communicated with these sellers and manufacturers on a voluntary basis, it has an already established path to provide a subsequent communication to cease distribution based on the updated requirements imposed during this proceeding.

Complaint Counsel initially requested that Amazon instruct such upstream third-party sellers/manufacturers to “destroy or return to Amazon any Subject Products in their inventory,” Complaint Counsel Amended Proposed Initial Order 7 (May 16, 2023) (CC Proposed Order), and “provide [Amazon] with a certificate of destruction” for any and all inventory destroyed. *E.g., id.*, Ex. A, at 3. Complaint Counsel subsequently agreed to rescind the preceding request, conceding that “Amazon is only responsible for the quarantine and destruction of Subject Products that Amazon possessed or

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<sup>1</sup> These ASINs are: B0743BM1NV, B0743B5HBK, B0743CW54X, B0743FSD26, B0743CQKJX, B0743BWN76, B0743CTHBX, B0743D6PC8, B0743CSTQN, B0743BMFCD, B0743CT1NZ, B0743CT1P6, B0743BRLXD, B0743CWDQK, B0743BKQ8W, B07437NKWC, B0743BTSNQ, B0743CBXMJ, B0743BWBYSR, B0743D6B2T, B0743CNRTY. Amazon Ex. 130, at 4–5.

distributed.” Complaint Counsel Reply Br. 2 (Jun. 6, 2023) (CC Reply). Amazon shall not be ordered to assume responsibilities to collect, destroy, or verify product destruction as it relates to upstream third parties involved in the manufacture, distribution, or sale of the Subject Products.

### **III. Notice**

#### **A. Contents**

The parties raised two disputed issues with regard to the contents of recall notices. First, Complaint Counsel requests they include the phrase “Court-Ordered Mandatory Recall.” CC Proposed Order, Ex. B. No court is involved in this proceeding, and, furthermore, the ultimate agent of action that will endorse, modify, or reject this remedial order at the administrative level is the Commission. Thus, the notices ordered shall omit references to “court” and this administrative adjudication.

Second, Amazon contends that the children’s sleepwear notices should not mention the risk of death due to the sleepwear’s failure to comply with the federal flammability standards. Although the recent voluntary recall notices of children’s sleepwear cited by Amazon do not reference the risk of death, it is indisputable that the flammability standards for such sleepwear were adopted specifically “in response to deaths and serious injuries resulting from burns associated with clothing” and “to protect the public against unreasonable risk of the occurrence of fire leading to death [and] personal injury.” May Order 13–14 (quoting 37 Fed. Reg. 14,624, 14,624 (July 21, 1972)). Including language on the risk of death is consistent with the mandatory recall regulations’ requirement that “[t]he description must also enable ... persons to readily identify and understand the risks and potential injuries or *deaths*.” 16 C.F.R. § 1115.27(f) (emphasis added). Nor does the CPSC need to await an actual product-related death before requiring corrective action that advises the public of the risk. *See* May Order 26 & n.26. Although deaths may have diminished markedly due to the efficacy of the federal flammability standards, such success does not demonstrate that products that violate the standards pose no risk of death to children. All notices shall incorporate the “risk of death associated with the Subject Products,” as ordered. May Order 39 & 47 ¶ 2.

#### **B. Direct Notice**

The parties disagree on the number of direct email notices to purchasers: Amazon urges one round, while Complaint Counsel requests two rounds. Although Amazon contends that “two rounds of email notifications are unnecessary under the circumstances,” Amazon Suppl. Br. 6, that contention

ignores the previously addressed deficiencies in Amazon’s voluntary messages, such as the failure to include high resolution photos to ease consumer identification of the products and omission of the risk of death. May Order 31–32. In addition, the passage of time since Amazon’s initial email cuts just as much in favor of two rounds of email notices as opposed to one, since purchasers who did not read Amazon’s prior email and did not rid their homes of the product could benefit from two rounds of direct notice concerning the recall. Two rounds of direct notice for a recall are also consistent with Commission practice. *Id.* at 25, 34. Furthermore, since I declined to order a joint press release based on the availability of effective direct notice, *id.* at 37, two rounds are particularly appropriate.

### C. Amazon.com website notice

I previously ordered that the recall notices will not be posted on Amazon’s home page, Amazon.com. May Order 38. Unlike smaller companies’ websites, notices on a page trafficked by billions of visits could confuse the public without an attendant benefit to safety. *See id.* Complaint Counsel requests that Amazon add a “conspicuous link” to Amazon’s “Product Safety and Recalls” page from its home page, which would allow someone who was not an initial purchaser of a subject product have a less confusing, circuitous path to finding recall notices. CC Proposed Order 3. At present, the “Product Safety and Recalls” page is not readily accessible to the average consumer without difficulty. CC Br. 5–7 (citations omitted).

The CPSC may order a respondent to post “clear and conspicuous notice on its Internet website” of its recall 15 U.S.C. § 2064(c)(1)(D).<sup>2</sup> The 2021 Recall

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<sup>2</sup> Other consumer-focused statutes and regulations require notice or disclosures to be “clear and conspicuous.” For example, under the Telephone Consumer Protection Act, certain advertisements must contain a “clear and conspicuous” opt-out notice. 47 U.S.C. § 227(b)(2)(D)(i). The Federal Communications Commission interprets “clear and conspicuous” to mean “a notice that would be apparent to the reasonable consumer, separate and distinguishable from the advertising copy or other disclosures.” 47 C.F.R. § 64.1200(f)(3). The Truth in Lending Act mandates certain information to be “disclosed clearly and conspicuously.” 15 U.S.C. § 1632(a); *Rossman v. Fleet Bank (R.I.) Nat’l Ass’n*, 280 F.3d 384, 390 (3d Cir. 2002) (“This standard requires the disclosures to be in a reasonably understandable form and readily noticeable to the consumer.”) (internal quotation marks omitted). The Consumer Leasing Act also requires certain information to be set out “in a clear and conspicuous manner.” *Applebaum v. Nissan Motor Acceptance Corp.*, 226 F.3d 214, 220 (3d Cir. 2000) (construing “conspicuous” to mean “obvious to the eye” or “plainly visible,” and “clear” to mean “reasonably understandable in

Handbook explains what the CPSC considers to be “best practices” for recall notices on a company’s website. These include maintaining a recall landing page on their primary website that lists all recalls. This page should be “easily navigable from the main page or from a relevant secondary page, such as a Customer Service page.” 2021 Recall Handbook 23 (Amazon Ex. 89). The Handbook also requires companies to “[c]learly link recall announcements to the company website’s first entry point, such as the consumer home page.” *Id.* The recall landing page link “should appear within the top 1/3 of the company’s consumer home page.” *Id.* Although the Recall Handbook “strongly encourages” companies to keep the recall webpages indefinitely, the link to the recall webpage may be removed from the homepage after 120 days, or when the case is closed. *Id.*

Amazon’s home page already features a link to “Your Recalls and Product Safety Alerts” in the link section at the bottom right of the page, but not one to its “Products Safety and Recalls” page where the recall notices will be posted. The former requires that a customer be logged in, or log in, while the latter would be accessible to any user. The inclusion of a link on the home page to the “Products Safety and Recalls” page as one on the list of links under “Let Us Help You” represents a minimally burdensome adjustment that should spare interested consumers time and frustration.

