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COLLECTION:

Clinton Presidential Records
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Lissa Muscatine
OA/Box Number: 20079

FOLDER TITLE:

CPSC Event - Guidance/Background [Consumer Product Safety Commission]

2015-0275-S

rc1939

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Comp For
JS/LM

News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release

July 31, 1996

Release # 96-175

Contact: Nychelle White

(301) 504-0580 Ext. 1192

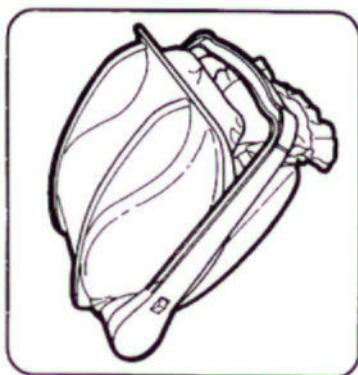
CPSC and Playskool Baby Announce Recall of Playskool Baby Fold N' Travel Infant Carrier

WASHINGTON, D.C. - In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Playskool Baby, Inc. of Northvale, N.J., is voluntarily recalling approximately 38,000 "Fold N' Travel" infant carriers because infants may fall out of the carrier.

Playskool has received 10 reports of children falling from the carrier, including reports of seven infants who suffered serious head injuries.

The lightweight plastic infant carriers, measuring about 17 inches long when folded and about 26 inches long when fully extended, were available in blue or teal with either a fabric or vinyl pad (model numbers 100, 101, 102, 103). Consumers adjust the carrier to any of three positions, rocker, feeder, or sleeper, by pushing the buttons located on each side of the carrier's handle near where the handle attaches to the carrier. The product can be folded by squeezing levers located underneath the carrier.

Children's products retailers sold the Fold N' Travel carriers nationwide from April 1991 through 1993 for approximately \$35.00.



Consumers who own Fold N' Travel infant carriers should stop using them immediately and return the carriers to Playskool or to the store where purchased, for a full refund. To receive pre-paid shipping materials and for information on returning the carriers, consumers should call Playskool at (800) 447-7707.

Playskool stopped manufacturing Fold N' Travel infant carriers in April 1993.

The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury and for information on CPSC's fax-on-demand service, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270. To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov> or via Internet gopher services at cpsc.gov. Consumers can report product hazards to info@cpsc.gov.

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News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
April 16, 1997
Release # 97-102

Contact: Nychelle White
(301) 504-0580 Ext. 1192

CPSC, Century Announce Recall to Repair TraveLite SPORT Strollers

WASHINGTON, D.C. - In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Century Products Co. of Macedonia, Ohio, is voluntarily providing a free repair kit for about 166,000 Century TraveLite SPORT strollers. Certain models of these strollers have restraint buckles that could unlatch and fold locks that could break causing the stroller to fold unexpectedly if the front wheels of the stroller hit a curb or other stationary object. If the restraint buckle unlatches or the fold locks fail, a child could fall out of the stroller and be injured.

Century has received approximately 1,400 reports from consumers about these problems, including 78 injuries, such as bumps and bruises.

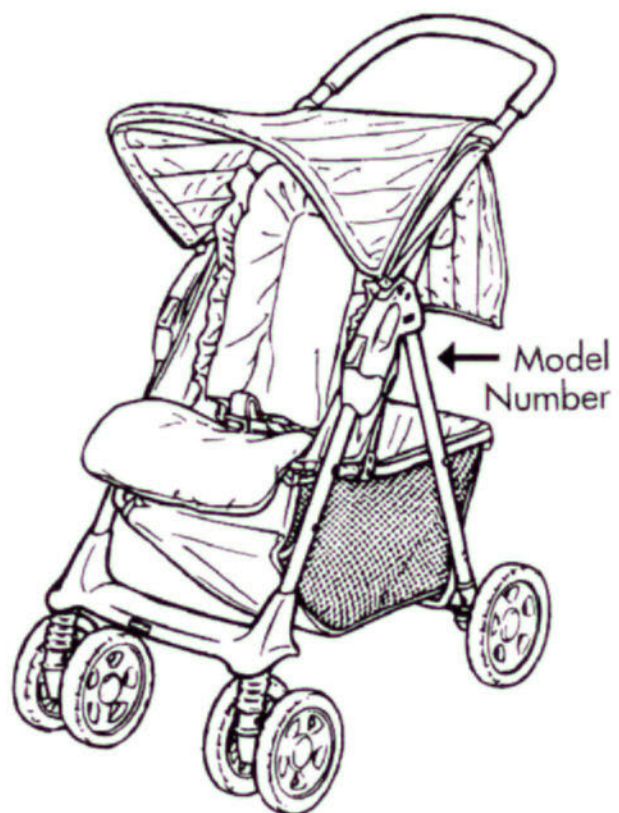
Century is offering consumers a free repair kit to prevent strollers from folding unintentionally and to prevent the restraint buckle from unlatching. Consumers will receive instructions with the kit for making the repairs at home.

The strollers needing repair are Century TraveLite SPORT strollers with model numbers 11-171, 11-181, or 11-191. These strollers were made from February 1995 through October 1995. The model number and date manufactured are located on the side tubing of the stroller.

-more-

(stroller)

-2-



Department, juvenile products, and discount stores nationwide sold these strollers beginning in February 1995 for about \$60 to \$80.

Consumers should immediately stop using these strollers and call Century toll-free at 1-800-944-0039 for a free repair kit with installation instructions. Consumers may also request the free repair kit by writing to Century Products Co., 9600 Valley View Rd., Macedonia, OH 44056.

The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury and for information on CPSC's fax-on-demand service, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270. To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov> or via Internet gopher services at cpsc.gov. Consumers can report product hazards to info@cpsc.gov.

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NEWS:



U.S. Department of
Transportation
<http://www.dot.gov>

U.S. Consumer Product
Safety Commission
<http://www.cpsc.gov>

FOR IMMEDIATE RELEASE

Thursday, March 5, 1998

NHTSA 9-98

Contact: Phil Frame

Tel. No.: (202) 366-9550

CPSC # 98-076

Contact: Nychelle Fleming, CPSC

Tel. No.: (301) 504-0580 Ext. 1192

NHTSA, CPSC ANNOUNCE RECALL OF EVENFLO 'ON MY WAY' INFANT CAR SEATS/CARRIERS

The National Highway Traffic Safety Administration (NHTSA) and the U.S. Consumer Product Safety Commission (CPSC) announced the recall of about 800,000 Evenflo On My Way infant car seats/carriers because of a defect that can cause serious injuries to children while the seats are being used as infant carriers.

"Parents should continue using these rear-facing infant car seats, but should not use the carrying handle until new parts are installed to fix the problem," said NHTSA Administrator Ricardo Martinez, M.D. "Safety is our highest transportation priority. A child safety seat that is installed and used correctly is the most effective safety device available for young children in automobiles."

The recall involves On My Way infant car seat/carrier model numbers 207 and 492 manufactured from Dec. 15, 1995, to July 27, 1997. The model 492 is the "On My Way Travel System," which includes a stroller. Model 207 is the car seat/carrier without the stroller. The manufacture date and model number are located on the bottom of the seat. Juvenile product, mass merchandise and major discount stores nationwide sold the car seats beginning in January 1996 for about \$60 to \$70, and the car seat with stroller for \$150 to \$175.

The red push button assembly on each side of the seat that is used to latch and adjust the carrying handle can unexpectedly release and cause the seat to flip forward. There have been 176 reports in which the carrying handle latch unexpectedly released, resulting in 89 injuries to children, including bruises, concussions and skull fractures. The injuries occurred to both restrained and unrestrained children.

"This is a serious problem that puts infants at risk," said CPSC Chairman Ann Brown. "The latches on these car seat carriers can release without warning. Parents who have this car seat should call for the free repair kit immediately."

-more-

(evenflo)

-2-

The recall results from a cooperative investigation conducted by NHTSA and the CPSC.

