

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 Ms. Mary Boyle

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. **The agency must take a multi-pronged approach to ensure the safety of products online, including using all of the authorities available under agency statutes to assert jurisdiction over such entities. In addition, the agency needs to strengthen its E-commerce enforcement efforts overall, including: bolstering its physical presence at express carrier hubs throughout the country where direct-to-consumer products enter the country; enhancing internet surveillance efforts to identify noncompliant products sold online; and developing technology to target noncompliant products sold online and shipped directly to consumers.**

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. **Communicating safety information to consumers—whether to educate about hazards or inform about recalls—is one of the most important things the agency does. Consumers deserve clear and consistent messaging about how to protect themselves and their families from product-related injuries, and CPSC’s communications strategy should reflect that goal. Specifically, CPSC must prioritize outreach to vulnerable populations and underserved communities that may suffer disproportionately from product-related hazards. That prioritization requires data analysis to identify populations at increased risk and**

conscientious communications design to reach those consumers with effective messaging. In addition, CPSC's communications approach must be responsive to emerging hazards, such as those product-related concerns associated with COVID-19, climate change and extreme weather, and new technologies. The effectiveness of all communications efforts should be measured through data analysis when possible, including through tracking impressions, evaluating messaging and strategy choices through media testing, and reviewing consumer attitudes and behaviors through media measurement and exposure data.

Questions for the Record from Hon. Sinema to Ms. Mary Boyle

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 CPSC commissioner to ensure the safety of Arizona families, if confirmed?

Answer. To ensure that safety of Arizona families, and all families, as a Commissioner I would focus on three main areas:

1. Imports and E-Commerce: Improving the agency's ability to detect and prevent entry of dangerous products into the United States stands as an essential part of protecting families. In particular, the agency needs to continue addressing the challenges created by online shopping, a growing pre-pandemic trend that took solid root across the country when consumers turned in droves to online shopping during the pandemic. As a result, a large volume of low-value, potentially noncompliant or hazardous shipments of foreign- manufactured products are being shipped directly to consumers in the United States. Enforcement of the sale and distribution of goods on E-commerce platforms to protect consumers will require a multi-pronged approach to ensure consumer safety, including: bolstering its physical presence at express carrier hubs throughout the country where direct to consumer products enter the country; enhancing internet surveillance efforts to identify noncompliant products sold online; and developing technology to target noncompliant products sold online and shipped directly to consumers.

2. Strengthening Compliance and Enforcement: In conjunction with efforts to stop the introduction of noncompliant products at the ports and express carrier hubs (efforts that focus on regulatory violations), CPSC faces an equally important challenge in ensuring that it executes a robust compliance and enforcement program to ensure defective products not subject to regulation are removed through recalls or other corrective actions.

3. Communicating Safety Information: Families are safer when they have up to date and accurate safety information. Ensuring that families receive this information in a timely and accessible way is one of the most important things the agency does. Consumers deserve clear and consistent messaging about how to protect themselves and their families from product-related injuries, and CPSC's communications strategy should reflect that goal.