

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

“Nomination of Alexander Hoehn-Saric to be a Commissioner and Chair of the Consumer Product Safety Commission (CPSC); Mary T. Boyle to be a Commissioner of the CPSC; Richard Trumka, Jr. to be a Commissioner of the CPSC; and Grant Harris to be Assistant Secretary for Industry and Analysis at the Department of Commerce”

10:00 AM, July 28, 2021

Questions for the Record from Hon. Baldwin to Mr. Hoehn-Saric

Unsafe Products. Americans are increasingly turning to online retailers for a wide range of consumer products, and I think it is critically important that those e-commerce platforms ensure their customers have accurate information about what they are buying.

I was pleased to see the CPSC recently take action against Amazon for selling unsafe products on its third-party platforms. The products mentioned in CPSC’s action include carbon monoxide detectors that fail to alarm, numerous children's pajamas that could catch fire and nearly 400,000 hair dryers that could electrocute people if dropped in water.

Question. I’d like to hear from our CPSC nominees about what else the agency should do to ensure the safety of products sold online.

Answer. According to Department of Commerce statistics, e-commerce constituted over 13 percent of retail sales in 2020 and e-commerce continued to grow in the first quarter of 2021. The CPSC must meet consumers where they are to be effective. More and more that means increasing the CPSC’s efforts to address the safety of goods purchased online. Congress recognized this in the American Rescue Plan Act when it appropriated funds to the CPSC to enhance the monitoring of internet websites for the offering for sale of new and used violative consumer products and for the collection and analysis of consumer product safety information data.

If confirmed, I would work with my fellow Commissioners and CPSC’s staff to prioritize consumer product safety online. Specifically, the CPSC should use its tools and resources to engage with e-commerce platforms to better identify violative consumer products and stop them from being listed for sale. In addition, e-commerce platforms are in a unique position to facilitate recalls. Many such platforms have ongoing relationships with consumers and would be able to contact consumers about recalled items purchased through their platforms and facilitate recalls as necessary. If confirmed, I would explore the tools and resources the CPSC has to fully engage with e-commerce platforms to promote consumer product safety from the product’s listing to providing a remedy, if a consumer product is recalled. In addition, if confirmed, I would work with my fellow Commissioners and CPSC staff to ensure that the funding provided to the CPSC is used effectively. This would include increased monitoring of internet websites for the sale or resale of violative products as well as gathering more data from vulnerable communities regarding risks, injuries, and how best to engage and educate the communities about online consumer product safety.

Safety Campaigns. The CPSC has a number of safety campaigns that it leads to communicate specific hazards to consumers, such as the “Anchor It!” campaign to educate consumers about furniture tip-over hazards, and “Pool Safely” to educate consumers about the risk of drowning. The agency uses its website and social media to promote these programs.

Question. Again, for our CPSC nominees – how should the CPSC prioritize these efforts? How should it measure their effectiveness?

Answer. There are several factors the CPSC should consider in prioritizing consumer education campaigns. First, the agency must look to the law. Laws such as the Virginia Graeme Baker Pool and Spa Safety Act and the annual appropriations laws have established and directed funding for education efforts. Second, the CPSC should examine injury and death data to identify the most significant consumer product risks to the public both by number and severity of the incidents. Third, the CPSC should consider the best methods to effectively educate consumers for specific consumer product risks. Based on these factors and other relevant information, the CPSC should develop and prioritize its educational programs. With respect to measuring education programs’ effectiveness, it is critical for the CPSC to collect injury, death and other relevant data from consumers, especially vulnerable and traditionally underserved communities. More granular data will better aid the Commission in evaluating the effectiveness of educational campaigns and guide the Commission as to whether additional resources should be used to reach particular populations.

Questions for the Record from Hon. Sinema to Mr. Hoehn-Saric

Role of Consumer Product Safety Commission (CPSC). The CPSC is responsible for protecting consumers from unreasonable risk of injury and death as a result of using consumer products, from off-road recreational vehicles to baby cribs.

Question. What priorities would you bring to your role as chair of the CPSC to ensure the safety of Arizona families, if confirmed?

Answer. If confirmed, I would fight to improve consumer product safety for Arizona families as well as families across this nation. My priorities include: focusing the agency's resources on e-commerce consumer product risks; strengthening the agency's efforts to stop non-compliant products at the ports; and making the Commission more efficient and faster in all its safety efforts. With respect to e-commerce, consumers in Arizona expect, and have a right to expect, that consumer products bought online are as safe as those purchased at the corner store. Unfortunately, this is not always true. If confirmed, I would work with my fellow Commissioners to focus the resources and tools of the agency on making it safer for Arizona consumers to buy consumer products online. With respect to ports, imported consumer products constitute approximately 75% of the identified violative products. Congress recently appropriated funds to increase CPSC's presence at the ports and, if confirmed, I would work to ensure this funding is used to reduce the flow of violative products into the U.S. Finally, making the agency more efficient and faster will benefit consumers and industry. If confirmed, I would work with my fellow Commissioners and the staff of the agency to move forward more quickly on voluntary and mandatory product safety standards, defect investigations, and recalls. Increased transparency and certainty will benefit industry as well as consumers.