Evenflo will provide a repair kit, free of charge, with redesigned latch buttons that will make the handle latch much stronger. The repair can be done in the home with a Phillips head screwdriver. Until the seats are repaired, NHTSA and the CPSC advise owners not to carry a seat by its handle, but to use the hand holds at the head and foot of the seat.

Owners of these seats should call Evenflo at 1-800-203-2138 to give their name and address so that they can receive the repair kit.

Consumers with questions about this recall campaign may call NHTSA's toll-free Auto Safety Hotline at 1-800-424-9393. The number to call in the Washington, D.C., area is 202-366-0123. Information also is available from the CPSC Hotline at 1-800-638-2772.

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Recall Facts

WHAT	Evenflo "On My Way" infant car seats/carriers, Models 207 and 492.
WHY	While the seats are safe when being used in automobiles, when being carried by an adult the side latch mechanisms on the carrying handle can release, causing the seat to flip forward.
REMEDY	Evenflo will provide a free repair kit directly to owners with redesigned latch buttons.
HOW MANY	About 800,000 manufactured from Dec. 15, 1995, to July 27, 1997.
MORE INFORMATION	Evenflo: 1-800-203-2138 NHTSA: Auto Safety Hotline, 1-800-424-9393 CPSC: 1-800-638-2772

Video News Release Alert:

Satellite Coordinates (C-Band)

Thursday, March 5 Thursday, March 5 Friday, March 6
1:15-1:30 p.m. EST 3:45-4:00 p.m. EST 10:15-10:45 a.m. EST
Galaxy 4, Transponder 12 Galaxy 4, Transponder 10 Galaxy 4, Transponder 22
Downlink Freq: 3940 mhz Downlink Freq: 3900 mhz Downlink Freq: 4140 mhz
Audio 6.2 & 6.8 Audio 6.2 & 6.8 Audio 6.2 & 6.8

Editor's Note: To access a full-color version of the product photo in JPEG (JPG) format, go to this press release on CPSC's web site at:
<http://www.cpsc.gov/cpscpub/prerel/prhtml98/98076.html>
To download, place the cursor on the image, click and hold the mouse button (right mouse button



the image in the desired location.

for PC users), and use the "save as" menu to save

News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
October 22, 1998
Release # 99-012

Contact: Nychelle Fleming
(301) 504-0580 Ext. 1192

CPSC, Fisher-Price Announce Recall to Repair Power Wheels® Ride-On Battery-Powered Vehicles

WASHINGTON, D.C. - In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Fisher-Price, of East Aurora, N.Y., is conducting a voluntary recall involving up to 10 million battery-powered Power Wheels® ride-on cars and trucks. The vehicles' electrical components can overheat and cause fires. Children can suffer injuries from fires and house fires can occur. Additionally, wiring problems can prevent the vehicles from stopping.

CPSC and Fisher-Price have received approximately 700 reports of electrical components failing and overheating while the cars and trucks were being ridden, charged, parked or stored. About 150 fires have been reported. Nine children suffered minor burns to the hands, legs, or feet; and up to \$300,000 in property damage to 22 houses and garages have been reported.

There have also been 71 reports of vehicles not stopping. Six children suffered bruises, scratches or bumps when their vehicles hit a car, truck, pole, window or fence.

Power Wheels Service Centers will repair the vehicles. These service centers will install the new parts free of charge and give all recalled vehicles a free safety check-up and tune-up.

The recalled Power Wheels cars and trucks have been sold under nearly 100 model names. The Power Wheels logo and the model name are on each vehicle. All models with two batteries are recalled, and certain models with one battery are recalled. The company will help consumers identify if their model is part of the recall. Power Wheels cars and trucks are intended for children 2 to 7 years old, and the vehicles' speed ranges from 1 to 5 mph, depending on the model.

-more-

Toy and mass merchandise stores nationwide sold the cars and trucks since 1984 for about \$70 to \$300.

Consumers should remove the vehicles' batteries right away and not let children use these Power Wheels vehicles until the repair has been made at the service center. To schedule the repair, consumers should call Power Wheels at (800) 977-7800 anytime or access the company's web site at www.powerwheels.com. Again, the company will help consumers identify if their vehicles are part of the recall.

Power Wheels sold after October 1998 are not involved in this recall.

####

VIDEO ALERT:

A video news release is being issued, which includes b-roll of the recalled product with soundbites from a company spokesperson and CPSC Chairman Ann Brown. The package will detail the exact products involved in the recall, and tell parents what to do if they have one.

Satellite Coordinates (C-Band)

Thurs., October 22

3:00 p.m. - 3:30 p.m. EDT

GE 1, Transponder 17

Downlink Freq.: 4040 mhz

Audio 6.2 & 6.8

Fri., October 23

11 a.m. - 11:30 a.m. EDT

GE 1, Transponder 13

Downlink Freq.: 3960 mhz

Audio 6.2 & 6.8

This feed is sponsored by the juvenile products company and is for your free and unrestricted use. For technical questions about the satellite feed, contact Diana Gonzalez at (800) 666-7882.

Editor's Note: To access a full-color version of two models in JPEG (JPG) format, go to this press release on CPSC's web site at:

<http://www.cpsc.gov/cpscpub/prerel/prhtml99/99012.html>

To download, place the cursor on the image, click and hold the mouse button (right mouse button for PC users), and use the "save as" menu to save the image in the desired location.



List of models attached on next page

Model names, including, but not limited to:

12 Volt Battery Models

Barbie Beach Buggy
Barbie Beach Cruiser
Barbie Beach Patrol
Barbie Beach Ranger
Barbie Sports Quad
Barbie Sun Jammer
Big Foot
Coyote
Cycle Sound Suzuki/Quad Racer 900
Extreme Machine
Fire Truck
Ford F-150
High Rider
Jeep Adventure Team
Jeep Commando
Jeep Dune Squad
Jeep Dune Watch
Jeep Enforcer
Jeep Laredo
Jeep Renegade
Jeep Safari
Jeep Wrangler
Kawasaki Ninja ATV
Monster Sound Big Foot
Suzuki Quad Racer
Raider
Jeep Sahara
Jeep Sand Blaster
Super Sound Jeep 4x4
Sweetheart
GI Joe Jeep Commander
Super Bigfoot
400 SZ

Super 6 Volt Battery Models

Barbie Corvette
Barbie Lamborghini
Barbie Trail Rider
Big Jake
Big Foot
Cartoon Network
Caterpillar
Corvette
Firetruck
Hot Wheels Lamborghini
Kawasaki GPZ
Kmart Racing Truck
Lamborghini
Monster 4x4
Monster Racing Truck
My First Roadster
Qua-Trax
Snake Bite
Starfire
Supervette 350
Suzuki Quad Sport
Turbo Corvette
Speed Sound Lamborghini

News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
February 17, 1999
Release # 99-062

Contact: Nychelle Fleming
(301) 504-0580 Ext. 1192

CPSC, Cosco Announce Recall to Repair Two Ways™ Tandem Strollers

WASHINGTON, D.C. - In cooperation with the U.S. Consumer Product Safety Commission (CPSC), Cosco Inc., of Columbus, Ind., is recalling about 57,000 Geoby™ Two Ways™ tandem strollers for in-home repair. The plastic locks on the folding mechanisms can break during use, causing the strollers to suddenly collapse. If strollers collapse, babies can suffer injuries from the fall, including head injuries from hitting concrete sidewalks. The child's arms, hands or fingers can be cut if they are on the locking mechanism when the stroller collapses.

Cosco has received about 3,000 complaints of locks failing, which includes 250 reports of strollers unexpectedly collapsing. This resulted in more than 200 injuries to babies, including head injuries, a fractured forearm, finger and arm lacerations requiring stitches, and bumps, bruises and cuts.

Cosco is offering consumers a free repair kit with instructions. The repair kit contains two secondary locking pins that will prevent the stroller from collapsing.