Complaint Counsel also requests Amazon be ordered to “post a banner on the ‘Your Orders’ page for original purchasers, providing notice of the recall and linking to the” customer’s recall page, for 120 days. CC Br. 7. This request appears to be derived from the Handbook language that “[a]fter 120 days ... companies may remove the dedicated recall webpage link from the top of the company’s homepage,” 2021 Recall Handbook 23, a provision not directly applicable because I did not order a dedicated link in that location. I decline to order what Amazon characterizes as “a rebuild of the ‘Your Orders’ page,” Amazon Suppl. Br. 10, that would arise from the creating a banner that persists for 120 days. In contrast to the request for 120-day banner, Amazon represented that

[i]f a customer has purchased a product that has either  
been recalled or otherwise been the subject of a product  
safety alert issued by Amazon’s Product Safety team, a

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light of the inherent difficulty or complexity of the method described”) (internal quotation marks omitted).

hyperlinked banner will appear on the customer's 'Your Orders' page stating that a product that they have purchased has been the subject of a recall or product safety alert. When the banner is clicked, users are redirected to their personalized 'Your Recalls and Product Safety Alerts' page.

Amazon Letter Following Oral Argument 3, Dkt. 103. As this represents an already extant process for notifying purchasers of products subject to recall, this process will be used for the Subject Products.

#### **D. Social Media Notice**

Complaint Counsel requests that Amazon be ordered to post notice of the recalls on five of its social media platforms, once a week for three weeks, for a total of fifteen posts. *See* CC Proposed Order 3. By contrast, Amazon seeks to limit the social media post to the AmazonHelp pages on Facebook and Twitter. *See* Amazon Suppl. Br. 12. Complaint Counsel's request for notice on all social media sites is consistent with relevant Recall Handbook guidance that "[c]ompanies are expected to use any and all social media and mobile platforms on which the company maintains a presence including, but not limited to, Facebook, Twitter ... and Instagram, to notify consumers of the recall." 2021 Recall Handbook 23 (footnote omitted); *see* 2012 Recall Handbook 2, 23 (Amazon Ex. 60) (crediting use of social media in improving timeliness and effectiveness of recalls and recommending "using all available social media ... in an effort to get as broad a notice as possible"). The Handbook does not contemplate posting only on subsidiary, sparsely trafficked sites like the AmazonHelp accounts on Facebook, which last posted three years ago, and Twitter. *See* Reply 7 nn.34–35 (comparing statistics). Amazon's request to avoid posting on its Instagram site directly contradicts the Handbook's guidance. 2021 Recall Handbook 23.

While direct notice represents the most effective way of reaching primary purchasers, in addition to content available to the general public on Amazon's own website, social media posts are a minimally burdensome form of notice that can reach consumers who received the products secondhand. Amazon's assertion that "use of Amazon's main social media pages for recall information would likely subsume those pages," Amazon Suppl. Br. 12, seems speculative, but to the extent this concern has any validity, it will be mitigated by the denial of Complaint Counsel's request to have each notice posted three times over the course of three weeks. The Recall Handbook does not recommend repeating social media posts weekly, and Complaint Counsel has not adequately articulated how repeating the postings would be beneficial in these

circumstances. Instead, each notice will be posted on the social media sites on one occasion only.

### **E. Duration**

Complaint Counsel requests that notices posted on Amazon’s website and its social media platforms be maintained for ten years, asserting that ten years is the default period in its template for corrective action plans in voluntary recalls. CC Br. 7–8 nn.40, 45. That duration does not appear to be reflected in Commission precedent, regulation, or the Recall Handbook, its compendium of recall related expertise. Where feasible, as is the case here, the firm should maintain website notice “for an extended period of time.” *Zen Magnets, LLC*, Docket No. 12-2, 2017 WL 11672449, at \*43 (CPSC Oct. 26, 2017). I have determined that a period of five years, rather than ten, represents an appropriate time frame to maintain its website notice that will serve the public interest. That determination is informed by the dates the subject products were sold, Amazon’s past voluntary action, Complaint Counsel’s discussion of the approximate lifespans of the products, *see* CC Br. 9–10, and the Commission’s five-year records retention recommendation in a somewhat related context. 2021 Recall Handbook 33 (“CPSC staff recommends retaining records for at least 5 years.”)

### **F. Third-Party Retailer Notice**

Complaint counsel requests an order that Amazon “[s]end notice” of the recall to “Facebook Marketplace, Alibaba, Etsy, eBay, OfferUp ... and Craigslist.” CC Proposed Order 4. Amazon submits it never placed any pertinent product on a third-party website for sale, Amazon Suppl. Br. 13, and Complaint Counsel provided no evidence that it has.

Rather than requiring Amazon to provide notice to the above-listed sellers—sellers it has not engaged with on any of the Subject Products—the Commission should notify them under its own authority. The Commission maintains its own eCommerce, Surveillance, Analysis, Field, and Enforcement (eSAFE) Team (formerly known as the Internet Surveillance Unit),<sup>3</sup> which

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<sup>3</sup> CPSC, Performance Budget Request to Congress: Fiscal Year 2023, at 3, 7, 16–17, 40 (Mar. 2022), <https://www.cpsc.gov/s3fs-public/FY-2023-Performance-Budget-Request.pdf>. I take official notice of this document and those in footnotes 4 and 5 as they are official documents created by the Commission. 16 C.F.R. § 1025.43(d)(i).

engages directly with the firms that may sell recalled products.<sup>4</sup> For example, as of one year ago, “approximately 75 percent of CPSC’s take down requests have been made to Facebook Marketplace.”<sup>5</sup> Because the CPSC deals with these entities anyway, and Amazon has not done so with regard to the Subject Products, this order will leave to the relevant Commission staff how to notify them.

## G. Logistics

### 1. *Amazon may utilize existing customer service framework as its recall response system*

Complaint Counsel’s request for an order requiring Amazon to establish a new recall response system, telephone hotline, and frequently asked question (FAQ) webpage is unwarranted. The Recall Handbook’s observation that “*most systems*[<sup>6</sup>] set up to handle typical customer relations ... are unable to also respond effectively to [consumers] about recall announcements, *particularly during the first few weeks after the initial announcement,*” 2021 Recall Handbook 25 (emphasis added), speaks to the concern that customer-relations capacity may be overwhelmed following a recall announcement. *See also* 2012 Recall Handbook 17 (“Has a toll-free telephone service been set up that will be able to handle the number of calls expected after the recall is announced?”). That concern is minimal here given Amazon’s considerable capacity to handle customer relations, including product returns, and the relatively small number

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<sup>4</sup> See, e.g., CPSC Accomplishments from 2009–2012 (Apr. 16, 2013), <https://www.cpsc.gov/About-CPSC/Agency-Reports/CPSC-Accomplishments-from-2009-2012> (emphasis added):

CPSC created a dedicated Internet Surveillance Unit to assist in marketplace surveillance of the largest and most popular retail and wholesale Internet auction sites to identify sellers offering banned, recalled, or dangerous products. Between 2009-2012, *CPSC investigators contacted more than 16,000 firms and individuals* who were attempting to sell banned or previously recalled consumer products via internet websites, causing the sales to be halted and *keeping these dangerous products from entering the consumer retail or resale market.*

<sup>5</sup> Letter from Alex D. Hoehn-Saric, Chair, Consumer Prod. Safety Comm’n to Mark Zuckerberg, CEO, Meta Platforms, at 2 (Jul. 13, 2022), [https://www.cpsc.gov/s3fs-public/CPSC%20to%20Meta%20Letter%2007\\_13\\_22.pdf](https://www.cpsc.gov/s3fs-public/CPSC%20to%20Meta%20Letter%2007_13_22.pdf).