The Cosco Geoby™ Two Ways™ tandem strollers being recalled are model numbers

01-644 and 01-645 (with car seat), manufactured from February 1997 through February 1998. The model number and manufacturing date are stamped on a label on the back leg frame, just above the wheel. The manufacturing date represents the week and year. Those manufactured between 0697 and 0698 are involved. The stroller is designed so that two babies can sit behind one another. The stroller's front seat reverses so children can ride face to face and the back seat reclines. Other features of the stroller include dual quilted canopies, a market basket and a utility bag. "Cosco by Geoby™" is written on the plastic side lock covers and "Two Ways™" is embroidered on the front seat's crotch support.

Mass merchandise and juvenile products stores nationwide sold these strollers for about \$110 (model 01-644) and \$170 (model 01-645).

(strollers)



Consumers should stop using the strollers immediately and call Cosco at (800) 221-6736 between 8 a.m. and 4:30 p.m. EST Monday through Friday or at www.coscoinc.com to receive the free repair kit. Cosco will help consumers identify whether their strollers are involved in this recall.

Strollers manufactured after February 1998 are not involved in this recall.

The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at <http://www.cpsc.gov/talk.html>. For information on CPSC's fax-on-demand service, call the above numbers or visit the web site at (<http://cpsc.gov/about/who.html>). To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov>. To establish a link from your web site to this press release on CPSC's web site, create a link to the following address: <http://www.cpsc.gov/cpsc/pub/prere/prrhtml99/99062.html>.

####

VIDEO ALERT: Satellite Coordinates (C-Band) All Times Eastern

Wednesday, February 17, 1999

2:00 p.m - 2:30 EST

Telstar 4, Transponder 20

Downlink Frequency: 4100 MHz

Audio 6.2 & 6.8

Thursday, February 18, 1999

10:30 a.m. -11 a.m. EST

GE 2, Transponder 6

Downlink Frequency: 3820 MHz

Audio 6.2 & 6.8

This feed is sponsored by Cosco and is provided for your free and unrestricted use. For technical questions about the satellite feed, contact Rachel Vitale at (800) 666-7882.

Fine

NEWS from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE RELEASE

April 3, 2000

Release # 00-085

CPSC CONTACT: William J. Moore, Jr.

(301) 504-0626 Ext. 1348

Hasbro Pays \$400,000 Civil Penalty for Delay in Reporting Infant Carrier Defect

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission (CPSC) announced today that Hasbro Inc., of Pawtucket, R.I., paid a \$400,000 civil penalty to settle allegations that it violated the Consumer Product Safety Act by failing to timely report defects with its "PLAYSKOOL baby FOLD'N TRAVEL" infant carriers. Playskool Baby is a division of Hasbro.

CPSC alleges that Hasbro failed to report in a timely manner that the carrier's handle locking mechanism could fail, causing the seat to flip forward and infants to fall to the ground. Hasbro received nine injury reports, including seven serious head injuries, before it reported to CPSC. In agreeing to settle this matter, Hasbro denies that the product contained a defect and that Hasbro violated any law.

About 38,500 of these carriers were sold nationwide from 1991 to June 1993 for approximately \$35. The infant carrier has a sleeping, sitting and rocking position and a handle for carrying baby out and about. Each carrier has the words "PLAYSKOOL baby FOLD'N TRAVEL" on a label where the handle connects to the seat.

Hasbro recalled the "PLAYSKOOL baby FOLD'N TRAVEL" carriers in 1996. Consumers still can participate in the recall by calling Hasbro toll-free at (800) 752-9755 anytime to receive a full \$35 refund.

The U.S. Consumer Product Safety Commission protects the public from the unreasonable risk of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury, you can go to CPSC's [forms page](#) and use the first on-line form on that page. Or, you can call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or send the information to info@cpsc.gov. To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information from CPSC's web site at www.cpsc.gov or by calling the hotline or sending your request to info@cpsc.gov. You can also subscribe to CPSC's [email subscription list](#) which normally sends all press releases the day they are issued.

Recall

NEWS from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, DC 20207

FOR IMMEDIATE RELEASE

July 31, 1996

Release # 96-175

CONTACT: Nychelle White
(301) 504-0580 Ext. 1192

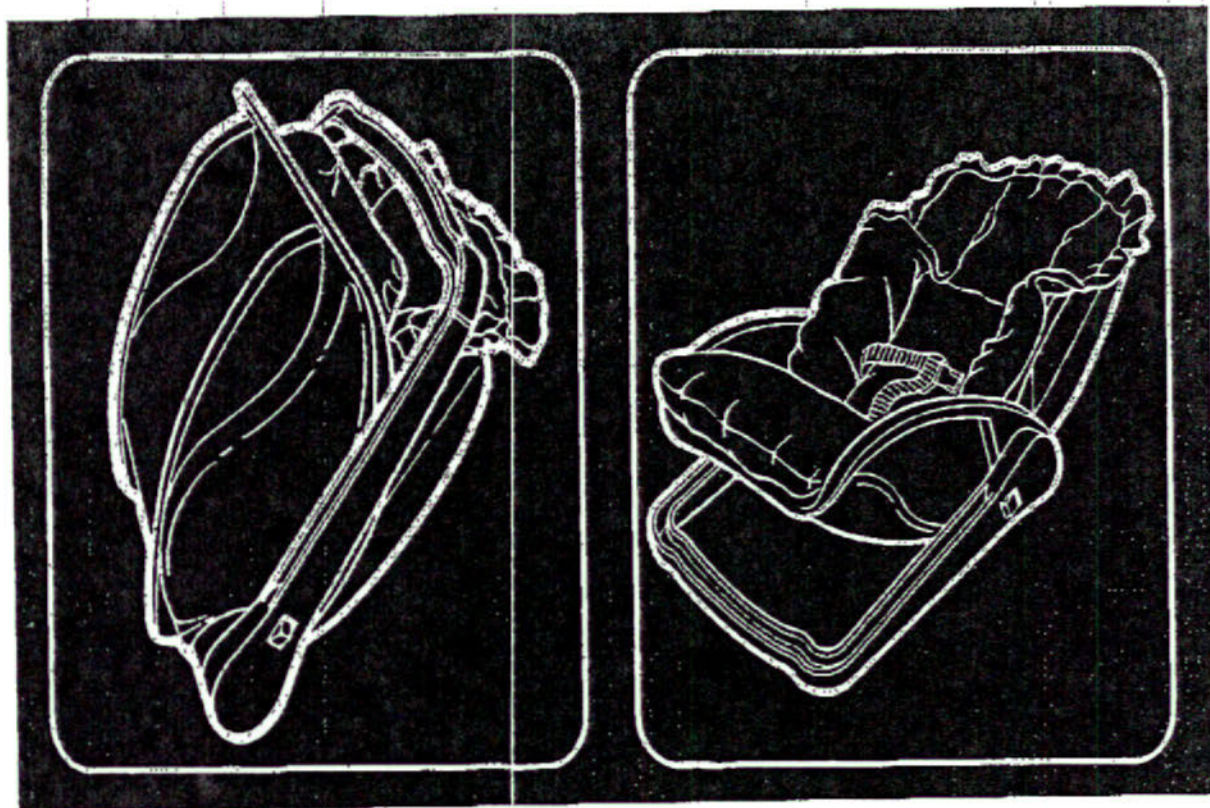
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Children's products retailers sold the Fold N' Travel carriers nationwide from April 1991 through 1993 for approximately \$35.00.



Consumers who own Fold N' Travel infant carriers should stop using them immediately and return the carriers to Playskool or to the store where purchased, for a full refund. To receive pre-paid shipping materials and for information on returning the carriers, consumers should call Playskool at (800) 447-7707.

Playskool stopped manufacturing Fold N' Travel infant carriers in April 1993.

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preisgirdel

\$7,000/product x
Caps out very sold
= 228?

GENERAL BACKGROUND INFO

Q: Why is this legislation being proposed?