<sup>6</sup> The “systems” referenced here are a toll-free number, website, and email address. 2021 Recall Handbook 25.

of products subject to this recall compared to Amazon’s overall business. *See* May Order 38; Amazon.com, Inc., Annual Report 3, 23 (Form 10-K) (Feb. 3, 2023) (Amazon, which seeks “to be Earth’s most customer-centric company” guided by “customer obsession rather than competitor focus,” reported almost \$514 billion of net sales in 2022). I find that Amazon’s existing customer service structure sufficiently satisfies the legal requirements for recall contacts. *See* 15 U.S.C. § 2064(i)(2)(H)(iii) (listing recall contact information); 16 C.F.R. § 1115.27(n)(3) (same). Amazon will therefore use its existing customer service infrastructure to implement the recall.

***2. Amazon may elect either confirmation of destruction or return of children’s sleepwear and hair dryers: it need not offer both***

For children’s sleepwear and hair dryers, Amazon may elect either confirmation of destruction or product return but need not offer both.<sup>7</sup> Since either mechanism, operating alone, would remove those remaining products from consumers’ homes, it adds no value to require that Amazon offer both options. In its brief, Amazon raised plausible logistical consideration that it submits “are complex and could significantly impact the speed and effectiveness” of the recall effort. Amazon Suppl. Br. 17. In response, Complaint Counsel concedes that offering consumers one, rather than “both options, would appropriately effectuate the statutory aims of CPSA Section 15.” CC Reply 9.

**H. Refunds and Replacements**

***1. Amazon may provide refunds in the form of Amazon credit, or replacement for carbon monoxide detectors***

The parties agree that refunds should be in the form of Amazon credit. CC Proposed Order 5; Amazon Suppl. Br. 15. This is consistent with Commission practice. *See* May Order 41. With respect to the carbon monoxide detectors, Amazon may elect to provide either credit or product replacement. Complaint Counsel does not object to this approach, noting that unlike the other products, carbon monoxide detectors safeguard consumer health. CC Br. 10.

***2. Full Refunds will issue***

The parties were invited to “address whether any refunds should be reduced by ‘a reasonable allowance for use[.]’” in this briefing. May Order 43

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<sup>7</sup> For carbon monoxide detectors, it undisputed that product return is required.

n.37 (citing 15 U.S.C. § 2064(d)(1)(C)). This principle is inapplicable to the Subject Product CO detectors, which were defective and accordingly never served their purpose in the first place. For children’s sleepwear garments and hair dryers, Complaint Counsel made various arguments supporting the conclusion that “depreciation based upon reasonable use is neither required nor advisable in this case.” CC Br. 10; *see id.* at 9. Amazon did not respond to these arguments or otherwise brief the issue. Since reducing refunds based on reasonable use is optional, and no request or argument has been raised in support of such a reduction, I decline to impose one here. Thus, Amazon credit for the full purchase price of each of the Subject Products will issue upon return or confirmation of destruction.

## **I. Monitoring**

### **1. Monthly Progress Reports**

Amazon seeks to limit its monthly progress report obligation to one year. Amazon Proposed Order Redline 7 (May 30, 2023), Dkt. 114. The monthly progress report obligation typically ceases after the Commission staff approve a company’s request to end recall monitoring, based on a showing that the recall has been “implemented to the best of the firm’s ability and as many products as possible have been removed from the marketplace.” May Order 46 (quoting 2012 Recall Handbook 26). Thus, monthly reporting should not cease after a year unless Commission staff has made that determination. However, rather than subject Amazon to an endless reporting obligation, this order will provide that its monthly progress reporting will end with the staff’s determination that it may cease, but no more than five years after the remedial order becomes final and effective.

Amazon will provide the standard information requested on the monthly progress reports with the following exception: “Complaint Counsel agrees that Amazon need only be responsible for reporting concerning recalled products that Amazon itself possessed or distributed,” CC Reply 12, and not products with manufacturers, other distributors, and retailers. Amazon disputes the need to provide basic website analytics regarding how many monthly hits each of its web-based recall notices receives. Reporting relevant website analytics is a standard requirement for all companies making monthly product reports. *See* Complaint Counsel’s Statement of Undisputed Material Facts, Dkt. 80, Ex. 1-X, at CPSC\_AM0011544 (Monthly Progress Report Form). Amazon should have little difficulty in tracking the number of hits on the Subject Product notices.

## **2. *Product Destruction Confirmation by Declaration***

Requiring Amazon to notify the Commission before it disposes of products it receives pursuant to the recall is an unneeded step that would delay their final disposition. It is undisputed that Amazon already “destroyed all but 6 units of the Subject Products,” May Order 10, and this order requires that Amazon continue to confirm product destruction through the issuance of an affidavit or unsworn declaration. *See* 28 U.S.C. § 1746 (concerning unsworn declarations under penalty of perjury).<sup>8</sup> Complaint Counsel’s request to require that Amazon provide notice “so that CPSC may have the opportunity to witness such disposal,” CC Proposed Order 7, is accordingly denied.

## **IV. *Appeal of Initial Decision***

This is the initial decision in this matter. 16 C.F.R. § 1025.51. Any party may appeal this decision to the Commission under 16 C.F.R. § 1025.53. The Commission may also order a review of the case on its own motion. 16 C.F.R. § 1025.54. If no appeal is filed by a party and the Commission does not order a review, the initial decision will become the final decision of the Commission 40 days after issuance. 16 C.F.R. § 1025.52.

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<sup>8</sup> Declarations under 28 U.S.C. § 1746 are accepted in administrative proceedings. *See, e.g., Cherif Diallo*, No. FAA-2014-0544, 2015 WL 6593849 (ALJ Oct. 19, 2015).

## ORDER

Having partially granted Complaint Counsel's motion for summary decision and after considering the parties' supplemental briefs on remedies, I find that

1. The Subject Product children's sleepwear garments present a substantial product hazard under Section 15(a)(1) of the Consumer Product Safety Act ("CPSA"), 15 U.S.C. § 2064(a)(1); and for purposes of this order, the Subject Product children's sleepwear garments include those identified by Amazon Standard Identification Number in Amazon Exhibit 130, having only variations in size, color, and print pattern, yet presenting the same hazard.
2. The Subject Product carbon monoxide detectors present a substantial product hazard under Section 15(a)(2) of the CPSA, 15 U.S.C. § 2064(a)(2); and
3. The Subject Product hair dryers present a substantial product hazard under Section 15(a)(2) and (j) of the CPSA, 15 U.S.C. § 2064(a)(2) and (j).