A: This initiative is in response to recent reports of manufacturers failing to warn the government about the safety of their products as required by consumer product safety laws. Defective products – which have included cribs, infant carriers, toys, and household products – have caused hundreds of injuries ranging from burns to fractures and even deaths. Many of these unfortunate injuries could be avoided if potentially hazardous products, especially those used by children, the most vulnerable consumers, were promptly reported to the Consumer Products Safety Commission.

defective products that have injured children.
Mrs. C. dignifying is health & safety of children

Q: How will this legislation get companies to report defective products?

A: The proposed legislation is designed to act as an ^{incentive} for companies to report complaints about their potentially dangerous products. First, the proposed legislation lifts the cap on civil penalties. ^{that CPSC can handle} Under current law, the CPSC cannot assess more than \$1,650,000 in any one case against a company that knowingly violates consumer product safety laws. More substantial civil penalties would provide a needed incentive for companies to notify CPSC of defective products so that the agency can take timely action to protect consumers. Second, the new legislation would increase the penalty for a criminal violation of product safety laws from a misdemeanor to a felony. Finally, the proposal would give the CPSC authority to select the way a defective product will be fixed in a product recall. Through this legislation, our hope is that companies will be more sensitive to consumer complaints and take action to both remedy potentially dangerous products and promptly report consumer complaints to the CPSC.

Q: Why is the First Lady involved in this event?

A: The First Lady has a longstanding interest in children's health and safety and has participated in several initiatives with the Commission to improve the safety of children's products, including kicking off a national campaign to alert parents and caregivers to safety hazards in child care settings, and helping the Commission promote "Baby Safety Showers," which educate expecting and new parents on baby safety.

CAMPAIGN TO INCREASE REPORTING OF DANGEROUS PRODUCTS

Q: How will the campaign protect children from dangerous products?

A: Health care providers from the associations participating in the campaign – such as pediatricians and emergency room nurses -- would report to the CPSC when they see a death or serious injury, that may have been caused by a consumer product. These professionals, who see firsthand the injuries caused by defective products, can play an important role in protecting consumers from injury by reporting dangerous products to the CPSC through its Internet web site or its toll-free Hotline.

RESEARCH

Q: Who conducted the research which revealed the violations against CPSC laws?

A: There have been a number of independent and government organizations that have kept close watch on products that could potentially injure children. Our primary sources were a USA Today investigation (4-3-2000) and The U.S. Consumer Product Safety Commission.

MISCELLANEOUS

Q: What is the procedure for consumers to make a formal complaints against companies with regard to violating CPSC laws?

A: Consumers can contact the CPSC through their web site: (www.cpsc.gov) and their toll free number: (800) 638-2772.

Q: Is the CPSC currently investigating any particular companies, and which products are in question?

A: This information may be obtained by contacting the CPSC directly. They can be reached at (301) 504-0580 or through their web site: www.cpsc.gov.

FIRST LADY HILLARY RODHAM CLINTON ANNOUNCES EFFORTS TO IMPROVE THE SAFETY OF CHILDREN'S PRODUCTS

Today, First Lady Hillary Rodham Clinton will announce efforts to improve the safety of consumer products, particularly products that are potentially harmful to children. The First Lady, joined by Ann Brown, Chairman of the Consumer Products Safety Commission (CPSC), [Representative Ed Markey], and a broad range of health professionals and consumer advocates, will highlight legislation to strengthen the penalty authority of the CPSC, and announce a public-private campaign to help the CPSC identify dangerous products.

This proposal is in response to recent reports of manufacturers that have failed to warn the government about faulty and unsafe products, as required by consumer product safety laws. In the last five years alone, CPSC investigations of dangerous products have resulted in penalties assessed against 21 companies for failing to report problems with their products. The products – which include cribs, infant carriers, toys, and household products – caused hundreds of injuries ranging from burns to fractures and even deaths. For example, the Commission recently announced a \$400,000 penalty against a company that waited until it had 12 reports of handles unlatching on infant carriers, resulting in seven skull fractures, before telling the Commission about the problem. Many of these unfortunate injuries can be avoided if potentially hazardous products, especially those used by children, the most vulnerable consumers, were promptly reported to the CPSC.

STRENGTHENING CONSUMER PRODUCT SAFETY LAWS

The First Lady will be highlighting a legislative proposal, sent to Congress today, that calls for tougher penalties designed to encourage companies to report problems with their products before they cause additional injuries. The legislation would: 1) lift the overall cap on civil penalties; 2) make criminal violations a felony; and 3) provide CPSC the authority to challenge the recall remedy chosen by the product manufacturer if the remedy does not provide the most protection to the consumers.

Under current law, the CPSC cannot assess more than \$1.65 million in civil penalties against a company that knowingly violates consumer product safety laws, which include the duty to report defective products. Legislation proposed by this Administration would lift the cap on civil penalties for violations of the consumer product safety laws, providing a much-needed incentive for companies to notify CPSC of defective products.

In addition, currently the CPSC can only assess criminal misdemeanor penalties for violation of product safety laws. The proposed legislation would increase the potential criminal penalties for a [knowing and willful] violation of consumer product safety laws from a misdemeanor to a felony, and increase the maximum monetary criminal penalty, from \$50,000 to \$250,000 for individuals and \$500,000 for companies.

Increased penalties will provide incentives for companies to avoid manufacturing defective products, as well as to come forward earlier when problems are detected, thus preventing harm

to consumers. These heightened penalties are not only necessary to deter companies from withholding complaints about their potentially dangerous products, but are also commensurate with the seriousness of product safety violations, which can result in death or serious injury to children and families.

Finally, the proposed legislation would amend the provision in current law that allows a company with a defective product to select the way a defective product is fixed in a product recall (repair, replacement, or refund), even if the remedy chosen does not provide the most protection to consumers. Under the proposed legislation, the Commission could determine that the chosen remedy is not in the public interest, and select an alternate remedy.

CAMPAIGN TO INCREASE REPORTING OF DANGEROUS PRODUCTS THAT HARM CHILDREN AND FAMILIES

The First Lady will also be announcing immediate efforts to protect the health and safety of children and families through heightened awareness of unsafe products. She will launch an innovative partnership with the CPSC and health care providers to uncover dangerous products that cause injuries and even deaths. A broad range of health care professionals – the American Academy of Family Physicians, the American Academy of Pediatrics, the American Medical Women's Association, the American Nurses Association, [Emergency Physicians], [Emergency Nurses], [National Safe Kids Campaign] -- have committed to a campaign to encourage their member health providers to report injury causing products to the CPSC.

About 60% of complaints the CPSC receives about potentially hazardous products come from sources other than the manufacturer. Therefore, these professionals – who see firsthand the injuries caused by defective products -- can play an important role in protecting consumers from injury by reporting dangerous products to the CPSC, which can then act to protect consumers.

These groups will promote a campaign to increase reporting of dangerous products, and have also agreed to work with the CPSC to disseminate information about product recalls. For example, the American Academy of Pediatrics has committed to promoting this campaign to pediatricians in *AAP News*, the Academy's newsmagazine, which is sent to 55,000 members monthly, as well as to posting information on the Academy's official web site, with a direct link to CPSC's product reporting web site, and to notifying pediatricians regularly about product recalls in the magazine's "Health Alerts." The Academy will also promote this effort to families in *Healthy Kids*, the Academy's parenting magazine. **In addition, the National Safe Kids Campaign, an organization devoted to preventing childhood injuries, will activate its state and local coalition members to visit the places product recalls often don't reach – thrift shops, day care centers, schools, and hotels and motels – to search for dangerous products.**

The commitments from these organizations will assist the CPSC, which already relies significantly on complaints from the public about defective products, in identifying products that are harming consumers, especially children.

THE CLINTON ADMINISTRATION'S COMMITMENT TO CONSUMER PRODUCT

SAFETY

The Clinton Administration has strongly supported the work of the CPSC, and since the President took office, the Consumer Product Safety Commission's Budget has grown by 24 percent. In addition, the First Lady has a longstanding interest in children safety and has participated in several CPSC initiatives to improve the safety of children's products, including kicking off a national campaign to alert parents and caregivers to safety hazards in child care settings, and helping the Commission promote "Baby Safety Showers," which educate expecting and new parents on baby safety.

A BILL

To amend title 15, United States Code, regarding repair, replacement, or refund actions, civil penalties, and criminal penalties under the Consumer Product Safety Act and the Federal Hazardous Substances Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE

This Act may be cited as the “Consumer Product Safety Commission Enhanced Enforcement Act of 2000.”

SEC. 2. REPAIR, REPLACEMENT, OR REFUND

(a) Section 15(d) of the Consumer Product Safety Act (15 U.S.C. 2064(d)) is amended –

(1) by striking “If” in the first sentence and inserting “Subject to the last paragraph of this subsection, if”; and

(2) by adding at the end the following:

“If the Commission determines (after affording opportunity for an informal hearing) that the action that the manufacturer, distributor or retailer has elected to take under subsection (d)(1), (2), or (3) is not in the public interest, the Commission shall order the manufacturer, distributor or retailer to take whichever other action or actions specified in subsection (d)(1), (2), or (3) that the Commission determines to be in the public interest. If the Commission determines that both of the remaining actions

specified in subsection (d)(1), (2), or (3) are in the public interest, the Commission shall order the manufacturer, distributor or retailer to take whichever of those actions the manufacturer, distributor or retailer elects.”

(b) Section 15(b) of the Federal Hazardous Substances Act (15 U.S.C. 1274(b))

is amended –

(1) by striking “If” in the first sentence and inserting “Subject to the last paragraph of this subsection, if”; and

(2) by adding at the end the following:

“If the Commission determines (after affording opportunity for an informal hearing) that the action that the manufacturer, distributor or dealer has elected to take under subsection (b)(1), (2), or (3) is not in the public interest, the Commission shall order the manufacturer, distributor or dealer to take whichever other action or actions specified in subsection (b)(1), (2), or (3) that the Commission determines to be in the public interest. If the Commission determines that both of the remaining actions specified in subsection (b)(1), (2), or (3) are in the public interest, the Commission shall order the manufacturer, distributor or dealer to take whichever of those actions the manufacturer, distributor or dealer elects.”

(c) Section 15(c)(2) of the Federal Hazardous Substances Act (15 U.S.C.

1274(c)(2)) is amended --

(1) by striking “If” in the first sentence and inserting “Subject to the last paragraph of this subsection, if”; and

(2) by adding at the end the following:

“If the Commission determines (after affording opportunity for an informal hearing) that the action that the manufacturer, distributor or dealer has elected to take under subsection (c)(2)(A), (B) or (C) is not in the public interest, the Commission shall order the manufacturer, distributor or dealer to take whichever other action or actions specified in subsection (c)(2)(A), (B) or (C) that the Commission determines to be in the public interest. If the Commission determines that both of the remaining actions specified in subsection (c)(2)(A), (B) or (C) are in the public interest, the Commission shall order the manufacturer, distributor or dealer to take whichever of those actions the manufacturer, distributor or dealer elects.”.

SEC. 3. CIVIL PENALTIES

(a) Section 20(a) of the Consumer Product Safety Act (15 U.S.C. 2069(a)) is amended to read as follows:

“(a) Amount of penalty

“(1) Any person who knowingly violates section 19 of this Act shall be subject to a civil penalty not to exceed \$7,000 for each such violation. Subject to paragraph (2), a violation of section 19(a)(1), (2), (4), (5), (6), (7), (8), (9), (10), or (11) shall constitute a separate offense with respect to each consumer product involved. A violation of section 19(a)(3) shall constitute a separate violation with respect to each failure or

refusal to allow or perform an act required thereby; and, if such violation is a continuing one, each day of such violations shall constitute a separate offense.

“(2) The second sentence of paragraph (1) of this subsection shall not apply to violations of paragraph (1) or (2) of section 19(a) –

“(A) if the person who violated such paragraphs is not the manufacturer or private labeler or a distributor of the products involved, and

“(B) if such person did not have either (i) actual knowledge that his distribution or sale of the product violated such paragraphs or (ii) notice from the Commission that such distribution or sale would be a violation of such paragraphs.

“(3) (A) The penalty amount authorized in paragraph (1) shall be adjusted for inflation as provided in this paragraph.

“(B) Not later than December 1, 2005, and December 1 of each fifth calendar year thereafter, the Commission shall prescribe and publish in the Federal Register the authorized penalty amount that shall apply for violations that occur after January 1 of the year immediately following such publication.

“(C) The authorized penalty amount shall be prescribed by increasing the amount referred to in paragraph (1) by the cost-of-living adjustment for the preceding five years. Any increase

determined under the preceding sentence shall be rounded up to –

“(i) in the case of a penalty amount less than or equal to \$10,000, the nearest multiple of \$1,000;

“(ii) in the case of a penalty amount greater than \$10,000, the nearest multiple of \$5,000.

“(D) For purposes of this subsection:

“(i) The term “Consumer Price Index” means the Consumer Price Index for all-urban consumers published by the Department of Labor.

“(ii) The term “cost-of-living adjustment for the preceding five years” means the percentage by which –

“(I) the Consumer Price Index for the month of June of the calendar year preceding the adjustment; exceeds

“(II) the Consumer Price Index for the month of June preceding the date on which the maximum authorized penalty was last adjusted.”.

(b) Section 5(c) of the Federal Hazardous Substances Act (15 U.S.C. 1264(c)) is amended to read as follows:

“(c) Civil penalties

“(1) Any person who knowingly violates section 4 shall be subject to a civil penalty not to exceed \$7,000 for each such violation. Subject to

paragraph (2), a violation of subsections (a), (b), (c), (d), (f), (g), (i), (j), and (k) of section 4 shall constitute a separate offense with respect to each substance involved. A violation of section 4(e) shall constitute a separate violation with respect to each failure or refusal to allow or perform an act required by section 4(e); and, if such violation is a continuing one, each day of such violation shall constitute a separate offense.

“(2) The second sentence of paragraph (1) of this subsection shall not apply to violations of subsection (a) or (c) of section 4 –

“(A) if the person who violated such subsection is not the manufacturer, importer, or private labeler or a distributor of the substance involved; and

“(B) if such person did not have either (i) actual knowledge that such person’s distribution or sale of the substance violated such subsection, or (ii) notice from the Commission that such distribution or sale would be a violation of such subsection.

“(3) In determining the amount of any penalty to be sought upon commencing an action seeking to assess a penalty for a violation of section 4, the Commission shall consider the nature of the substance, the severity of the risk of injury, the occurrence or absence of injury, the amount of the substance distributed, and the appropriateness of such penalty in relation to the size of the business of the person charged.

“(4) Any civil penalty under this subsection may be compromised

by the Commission. In determining the amount of such penalty or whether it should be remitted or mitigated, and in what amount, the Commission shall consider the appropriateness of such penalty to the size of the business of the persons charged, the nature of the substance involved, the severity of the risk of injury, the occurrence or absence of injury, and the amount of the substance distributed. The amount of such penalty when finally determined, or the amount agreed on compromise, may be deducted from any sums owing by the United States to the person charged.

“(5) As used in the first sentence of paragraph (1), the term “knowingly” means (A) having actual knowledge, or (B) the presumed having of knowledge deemed to be possessed by a reasonable person who acts in the circumstances, including knowledge obtainable upon the exercise of due care to ascertain the truth of representations.

“(6) (A) The penalty amount authorized in paragraph (1) shall be adjusted for inflation as provided in this paragraph.

“(B) Not later than December 1, 2005, and December 1 of each fifth calendar year thereafter, the Commission shall prescribe and publish in the Federal Register the authorized penalty amount that shall apply for violations that occur after January 1 of the year immediately following such publication.

“(C) The authorized penalty amount shall be prescribed by

increasing the amount referred to in paragraph (1) by the cost-of-living adjustment for the preceding five years. Any increase determined under the preceding sentence shall be rounded up to –

“(i) in the case of a penalty amount less than or equal to \$10,000, the nearest multiple of \$1,000;

“(ii) in the case of a penalty amount greater than \$10,000, the nearest multiple of \$5,000.