To remedy Respondent Amazon.com, Inc.'s ("Amazon's") distribution of the Subject Products and in furtherance of the public interest, I ORDER that Amazon do the following pursuant to the CPSA, 15 U.S.C. § 2064(c) and (d):

1. Immediately cease distribution of the Subject Products and notify all persons or entities that transport, store, distribute, or otherwise handle any Subject Product, or to which any Subject Product has been transported, sold, distributed, or otherwise handled, to immediately cease distribution of the Subject Products (using the notification attached as Exhibit A);
2. Issue notifications of the substantial product hazards presented by the Subject Products in accordance with 15 U.S.C. § 2064(i)(2) and the Guidelines and Requirements for Mandatory Recall Notices as set forth at 16 C.F.R. §§ 1115.23–.29, attached as Exhibits B and C, as follows:
  - a. Within ten days of this Order becoming the Final Decision and Order of the Commission pursuant to 16 C.F.R. § 1025.52, the CPSC shall publish the press releases (Exhibit B) on its website, and Amazon shall send the first round of email notifications to original purchasers (Exhibit C) simultaneously. Amazon shall

send a second round of the email notifications (Exhibit C) approximately two weeks after sending the first round of email notifications;

- b. Within ten days of this Order becoming the Final Decision and Order of the Commission pursuant to 16 C.F.R. § 1025.52, Amazon shall:
  - i. Create a clear and conspicuous link, which may be placed in the list of links under “Let Us Help You,” on its home page to its “Product Safety and Recalls” site.
  - ii. Simultaneous to the CPSC publishing the press release on its website, publish a clear and conspicuous notice in a form substantially similar to the draft press releases (attached as Exhibit B) to Amazon’s “Product Safety and Recalls” pages on Amazon.com so that it can be viewed by a person querying the product on Amazon’s site, including non-purchasers of the Subject Products.
  - iii. Post notice of the recall for each original purchaser on their “Your Orders” page, linking to their personalized “Your Recalls and Product Safety Alerts” page.
  - iv. Post the notices attached as Exhibit D on the following social media platforms (Facebook: Amazon and AmazonHelp; Twitter: @amazon and @AmazonHelp; Instagram: @amazon). Amazon shall issue the social media notices on the same date as the CPSC press releases and first round of email notifications are published.
  - v. Maintain the notice on its “Product Safety and Recalls” page and maintain its social media posts for a minimum of five years.
- c. Within ten days of this Order becoming the Final Decision and Order of the Commission pursuant to 16 C.F.R. § 1025.52 and prior to the issuance of notice on Amazon’s website, and the email notifications to consumers, Amazon shall identify the contact information required by 15 U.S.C. § 2064(i)(2)(H)(iii) and 16 C.F.R. § 1115.27(n)(3) to provide information about the remedy to consumers, including a toll-free telephone number staffed by personnel familiar with the recall and open during regular business hours, and an email address (together, the “recall

response system”) for consumers to respond to the recall announcement. The toll-free telephone number and the website shall enable requesters to obtain information about the hazards posed by the Subject Products and the remedy described in Paragraph 3. below.

- i. Amazon may utilize its existing customer service infrastructure as the recall response system referenced above provided it satisfies all the requirements of the preceding paragraph.
3. Amazon shall instruct consumers to respond to its email notification through the customer service page on Amazon.com and provide Amazon with its choice of product destruction verification (i.e., to arrange for a prepaid mailing package and shipping label to be sent to the consumer, or to provide Amazon with photographic evidence of destruction of the Subject Products), in accordance with the procedures set out in subparagraphs (a) through (c) below. Amazon shall specify in the notices referenced above whether it will be providing a prepaid mailing package and shipping label to consumers, requiring photographic evidence of destruction, or making both options available to consumers. Upon receipt of product destruction verification, Amazon shall refund consumers the purchase price of the products to consumers in the form of Amazon credit to their account. No expense shall be incurred by consumers in returning or destroying the Subject Products.
  - a. Purchasers of the Subject Product children’s sleepwear garments will either be instructed to provide Amazon with its choice of product destruction verification (i.e., return the products using the pre-paid packaging or, if Amazon deems it feasible and preferable, to cut the sleepwear in half vertically and horizontally and provide photographic proof via email or message to Amazon that they have done so).
  - b. Purchasers of the Subject Product hair dryers will be instructed to provide Amazon with its choice of product destruction verification (i.e., return the products using the pre-paid packaging or, if Amazon deems it feasible and preferable, to cut the cord of the hair dryer and provide photographic proof via email or message to Amazon that they have done so).

- c. Purchasers of the Subject Product carbon monoxide detectors will be instructed to return the products using the pre-paid packaging.
  - d. Alternatively, if Amazon so chooses, it may issue a Subject Product carbon monoxide detector replacement, submitted to Complaint Counsel and approved by Complaint Counsel for like or equivalent value and safe use, to original purchasers of the Subject Product carbon monoxide detectors, conditioned upon those purchasers and owners returning the Subject Products to Amazon (at no expense to consumers).
- 4. Amazon shall immediately quarantine, segregate, and mark as recalled all Subject Products in its possession, custody or control, including all Subject Products that are returned from consumers. In addition, Amazon shall:
  - a. Quarantine and destroy the Subject Products possessed by Amazon and returned by consumers.
  - b. Submit to Complaint Counsel, in the form of a certificate, affidavit, or declaration under 28 U.S.C. § 1746 of an individual with personal knowledge, proof of destruction of any remaining Subject Products possessed by Amazon and of all returned Subject Products.
  - c. The method of destruction employed by Amazon shall comply with all federal, state, and local regulations, and Amazon shall ensure that the Subject Products are destroyed so that they cannot be reused or reenter the stream of commerce.
- 5. Amazon shall submit via the electronic Monthly Progress Report system (<https://apps.saferproducts.gov>), once per month, within 5 business days of the first of each month, starting the first full month after this Order becomes the Final Decision and Order of the Commission pursuant to 16 C.F.R. § 1025.52, separate Monthly Progress Reports for each of the three types of Subject Products detailing the implementation of this Order, including, but not limited to, the following:
  - a. The information referenced in Paragraphs 3(a) through 3(d) above.

- b. The number of Subject Products in Amazon's possession and in the possession of consumers reported to Amazon but not yet in Amazon's possession.
  - c. The number of Subject Products possessed by Amazon that were destroyed during the reporting dates, along with proof of destruction in the form of a certificate or declaration of an individual with personal knowledge.
  - d. The number of incidents, injuries, and deaths reported to Amazon during the reporting dates that are related to the Subject Products.
  - e. The number of consumers notified about the Subject Products during the reporting dates.
  - f. The number of consumers who contacted Amazon about the Subject Products during the reporting dates.
  - g. The number of website hits that Amazon received on each notice it posts for the recall of the Subject Products during the reporting dates.
  - h. The number of times Amazon posted the recall notice on its social media platforms during the reporting dates.
  - i. Whether Amazon located any additional units of the Subject Products for sale on other platforms, including, but not limited to, online re- sale, auction, and wholesale websites.
  - j. The Monthly Progress Report obligation will cease no later than five years after it commences, but can be ended before then by determination of Commission staff.
6. Maintain all records of Amazon's actions taken to comply with the Order for a period of five years after the service of the Order, and supply such records to Complaint Counsel upon request so that Complaint Counsel can monitor compliance with the Order.

/s/ Jason S. Patil  
Administrative Law Judge

# Exhibit A

[MONTH] 2023

## **IMPORTANT RECALL NOTICE – CHILDREN’S SLEEPWEAR GARMENTS – CEASE DISTRIBUTION NOTICE**

Dear [Name of Third-Party Seller]:

Our records indicate that you transported, stored, distributed, or otherwise handled a children’s sleepwear garment that is subject to a mandatory recall by Amazon and the U.S. Consumer Product Safety Commission. The CPSC may have previously asked you to conduct a voluntary safety recall of these children’s sleepwear garments. The bathrobes and pajamas fail to meet the flammability standards for children’s sleepwear, posing a risk of burn injuries and even death to children.