“(D) For purposes of this subsection:

“(i) The term “Consumer Price Index” means the Consumer Price Index for all-urban consumers published by the Department of Labor.

“(ii) The term “cost-of-living adjustment for the preceding five years” means the percentage by which –

“(I) the Consumer Price Index for the month of June of the calendar year preceding the adjustment; exceeds

“(II) the Consumer Price Index for the month of June preceding the date on which the maximum authorized penalty was last adjusted.”.

SEC. 4. CRIMINAL PENALTIES

(a) Section 21 of the Consumer Product Safety Act (15 U.S.C. 2070) is amended to read as follows:

“(a) Any person who knowingly violates section 19 of this Act shall be fined under title 18, United States Code, or be imprisoned not

more than one year, or both, if such person is an individual, or fined under title 18, United States Code, if such person is an organization (as the term “organization” is defined in 18 U.S.C. 18). Any person who knowingly and willfully violates section 19 of this Act shall be fined under title 18, United States Code, or be imprisoned not more than three years, or both, if such person is an individual, or fined under title 18, United States Code, if such person is an organization.

“(b) Any individual director, officer, or agent of a corporation who authorizes, orders, or performs any of the acts or practices constituting in whole or in part a violation of subsection (a) shall be subject to penalties under this section without regard to any penalties to which that corporation may be subject under subsection (a).”.

(b) Section 5(a) of the Federal Hazardous Substances Act (15 U.S.C. 1264(a)) is amended to read as follows:

“(a) Criminal penalties

“Any person who violates any of the provisions of section 4 shall be guilty of a misdemeanor and shall on conviction thereof be subject to a fine under title 18, United States Code, or to imprisonment for not more than one year, or both, if such person is an individual, or to a fine under title 18, United States Code, if such person is an organization (as the term “organization” is defined in 18 U.S.C. 18); but for offenses committed willfully, or for second and subsequent offenses, the penalty shall be

imprisonment for not more than three years, or a fine under title 18, United States Code, or both, if such person is an individual, or a fine under title 18, United States Code, if such person is an organization.”.

Thank you all – and welcome to the White House.

I want to begin with a story that illustrates why we are here. It's a story about this infant carrier [point], which was sold to thousands of parents who wanted to keep their newborns safe and comfortable. But there was one big problem. On some of these carriers, the lock on the handle would suddenly come undone, causing the seat to flip. Imagine carrying your baby across a busy street, and suddenly seeing him or her fall to the ground.

Starting in 1992, the manufacturer heard story after story like this, and still failed to contact the Consumer Product Safety Commission. In fact, it wasn't until 1996 -- four years after the first report – that this product was finally recalled. By then, the company had received 12 reports of defective handles. In seven of these cases, the children suffered skull fractures.

All of these items here today – the carrier, the stroller, the toy car – had defects that put children in harm's way. All of their manufacturers waited too long to tell the CPSC. I wonder how many injuries and heartbreaks could have been prevented, if these

products had been fixed or taken off the shelves sooner?

We can do better by our children – and today we are taking steps to ensure we will.

I want to thank all the families, leaders of consumer groups, health care professionals, and children's advocates who are here.

We are delighted to be joined by three Members of Congress – Eliot Engel, Lane Evans, and Lois Capps – all of whom are great champions for children on the Hill. In fact, Congresswoman Capps, who will speak later, teamed up yesterday with Congresswoman Morella to announce the creation of a new School Health and Safety Caucus.

We will also hear from Ann Brown, the Chair of the CPSC, and a tireless advocate for children and consumers everywhere. And we will hear from Brittany Cipriotti [Sip-ree-ah-tee], a mother from Virginia whose two children were hurt in a stroller like this one. She will be able to explain in very human terms why we must act to protect our children from dangerous products.

And I am also very pleased that Dr. Marilyn Bull, of the American Academy of Pediatrics, is here to talk about the extraordinary commitment she and other health care professionals are making to help meet this challenge.

We have come here today because too many children in America are being burned, injured, scarred, and even killed by defective products. We are here because too many manufacturers fail to tell the government and the American people that there is a problem with their products -- before it is too late. It's time for that to change.

When it comes to protecting our children from dangerous and deadly products, no one is immune from responsibility -- and that's especially true of the companies that manufacture them.

Most manufacturers want to do the right thing when they find out there are defects with their products. But, we must ensure that all companies have the incentive to do so.

I am pleased to announce that, today, the President sent

Congress a legislative proposal to toughen the laws against companies that fail to report dangerous defects.

It tells them: If you find out your product is dangerous and try to hide that information from the American people, you will pay the price. This new legislation would lift the cap on civil penalties assessed by the commission. It would make criminal violations of consumer safety laws a felony, not a misdemeanor. And it would help ensure that recalls are determined by only one bottom line -- the public interest.

There is no greater tragedy than a child hurt or killed -- especially when it could have been prevented. Now, the punishment for those who keep their dangerous products on the shelves will finally start to fit the crime.

We know that the sooner the CPSC finds out about a dangerous product, the sooner families can be protected from it. But, we also know that the agency must rely not only on responsible companies, but also on alert and active consumers.

And so I am very pleased to announce a new private-public campaign to help identify and remove products that are harming

children. Some of the best people to do this are doctors and nurses, who often treat children right after they are injured.

I want to thank the American Academy of Family Physicians, the American Academy of Pediatrics, the American Medical Women's Association, the American Nurses Association, and the Emergency Nurses Association for making a commitment to encourage their members to report injury-causing products to the CPSC. I also want to thank the National Safe Kids Campaign for helping ensure that information about recalls reaches thrift shops, day care centers, schools, hotels, and other places where hazardous products might still be in use.

All of today's announcements will give parents more confidence that their strollers, cribs, toys, and other household items will help, not hurt, their children.

No one has worked harder to make that possible than our next speaker, Ann Brown. Time and again, I have seen firsthand Ann's amazing leadership and commitment at the CPSC. I have seen her stand up whenever the safety of children is at stake. I have seen her stand up to protect families from dangerous products. American consumers have never had a better friend. And so, it is

my great honor to introduce the Chair of the CPSC -- Ann Brown.

FIRST LADY HILLARY RODHAM CLINTON
REMARKS AT CHILDREN'S PRODUCT SAFETY EVENT
THE ROOSEVELT ROOM, THE WHITE HOUSE
MAY 12, 2000

Final

PROGRAM—28 audience attendees
5 speaker participants

Meet and Greet (11)

Save 7 seats

Heather Paul, Ph.D., Executive Director, National SAFE KIDS Campaign

Jeff Human, American Academy of Family Physicians

Mary Foley, RN, President, American Nurses Association

Kathy Robinson, Board of Directors, Emergency Nurses Association

Omega Silva, MD, President Elect, American Medical Women's Association

Rep. Eliot Engel

Rep. Lane Evans

***Ann Brown,** Chair, CPSC

***Brittany Cipriotti,** a mother of two from Manassas, Virginia, and a professional day care provider. Her two children were injured when the stroller they were riding in collapsed.