The children’s sleepwear garments include the “HOYMN Little Girl’s Lace Cotton Nightgowns”, “IDGIRLS Kids Animal Hooded Soft Plush Flannel Bathrobes”, “Home Sweet Boy’s Plush Fleece Robe Shawl Skull and Hooded Spacecraft Printed Soft Kids Bathrobe”, and “Taiyexgan Little Girl’s Coral Fleece Bathrobe”, all sold on Amazon.com between June 2016 and February 2020 for between \$18 and \$31.



The HOYMN nightgowns were sold in white, blue, pink, and purple in both short sleeve and long sleeve versions. Both versions have a white lace trim around the neckline. The nightgowns are made of 100% cotton, and the material, size, and washing instructions are printed in Chinese on a tag on the inside of the garment.



The IDGIRLS bathrobes were sold in yellow, blue, orange, pink and white. They have a hood with animal features such as face and ears, as well as a belt on the waist. A tag on the inside of the robe says “Flannel” and “KEEP AWAY FROM FIRE HEAT SOURCE” and also lists the size of the robe.



The Taiycyxgan bathrobes were sold in pink, green, brown, gray, red, white, cream, and yellow. They have a hood with cat whiskers and ears, as well as a belt on the waist. The robes are made out of 100% polyester, and the material composition, washing instructions and the robes’ size are printed on a tag on the inside of the garment.



The Home Sweet bathrobes were sold with a “Minecraft Style Skull Print” where the background color is black, and the skulls are in white and gray. They also feature a belt on the waist. The robes are also made out of 100% polyester, and a tag on the inside of the robes lists their composition, washing instructions, the robes’ size, and the instruction to “KEEP AWAY FROM FIRE”.

Please immediately cease distributing the recalled sleepwear. If you have recalled children’s sleepwear in your inventory, please destroy it immediately.

More details can be found in the following press release: [LINK TO CPSC PRESS RELEASE].

If you have any questions, contact Amazon Seller Support at <http://sellercentral.amazon.com>.

Thank you for your understanding.

[MONTH] 2023

## **IMPORTANT RECALL NOTICE – CARBON MONOXIDE DETECTORS – CEASE DISTRIBUTION NOTICE**

Dear [Name of Third-Party Seller]:

Our records indicate that you transported, stored, distributed, or otherwise handled a carbon monoxide detector (“CO detector”) that is subject to a mandatory recall by Amazon and the U.S. Consumer Product Safety Commission. The recalled CO detectors can fail to alert consumers to the presence of a hazardous level of carbon monoxide, posing a risk of carbon monoxide poisoning or death. Carbon monoxide (“CO”) is an odorless, colorless, poisonous gas. The recalled CO detectors were manufactured by WJZXTEK, Zhengzhou Winsen Electronics Technology Company and BQQZHZ and sold between February 2018 until November 2020 on Amazon.com for between \$14 and \$37.

The recalled CO detectors all have a round “Test” button in the middle of the unit, with three or four slashes for the speakers on the right and left of the test button.



The CO detector manufactured by BQQZHZ features a red “alarm” indicator and a green “power” indicator side-by-side between the test button and a carbon monoxide indicator screen.



The CO detector manufactured by WJZXTEK and the two detectors manufactured by Zhengzhou Winsen Electronics Technology Company have a carbon monoxide indicator below the test button, and the red and green indicators arranged in a vertical line above the test button. None of the CO detectors have a visible logo or brand name.

Please immediately cease distributing the recalled CO detectors. If you have recalled CO detectors in your inventory, please destroy them immediately.

More details can be found in the following press release: [LINK TO CPSC PRESS RELEASE].

If you have any questions, contact Amazon Seller Support at <http://sellercentral.amazon.com>.

Thank you for your understanding.

[MONTH] 2023

## **IMPORTANT RECALL NOTICE – HANDHELD COMBINATION HAIR DRYERS – CEASE DISTRIBUTION NOTICE**

Dear [Name of Third-Party Seller]:

Our records indicate that you transported, stored, distributed, or otherwise handled a combination hair dryer that is subject to a mandatory recall by Amazon and the U.S. Consumer Product Safety Commission. The recalled hair dryers do not have an immersion protection device, meaning they pose a risk of electrocution, shock and death to the user if the hair dryer comes into contact with water when plugged in.

The recalled hair dryers were sold on Amazon.com between June 2019 until March 2021 for between \$19 and \$70.

The hair dryers were sold in multiple colors and styles and/or with interchangeable brush heads. When turned on, air enters the hair dryers at the base of the handle, a heating element warms the air, and the air exits through openings along the length of the hairbrush. The products are designed to straighten, curl and wave hair. The hair dryers can be identified based on their seller/manufacturer on Amazon.com, which is available below.



**Recalled OSEIDOO, SARCCH, Raxurt Store, Xianming, VIBOOS, LetsFunny, Bvser Store, GEPORAY, Miserwe, BEAUTIKEN, Admitrack, LANIC, Dekugaa Store and ADTZYLD hair dryer**



**Recalled Aiskki hair dryer**



**Recalled ADTZYLD and LEMOCA hair dryer**



**Recalled KENLOR, Romancelink and BZ hair dryer**



**Recalled KIPOZI hair dryer**



**Recalled Ohuhu hair dryer**



**Recalled tiamo airtrack, SUNBA YOUTH STORE/Naisen hair dryer**



**Recalled Techip, hair dryer**



**Recalled ELECDOLPH, TDYJWELL, Bownyo, Songtai, Surelang Store, Shaboo Prints hair dryer**



**Recalled OWEILAN hair dryer**



**Recalled Bongtai hair dryer**



**Recalled Nisahok hair dryer**

Please immediately cease distributing the recalled hair dryers. If you have recalled hair dryers in your inventory, please destroy them immediately.

More details can be found in the following press release: [\[LINK TO CPSC PRESS RELEASE\]](#).

If you have any questions, contact Amazon Seller Support.

Thank you for your understanding.

<b>Seller/Manufacturer</b>
Admitrack
ADTZYLD
Aiskki
BEAUTIKEN
Bongtai
Bownyo
Bvser Store
BZ
Dekugaa Store
ELECDOLPH
GEPORAY
KENLOR
KIPOZI
LANIC
LEMOCA
LetsFunny
Miserwe
Nisahok
Ohuhu
OSEIDOO
OWEILAN
Raxurt Store
Romancelink
SARCCH
Shaboo Prints
Songtai
SUNBA YOUTH Store / Naisen
Surelang Store
TDYJWELL
Techip
tiamo airtrack
VIBOOS
Xianming

# Exhibit B



## *U.S. Consumer Product Safety Commission – Recall*

**Release Date:** MONTH DAY, YEAR

**Release Number:** 23-DRAFT

# **Children’s Sleepwear Sold on Amazon.com Recalled Due to Violation of Federal Flammability Standards and Burn Hazard**

## **Recall Summary**

**Name of Product:** Children’s Sleepwear Pajamas and Robes

**Hazard:** The recalled children’s pajamas and robes fail to meet the federal flammability standards for children’s sleepwear, posing a risk of burn injuries and death to children.

**Remedy:** Refund

Consumers should immediately take the recalled children’s sleepwear away from children, stop using it and contact Amazon for a full refund. To receive a full refund, consumers can [insert Amazon’s choice of product destruction verification or return]. Amazon is contacting all known purchasers directly.

**Consumer Contact:** [INFORMATION NEEDED]

## **Recall Details**

**Units:** About 17,000

### **Description:**

This mandatory recall involves the “HOYMN Little Girl’s Lace Cotton Nightgowns,” “IDGIRLS Kids Animal Hooded Soft Plush Flannel Bathrobes,” “Home Sweet Boy’s Plush Fleece Robe Shawl Skull and Hooded Spacecraft Printed Soft Kids Bathrobe, and “Taiyexgan Little Girl’s Fleece Bathrobe” all sold on Amazon.com.

The HOYMN nightgowns were sold in white, blue, pink, and purple in both short sleeve and long sleeve versions. Both versions have a white lace trim around the neckline. The nightgowns are made of 100% cotton, and the material, size, and washing instructions are printed in Chinese on a tag on the inside of the garment.

The IDGIRLS bathrobes were sold in yellow, blue, orange, pink and white. They have a hood with animal features such as face and ears, as well as a belt on the waist. A tag on the inside of the robe says “Flannel” and “KEEP AWAY FROM FIRE HEAT SOURCE” and also lists the size of the robe.

The Home Sweet bathrobes were sold with a “Minecraft Style Skull Print” where the background color is black, and the skulls are in white and gray. They also feature a belt on the waist. The robes are also made out of 100% polyester, and a tag on the inside of the robes lists their composition, washing instructions, the robes’ size, and the instruction to “KEEP AWAY FROM FIRE”.

The Taiycyxgan bathrobes were sold in pink, green, brown, gray, red, white, cream and yellow. They have a hood with cat whiskers and ears, as well as a belt on the waist. The robes are made out of 100% polyester, and the material composition, washing instructions and the robes’ size are printed on a tag on the inside of the garment.

**Remedy:** Consumers should immediately take the recalled children’s sleepwear away from children, stop using them and contact Amazon Customer Service [INSERT CONTACT INFORMATION] for a full refund. To receive a full refund, consumers may [insert Amazon’s choice of product destruction verification or return]. Amazon is contacting all known purchasers directly.

**Incidents/Injuries:** None reported

**Sold at:** Online at <https://www.amazon.com> from June 2016 until February 2020 for between \$18 and \$31.

**Distributor:** Amazon, of Seattle, Washington

**Manufactured in:** China

**Photos**



**Recalled HOYMN Little Girls' Lace Cotton Nightgown**



**Recalled IDGIRLS Kids Animal Hooded Soft Plush Flannel Bathrobes**



**Recalled home swee Boys Plush Fleece Robe Shawl**



**Recalled Taiycyxgan “Little Girl’s Coral Fleece Bathrobe**

Individual Commissioners may have statements related to this topic. Please visit [www.cpsc.gov/commissioners](http://www.cpsc.gov/commissioners) to search for statements related to this or other topics.

### **About the U.S. CPSC**

The U.S. Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risk of injury or death associated with the use of thousands of types of consumer products. Deaths, injuries, and property damage from consumer product-related incidents cost the nation more than \$1 trillion annually. CPSC's work to ensure the safety of consumer products has contributed to a decline in the rate of injuries associated with consumer products over the past 50 years.

Federal law prohibits any person from selling products subject to a Commission ordered recall or a voluntary recall undertaken in consultation with the CPSC.

### **For lifesaving information:**

- Visit CPSC.gov.
- Sign up to receive our [e-mail alerts](#).
- Follow us on [Facebook](#), Instagram [@USCPSC](#) and Twitter [@USCPSC](#).
- Report a dangerous product or a product-related injury on [www.SaferProducts.gov](http://www.SaferProducts.gov).
- Call CPSC's Hotline at 800-638-2772 (TTY 301-595-7054).
- Contact a [media specialist](#).



*U.S. Consumer Product Safety Commission – Recall*

**Release Date:** MONTH DAY, YEAR

**Release Number:** 23-DRAFT

## **Carbon Monoxide (CO) Detectors Sold on Amazon.com Recalled Due to Risk of Failure to Alert Consumers to Hazardous Levels of Carbon Monoxide**

### **Recall Summary**

**Name of Product:** Carbon monoxide detectors

**Hazard:** The alarms can fail to alert consumers to the presence of a hazardous level of carbon monoxide, posing a risk of carbon monoxide poisoning or death. Carbon monoxide (CO) is an odorless, colorless, poisonous gas.

**Remedy:** Refund [or, if Amazon so chooses, Replacement]

Consumers should stop using the CO detectors immediately and contact Amazon for a full refund [or for a replacement of like or equivalent value]. Amazon is contacting all known purchasers directly.

**Consumer Contact:** [INFORMATION NEEDED]

### **Recall Details**

**Units:** About 23,450

**Description:** This mandatory recall involves the WJZXTEK, Zhengzhou Winsen Electronics Technology Company and BQQZHZ carbon monoxide detectors (“CO detectors”) sold on Amazon.com.

The recalled CO detectors all have a round “Test” button in the middle of the unit, with three or four slashes for the speakers on the right and left of the test button. The CO detector manufactured by BQQZHZ features a red “alarm” indicator and a green “power” indicator side-by-side between the test button and a carbon monoxide indicator screen. The CO detector manufactured by WJZXTEK and the two detectors manufactured by Zhengzhou Winsen Electronics Technology Company have carbon monoxide indicator below the test button, and the red and green indicators are arranged in a vertical line above the test button. None of the CO detectors have a visible logo or brand name.

**Remedy:** Consumers should immediately stop using the recalled CO detectors and contact Amazon [INSERT CONTACT INFORMATION] to receive a full refund [or for a replacement of like or equivalent value]. To receive a full refund [or replacement], consumers should [insert Amazon’s choice of return method]. Amazon is contacting all known purchasers directly.

**Incidents/Injuries:** None reported

**Sold at:** Online at <https://www.amazon.com> from February 2018 until November 2020 for between \$14 and \$37.

**Distributor:** Amazon, of Seattle, Washington

**Manufacturer:** WJZXTEK, Zhengzhou Winsen Electronics Technology Company, BQQZHZ, of China

**Manufactured in:** China

## Photos



**Recalled WJZXTEK CO alarm**



**Recalled Zhengzhou Winsen Electronics Technology Co, Ltd CO alarm**



**Recalled Zhengzhou Winsen Electronics Technology Co, Ltd CO alarm**



**Recalled BQQZHZCO alarm**

Individual Commissioners may have statements related to this topic. Please visit [www.cpssc.gov/commissioners](http://www.cpssc.gov/commissioners) to search for statements related to this or other topics.

**About the U.S. CPSC**

The U.S. Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risk of injury or death associated with the use of thousands of types of consumer products. Deaths, injuries, and property damage from consumer product-related incidents cost the nation more than \$1 trillion annually. CPSC's work to ensure the safety of consumer products has contributed to a decline in the rate of injuries associated with consumer products over the past 50 years.

Federal law prohibits any person from selling products subject to a Commission ordered recall or a voluntary recall undertaken in consultation with the CPSC.

**For lifesaving information:**

- Visit CPSC.gov.
- Sign up to receive our [e-mail alerts](#).
- Follow us on [Facebook](#), Instagram [@USCPSC](#) and Twitter [@USCPSC](#).
- Report a dangerous product or a product-related injury on [www.SaferProducts.gov](#).
- Call CPSC's Hotline at 800-638-2772 (TTY 301-595-7054).
- Contact a [media specialist](#).