***Marilyn Bull, MD,** Chair, Committee on Injury and Poison Prevention American Academy of Pediatrics

***Rep. Lois Capps (D-CA)**

Speakers (5)

HRC

Ann Brown

Brittany Cipriotti (Brittany)—Parent

Dr. Marilyn Bull—Pediatrician

Rep Lois Capps (D-CA)

Stakeout (10)

Ann Brown, Chair, CPSC

Rep. Lois Capps

Rep. Eliot Engel

Rep. Lane Evans

Brittany Cipriotti

Mary Foley, RN, President, American Nurses Association

Kathy Robinson, Board of Directors, Emergency Nurses Association

Omega Silva, MD, President Elect, American Medical Women's Association

Marilyn Bull, MD, Chair, Committee on Injury and Poison Prevention American Academy of Pediatrics

Heather Paul, Ph.D., Executive Director, National SAFE KIDS Campaign

ATTENDEES

Members (6)

Rep. Lois Capps (D-CA)

Rep. Eliot Engel (D-NY)
Rep. Lane Evans (D-Ill)
Stacie Paxton
Clare Dowling
Jessica Robinson
Jenny Bottegai

CPSC staff (4)

Ann Brown
Pamela Gilbert
Michael Solender
Alan Schoem
Russell Rader

Consumer advocates (3)

National Safe Kids Campaign (see below)
Consumer Federation of America
Consumers Union
Sally Greenberg
Public Citizen
PIRG
Rachael Weintraub
International Association of Arson Investigators
Stephen Austin

Professional organizations (9)

American Academy of Pediatrics (2)
Dr. Marilyn Bull
Janis Guerney
American Academy of Family Physicians
Jeff Human
American Medical Women's Association
Omega Silva
American Nurses Association
Mary Foley
Stephanie Reed
Emergency Nurses Association
Kathy Robinson
National Safe Kids Campaign
Heather Paul
Alan Korn
International Association of Arson Investigators
Stephen P. Austin

Cipriotti family (5)

Lenni Brett Cipriotti (Brittany) (mom)
Mark Cipriotti (Dad)
Ellen Huffstutler (grandmother)

Ross Cipriotti (3 ½ years old)
McKenzie Cipriotti (2 years old)
William Gave Carroll (2 years old)

OMB Staffer (1)
Jennifer Forshey

FOR IMMEDIATE RELEASE
May 12, 2000

CONTACT: LISSA MUSCATINE
ERIKA BATCHELLER
JENNIFER SMITH
202/456-2960

**FIRST LADY HILLARY RODHAM CLINTON ANNOUNCES EFFORTS TO
IMPROVE THE SAFETY OF CHILDREN'S PRODUCTS**

May 12, 2000

First Lady Hillary Rodham Clinton today will announce new Administration efforts to improve the safety of consumer products, particularly those that may be harmful to children. The First Lady, joined by Ann Brown, chairman of the U.S. Consumer Product Safety Commission (CPSC), and a broad range of health professionals and consumer advocates, will unveil legislation to strengthen the penalty authority of the CPSC, and announce a public-private campaign to help the CPSC identify dangerous products.

This proposal is in response to recent reports of manufacturers repeatedly failing to warn the government promptly about defective products that have injured children, as required by consumer product safety laws. In the last five years alone, the CPSC has assessed penalties against 21 companies for failing to report serious defects. The products – including cribs, infant carriers, toys, and household products – caused hundreds of injuries, ranging from burns to fractures, and in some cases death. For example, the CPSC recently assessed a \$400,000 penalty against a major manufacturer for failing to immediately report serious injuries caused by a defective handle lock on an infant carrier. The manufacturer received 9 complaints of injury – seven of which had resulted in skull fractures – before reporting the problem to the CPSC. Many of these injuries could have been avoided if hazards had been promptly reported to the CPSC.

STRENGTHENING CONSUMER PRODUCT SAFETY LAWS

The First Lady will highlight a legislative proposal, sent to Congress today by the President, that calls for tougher penalties against companies that fail to promptly report dangerous product defects. The bill also would take steps to make product recalls more effective. Specifically, the legislation would: 1) lift the overall cap on civil penalties assessed by the CPSC; 2) make criminal violations of consumer product safety laws a felony instead of a misdemeanor; and 3) give the CPSC the authority to overrule the recall remedy proposed by a company if it is not in the public interest.

Increased civil and criminal penalties will provide a stronger incentive for companies to promptly notify the CPSC of product flaws so the agency can take timely action to protect consumers. Tougher penalties also will be more commensurate with the impact of product safety violations, which can result in death or serious injury to children.

CAMPAIGN TO INCREASE REPORTING OF DANGEROUS PRODUCTS THAT HARM CHILDREN AND FAMILIES

The First Lady will also announce immediate efforts to protect the health and safety of children and families by increasing reporting of unsafe products to the CPSC. Unfortunately, in about half the cases involving the most significant hazards – where the product causes death or serious injury -- companies have not reported the problem to the CPSC. As a result, the agency relies heavily on consumer complaints to uncover information about dangerous defects.

The First Lady will launch a partnership between the CPSC and health care providers around the country to identify products that are harming consumers, especially children. A broad range of health care professionals – the American Academy of Family Physicians, the American Academy of Pediatrics, the American Medical Women's Association, the American Nurses Association, and the Emergency Nurses Association – will conduct a national campaign to encourage their member health providers to report injury-causing products to the CPSC. In addition, the National Safe Kids Campaign, an organization devoted to preventing childhood injuries, will activate its state and local coalition members to visit the places product recalls often don't reach – thrift shops, day care centers, schools, and hotels – to identify hazardous products still in use.

THE CLINTON ADMINISTRATION'S COMMITMENT TO CONSUMER PRODUCT SAFETY

The Clinton Administration has strongly supported the work of the CPSC and its mission to protect the health and safety of our nation's children and families. Since the President first took office in 1993, the CPSC's budget has increased 24 percent. In addition, the First Lady has had a longstanding interest in children's well being and has participated in several CPSC initiatives to improve the safety of children's products. In 1995, she helped launch the CPSC's "Baby Safety Showers" initiative, which educates expecting and new parents on baby safety. Last year, she kicked off a national campaign to alert parents and caregivers to safety hazards in child care settings.

“CONSUMER PRODUCT SAFETY COMMISSION ENHANCED ENFORCEMENT ACT OF 2000”

FACT SHEET

The President today transmitted to the Congress the “Consumer Product Safety Commission Enhanced Enforcement Act of 2000.” The legislation would increase the civil and criminal penalties that the CPSC can impose upon firms that do not inform the Commission when they have sold a product that could pose a substantial hazard to consumers. The legislation would also help make some product recalls more effective.

Eliminate the cap on civil penalties for violations of product safety laws.

Under current law, the CPSC cannot assess more than \$1,650,000 for a related series of violations against a company that knowingly violates consumer product safety laws. The legislation would eliminate this maximum civil penalty. Many of the cases in which the Commission seeks civil penalties involve very large corporations that can easily absorb a \$1.65 million fine. More substantial civil penalties would provide a needed incentive for those companies to notify CPSC of defective products so that the agency can take timely action to protect consumers. Other agencies have civil penalty authority with no “cap” on the amount of the penalty for a related series of violations, including the Federal Trade Commission.

Increase the penalty for a “knowing and willful” criminal violation of product safety laws from a misdemeanor to a felony and eliminate the requirement that the agency give notice to the company that is criminally violating the law.

The legislation would increase the potential criminal penalties for a “knowing and willful” violation of consumer product safety laws from a misdemeanor (up to one year in prison) to a felony (up to three years in prison). It would also increase the maximum monetary criminal penalty in accordance with existing criminal laws. These heightened penalties are commensurate with the seriousness of product safety violations, which can result in death or serious injury to children and families. Other agencies have authority to seek substantial (felony) criminal penalties for knowing and willful violations of safety requirements, including the Food and Drug Administration for prescription drug marketing violations and the Department of Transportation for the transportation of hazardous materials.

The legislation would also eliminate the requirement that the Commission give notice of noncompliance before seeking a criminal penalty for a violation of the Consumer Product Safety Act. The notice requirement makes it all but impossible to pursue a criminal penalty for violations of the Act, even in the most serious cases. The threat of a criminal felony prosecution would create an additional strong incentive for companies to report product defects to the Commission.

Give CPSC the authority to overrule the remedy chosen by a manufacturer for fixing a defective product in a product recall when the Commission determines that an alternative would be in the public interest.

Under current law, a company with a defective product that is being recalled has the right to select the remedy to be offered to the public. The company can choose repair, replacement, or refund “less a reasonable allowance for use.”

The legislation would continue to permit the company to select the remedy in a product recall. However, the legislation would allow the Commission to determine (after an opportunity for a hearing) that the remedy selected by the company is not in the public interest. The Commission may then order the company to carry out an alternative program that is in the public interest.