## U.S. Consumer Product Safety Commission – Recall

**Release Date:** MONTH DAY, YEAR

**Release Number:** 23-DRAFT

# Combination Hair Dryers and Hairbrushes Sold on Amazon.com Recalled Due to Electrocution or Shock Hazard

## Recall Summary

**Name of Product:** Hand-held combination hair dryers

**Hazard:** The recalled hair dryers do not have an immersion protection device, posing a risk of electrocution, shock and death to the user if the hair dryer comes into contact with water when plugged in.

**Remedy:** Refund

Consumers should stop using the hand-held combination hair dryers immediately and contact Amazon for a full refund.

**Consumer Contact:** [INFORMATION NEEDED]

## Recall Details

**Units:** About 400,000

**Description:** This mandatory recall involves hair dryers sold on Amazon.com. They were sold in multiple colors and styles and/or with interchangeable brush heads. When turned on, air enters at the base of the handle, a heating element warms the air, and the air exits through openings along the length of the hairbrush. The products are designed to straighten, curl and wave hair. The hair dryers can be identified based on their seller/manufacturer on Amazon.com, which is also visible on the purchase confirmation receipt.

Seller/Manufacturer
Admitrack
ADTZYLD
Aiskki
BEAUTIKEN
Bongtai
Bownyo
Bvser Store

BZ
Dekugaa Store
ELECDOLPH
GEPORAY
KENLOR
KIPOZI
LANIC
LEMOCA
LetsFunny
Miserwe
Nisahok
Ohuhu
OSEIDOO
OWEILAN
Raxurt Store
Romancelink
SARCCH
Shaboo Prints
Songtai
SUNBA YOUTH Store / Naisen
Surelang Store
TDYJWELL
Techip
tiamo airtrack
VIBOOS
Xianming

**Remedy:** Consumers should immediately stop using the recalled hair dryers and contact Amazon [INSERT CONTACT INFORMATION] to receive a full refund. To receive a full refund, consumers can [insert Amazon’s choice of product destruction verification or recall]. Amazon is contacting all known purchasers directly.

**Incidents/Injuries:** None reported

**Sold at:** Online at <https://www.amazon.com> from June 2019 until March 2021 for between \$19 and \$70.

**Distributor:** Amazon, of Seattle, Washington

**Manufactured in:** China

## Photos



**Recalled OSEIDOO, SARCCH, Raxurt Store, Xianming, VIBOOS, LetsFunny, Bvser Store, GEPORAY, Miserwe, BEAUTIKEN, Admitrack, LANIC, Dekugaa Store and ADTZYLD hair dryer**



**Recalled Aiskki hair dryer**



**Recalled ADTZYLD and LEMOCA hair dryer**



**Recalled KENLOR, Romancelink and BZ hair dryer**



**Recalled KIPOZI hair dryer**



**Recalled Ohuhu hair dryer**



**Recalled tiamo airtrack, SUNBA YOUTH STORE/Naisen hair dryer**



**Recalled Techip, hair dryer**



**Recalled ELECDOLPH, TDYJWELL, Bownyo, Songtai, Surelang Store Shaboo Prints hair dryer**



**Recalled OWEILAN hair dryer**



**Recalled Bongtai hair dryer**



**Recalled Nisahok hair dryer**

Individual Commissioners may have statements related to this topic. Please visit [www.cpsc.gov/commissioners](http://www.cpsc.gov/commissioners) to search for statements related to this or other topics.

### **About the U.S. CPSC**

The U.S. Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risk of injury or death associated with the use of thousands of types of consumer products. Deaths, injuries, and property damage from consumer product-related incidents cost the nation more than \$1 trillion annually. CPSC's work to ensure the safety of consumer products has contributed to a decline in the rate of injuries associated with consumer products over the past 50 years.

Federal law prohibits any person from selling products subject to a Commission ordered recall or a voluntary recall undertaken in consultation with the CPSC.

**For lifesaving information:**

- Visit CPSC.gov.
- Sign up to receive our [e-mail alerts](#).
- Follow us on [Facebook](#), Instagram [@USCPSC](#) and Twitter [@USCPSC](#).
- Report a dangerous product or a product-related injury on [www.SaferProducts.gov](#).
- Call CPSC's Hotline at 800-638-2772 (TTY 301-595-7054).
- Contact a [media specialist](#).

# Exhibit C

[MONTH] 2023

## **IMPORTANT RECALL NOTICE – CHILDREN’S SLEEPWEAR GARMENTS**

Dear Amazon Customer:

Our records indicate that you purchased a children’s sleepwear garment that is subject to a mandatory recall by Amazon and the U.S. Consumer Product Safety Commission. The bathrobes and pajamas fail to meet the flammability standards for children’s sleepwear, posing a risk of burn injuries and even death to children.

You may have previously received a safety notice from Amazon regarding this product.

The children’s sleepwear garments include the “HOYMN Little Girl’s Lace Cotton Nightgowns”, “IDGIRLS Kids Animal Hooded Soft Plush Flannel Bathrobes”, “Home Sweet Boy’s Plush Fleece Robe Shawl Skull and Hooded Spacecraft Printed Soft Kids Bathrobe”, and “Taiycyxgan Little Girl’s Coral Fleece Bathrobe”, all sold on Amazon.com between June 2016 and February 2020 for between \$18 and \$31.



The HOYMN nightgowns were sold in white, blue, pink, and purple in both short sleeve and long sleeve versions. Both versions have a white lace trim around the neckline. The nightgowns are made of 100% cotton, and the material, size, and washing instructions are printed in Chinese on a tag on the inside of the garment.



The IDGIRLS bathrobes were sold in yellow, blue, orange, pink and white. They have a hood with animal features such as face and ears, as well as a belt on the waist. A tag on the inside of the robe says “Flannel” and “KEEP AWAY FROM FIRE HEAT SOURCE” and also lists the size of the robe.



The Taiycyxgan bathrobes were sold in pink, green, brown, gray, red, white, cream, and yellow. They have a hood with cat whiskers and ears, as well as a belt on the waist. The robes are made out of 100% polyester, and the material composition, washing instructions and the robes’ size are printed on a tag on the inside of the garment.



The Home Sweet bathrobes were sold with a “Minecraft Style Skull Print” where the background color is black, and the skulls are in white and gray. They also feature a belt on the waist. The robes are also made out of 100% polyester, and a tag on the inside of the robes lists their composition, washing instructions, the robes’ size, and the instruction to “KEEP AWAY FROM FIRE”.

If you still have any of these products in your household, please immediately take the recalled children’s sleepwear away from children, stop using them and contact Amazon for a refund. To receive a full refund, you can [insert Amazon’s choice of product destruction verification or return].

More details can also be found in the following press release: [LINK TO CPSC PRESS RELEASE].

If you have any questions, contact Amazon Customer Service at [INSERT CONTACT INFORMATION].

The safety and satisfaction of our customers is our highest priority. We regret any inconvenience this may cause you.

Sincerely,  
Customer Service  
Amazon.com  
www.amazon.com

[MONTH] 2023

## **IMPORTANT RECALL NOTICE – CARBON MONOXIDE DETECTORS**

Dear Amazon Customer:

Our records indicate that you purchased a carbon monoxide detector (“CO detector”) that is subject to a mandatory recall by Amazon and the U.S. Consumer Product Safety Commission. The recalled CO detectors can fail to alert consumers to the presence of a hazardous level of carbon monoxide, posing a risk of carbon monoxide poisoning or death. Carbon monoxide (“CO”) is an odorless, colorless, poisonous gas. The recalled CO detectors were manufactured by WJZXTEK, Zhengzhou Winsen Electronics Technology Company and BQQZHZ and sold between February 2018 until November 2020 on Amazon.com for between \$14 and \$37.

You may have previously received a safety notice from Amazon regarding this product.

The recalled CO detectors all have a round “Test” button in the middle of the unit, with three or four slashes for the speakers on the right and left of the test button.



The CO detector manufactured by BQQZHZ features a red “alarm” indicator and a green “power” indicator side-by-side between the test button and a carbon monoxide indicator screen.



The CO detector manufactured by WJZXTEK and the two detectors manufactured by Zhengzhou Winsen Electronics Technology Company have a carbon monoxide indicator below the test button, and the red and green indicators arranged in a vertical line above the test button. None of the CO detectors have a visible logo or brand name.

If you still have the recalled CO detector in your household, please immediately stop using it. To receive a full refund [alternative: a replacement of like or equivalent value], you can [insert Amazon's choice of return method].

More details can be found in the following press release: [LINK TO PRESS RELEASE].

If you have any questions, contact Amazon Customer Service at [INSERT CONTACT INFORMATION].

The safety and satisfaction of our customers is our highest priority. We regret any inconvenience this may cause you.

Sincerely,  
Customer Service  
Amazon.com  
www.amazon.com

[MONTH] 2023

## **IMPORTANT RECALL NOTICE – HANDHELD COMBINATION HAIR DRYERS**

Dear Amazon Customer:

Our records indicate that you purchased a combination hair dryer that is subject to a mandatory recall by Amazon and the U.S. Consumer Product Safety Commission. The recalled hair dryers do not have an immersion protection device, meaning they pose a risk of electrocution, shock and death to the user if the hair dryer comes into contact with water when plugged in.

The recalled hair dryers were sold by the sellers/manufacturers identified below on Amazon.com between June 2019 until March 2021 for between \$19 and \$70.

You may have previously received a safety notice from Amazon regarding this product.

The hair dryers were sold in multiple colors and styles and/or with interchangeable brush heads. When turned on, air enters the hair dryers at the base of the handle, a heating element warms the air, and the air exits through openings along the length of the hairbrush. The products are designed to straighten, curl and wave hair. The hair dryers can be identified based on their seller/manufacturer on Amazon.com, which is also visible on your Amazon purchase confirmation. A list of the sellers and manufacturers implicated in the recall is available below.



**Recalled OSEIDOO, SARCCH, Raxurt Store, Xianming, VIBOOS, LetsFunny, Bvser Store, GEPORAY, Miserwe, BEAUTIKEN, Admitrack, LANIC, Dekugaa Store and ADTZYLD hair dryer**



**Recalled Aiskki hair dryer**



**Recalled ADTZYLD and LEMOCA hair dryer**



**Recalled KENLOR, Romancelink and BZ hair dryer**



**Recalled KIPOZI hair dryer**



**Recalled Ohuhu hair dryer**



**Recalled tiamo airtrack, SUNBA YOUTH STORE/Naisen hair dryer**



**Recalled Techip, hair dryer**



**Recalled ELECDOLPH, TDYJWELL, Bownyo, Songtai, Surelang Store Shaboo Prints hair dryer**



**Recalled OWEILAN hair dryer**



**Recalled Bongtai hair dryer**



**Recalled Nisahok hair dryer**

If you still have a recalled hair dryer in your household, please immediately stop using it. To receive a full refund, you can [insert Amazon's choice of product destruction verification or return].

More details can be found in the following press release: [LINK TO CPSC PRESS RELEASE].

If you have any questions, contact Amazon Customer Service at [INSERT CONTACT INFORMATION].

The safety and satisfaction of our customers is our highest priority. We regret any inconvenience this may cause you.

Sincerely,  
Customer Service  
Amazon.com  
[www.amazon.com](http://www.amazon.com)

<b>Seller/Manufacturer</b>
Admitrack
ADTZYLD
Aiskki
BEAUTIKEN
Bongtai
Bownyo
Bvser Store
BZ
Dekugaa Store
ELECDOLPH
GEPORAY
KENLOR
KIPOZI
LANIC
LEMOCA
LetsFunny
Miserwe
Nisahok
Ohuhu
OSEIDOO
OWEILAN
Raxurt Store
Romancelink
SARCCH
Shaboo Prints
Songtai
SUNBA YOUTH Store / Naisen
Surelang Store
TDYJWELL
Techip
tiamo airtrack
VIBOOS
Xianming

# Exhibit D

## **Exhibit D - Draft Social Media Notices**

### **Children's Sleepwear Garments:**

Instagram: RECALL NOTICE: Children's sleepwear sold by Hoymn, Home Sweet, Taiyexgan and IDGIRLS on Amazon.com fails to meet the federal flammability standards for children's sleepwear, posing a risk of burn injuries and death. Take the recalled sleepwear garments away from children and stop using them. Full recall notice: [\[LINK to CPSC website\]](#).

Facebook: RECALL NOTICE: Children's sleepwear sold by Hoymn, Home Sweet, Taiyexgan and IDGIRLS on Amazon.com fails to meet the federal flammability standards for children's sleepwear, posing a risk of burn injuries and death. Take the recalled sleepwear garments away from children and stop using them. Full recall notice: [\[LINK to CPSC website\]](#).

Twitter: #Recall: Children's sleepwear sold by Hoymn, Home Sweet, Taiyexgan and IDGIRLS on Amazon fails to meet the federal flammability standards for children's sleepwear, posing a risk of burn injuries and death. Full recall notice: [\[LINK to CPSC website\]](#).

### **Carbon Monoxide Detectors:**

Instagram: RECALL NOTICE: Carbon monoxide detectors manufactured by WJZXTEK, Zhengzhou Winsen Electronics Technology Company and BQQZHZ can fail to alert consumers to the presence of a hazardous level of carbon monoxide, posing a risk of carbon monoxide poisoning or death. Immediately stop using the carbon monoxide detectors. Full recall notice: [\[LINK to CPSC website\]](#).

Facebook: RECALL NOTICE: Carbon monoxide detectors manufactured by WJZXTEK, Zhengzhou Winsen Electronics Technology Company and BQQZHZ can fail to alert consumers to the presence of a hazardous level of carbon monoxide, posing a risk of carbon monoxide poisoning or death. Immediately stop using the carbon monoxide detectors. Full recall notice: [\[LINK to CPSC website\]](#).

Twitter: #Recall: Carbon monoxide detectors sold on Amazon can fail to alert consumers to the presence of a hazardous level of carbon monoxide, posing a risk of carbon monoxide poisoning or death. Full recall notice: [\[LINK to CPSC website\]](#).

**Hair dryers:**

Instagram: RECALL NOTICE: Combination hair dryers sold on Amazon.com do not have an immersion protection device, posing a risk of electrocution, shock and death to the user if the hair dryer comes into contact with water when plugged in. Immediately stop using the hair dryers. Full recall notice: [\[LINK to CPSC website\]](#).

Facebook: RECALL NOTICE: Combination hair dryers sold on Amazon.com do not have an immersion protection device, posing a risk of electrocution, shock and death to the user if the hair dryer comes into contact with water when plugged in. Immediately stop using the hair dryers. Full recall notice: [\[LINK to CPSC website\]](#).

Twitter: #Recall: Combination hair dryers sold on Amazon lack immersion protection, posing a risk of electrocution, shock and death if they come into contact with water. Full recall notice: [\[LINK to CPSC website\]](#).