Sometimes companies choose a remedy in a recall that does not further public safety. For example, if a manufacturer chooses to refund “less a reasonable allowance for use” the purchase price of a product that has been on the market for a long time, the amount due consumers may be so small that there is no incentive for the consumer to take advantage of the recall. This is especially true where the hazardous product is still useful to the consumer and the cost of replacement is substantial. Companies may choose an insubstantial refund even though people have been at risk for a number of years, thousands of products are still in use, and injuries are continuing to occur. In this example, a refund would do little, if anything, to stop consumers from using the dangerous product and the public interest would not be served.

ORIGINALS —
PRESS PACKET

737
6226

Penalties for Failure to Report 1996-2000

Over the past 5 years, CPSC has fined 21 firms for failing to report nearly 360 injuries and four deaths associated with hazardous products.

<u>Firm</u>	<u>Penalty</u>	<u>Hazard 2000</u>	<u>Injuries (before report)</u>
Black & Decker toasters	\$575,000	fire	73 fires/2 injuries
Baby's Dream cribs	\$200,000	fingertip amputations	9 amputations/crushed fingers
Hasbro infant carriers	\$400,000	skull fracture	8, 7 were skull fractures
Lancaster Col. candles	\$150,000	fires and burns	142 flare ups, 20 burns, 55 property damage
1999			
Carter Bros. go-karts	\$125,000	death	1 death, 1 skull fracture
Shimano bicycle cranks	\$150,000	fractures and lacerations	630 failures, 22 including fractures and lacerations
Central Sprinkler fire sprinklers	\$1.3 million paid into a trust	burns	17 fires, 4 injuries
1998			
Binky Griptight pacifiers	\$150,000	suffocation	no injuries
Century Products cribs and strollers	\$225,000 \$166,000	suffocation impact injury	1 death 29 injuries
COA Inc. cribs	\$300,000	suffocation	no injuries
Safety First bed rails	\$175,000	suffocation	25 injuries
1997			
Brinkmann smokers and fryers	\$175,000	lacerations, fire	1 death, many lesser injuries
CSA Inc. exercisers	\$100,000	impact injury	52 incidents, many injuries
Hartman hair dryers	\$60,000	fire	no injuries
Nutone stereos	\$110,000	fire	12 fires, no injuries
Toro riding mowers	\$250,000	impact injury	31 incidents. some serious injuries
1996			
JB I Inc. playground equipment	\$225,000	protruding hardware	70 injuries including 40 fractures
Singer Sewing juicers	\$120,000	flying parts	19 incidents, 10 injuries
National Media juicers	\$150,000	flying parts	9 injuries
Taito America arcade games	\$50,000	metal pad	70 injured/fractured wrists/arms
Cosco toddler bed guardrails	\$725,000	strangulation	25 entrapments, 1 death

Statement of
U.S. Representative Edward J. Markey (D-MA)
Ranking Democrat, House Subcommittee on
Telecommunications, Trade, and Consumer Protection
May 12, 2000
Proposals to Improve CPSC Enforcement Powers

I want to commend the Clinton-Gore Administration, and in particular First Lady Hillary Rodham Clinton, for spearheading efforts to improve consumer product safety and for the series of proposals outlined today.

The Consumer Product Safety Commission (CPSC) has a long history of safeguarding the public, and particularly children, from commercial products that cause harm or threaten safety. CPSC Chair Ann Brown has done an excellent job in leading this agency and protecting the public.

Increasingly, it has become apparent that many corporations have obtained knowledge that their products have caused serious injury to children and have not taken steps to contact owners of these products or informed the government.

How can consumers protect themselves from hazards if they are kept in the dark by a manufacturer? The answer is they can't. Failure to disclose safety problems has consequences because the delay in consumer notification has led in some instances to very serious injury.

I believe it is important to strengthen CPSC enforcement powers to combat this problem. Enhancing the CPSC's ability to order companies to effectively remedy defective products and recall such products from the marketplace is a timely proposal. I also believe that eliminating the cap on civil penalties for knowing violations of consumer product safety laws and increasing the penalties for criminal violations would help to deter companies in the future from concealing their knowledge of potentially lethal product flaws from consumers and regulators.

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News from CPSC

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
May 12, 2000
Release # 00-108

CPSC Contact: Russ Rader
(301) 504-0580 Ext. 1166

White House Proposes Legislation to Expand CPSC's Authority to Crack Down on Firms Not Reporting Dangerous Products

WASHINGTON, D.C. - First Lady Hillary Rodham Clinton joined U.S. Consumer Product Safety Commission (CPSC) Chairman Ann Brown today to announce legislation to help expand CPSC's authority to crack down on firms that are not reporting defective products to the agency. CPSC conducts 200 to 300 product recalls each year, yet half of the most serious product hazards are discovered by CPSC investigators – not reported by the companies as required by law.

The following proposals were announced today at a White House news conference:

- **Eliminate the \$1.65 million cap on the maximum fine that CPSC can impose on a company that fails to report a serious product hazard.**
- **Increase the penalty for serious criminal violations of product safety laws from misdemeanors to felonies, and eliminate the requirement that the agency give prior notice to the company that is criminally violating the law.**
- **Give CPSC more authority over company remedies for product recalls.**

CPSC also is launching partnerships with the American Academy of Pediatrics, the American Academy of Family Physicians, the American Medical Women's Association, the American Nurses Association, the Emergency Nurses Association and other health care organizations to help find products that have the potential to cause death or serious injury, especially to children. This new product injury reporting network will provide even more sources of product injury data. CPSC currently collects information from a wide variety of sources, including hospital emergency rooms, fire investigators, news reports and coroners. The new network will expand its reach even further.

"Today, we're giving parents more confidence that the strollers, toys and other products they buy will help – not hurt – their children," said First Lady Hillary Rodham Clinton.

"The combination of this increased enforcement capability and higher civil and criminal penalties for not reporting would provide a strong deterrent against companies failing to notify CPSC about dangerous products," said CPSC Chairman Ann Brown.

-more-

When companies ignore the law, dangerous products can stay on store shelves, putting consumers at risk. CPSC has to do its own detective work to find out about the problem products and seek recalls. Increasing CPSC's authority and expanding its product injury reporting network will mean that dangerous products are recalled faster. This will prevent injuries and save lives.

The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270, or visit CPSC's web site at <http://www.cpsc.gov/talk.html>. For information on CPSC's fax-on-demand service, call the above numbers or visit the web site at (<http://cpsc.gov/about/who.html>). To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov>. To establish a link from your web site to this press release on CPSC's web site, create a link to the following address: <http://www.cpsc.gov/cpscpub/prerel/prhtml00/00108.html>. ###

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**WHITE HOUSE CHILD SAFETY EVENT
ROOSEVELT ROOM
MAY 12, 2000**

SPEAKERS

First Lady Hillary Rodham Clinton

Ann Brown, chairman of the U.S. Consumer Product Safety Commission (CPSC)

Brittany Cipriotti, parent, Manassas, Virginia

Dr. Marilyn Bull, chairman of the American Academy of Pediatrics Committee on Injury and Poison Prevention

Rep. Lois Capps, D-Calif., chairman of the School Health Safety Caucus



Heather H. Howard
05/11/2000 09:33:37 PM

Record Type: Record

To: Erika A. Batcheller/WHO/EOP@EOP, Eric J. Morse/OPD/EOP@EOP

cc:

Subject: stakeout participants

Ann Brown, Chair, CPSC

Rep. Lois Capps

Rep. Eliot Engel

Rep. Lane Evans

Brittany Cipriotti

Mary Foley, RN, President, American Nurses Association

Kathy Robinson, Board of Directors, Emergency Nurses Association

Omega Silva, MD, President Elect, American Medical Women's Association

Marilyn Bull, MD, Chair, Committee on Injury and Poison Prevention American Academy of Pediatrics

Heather Paul, Ph.D., Executive Director, National SAFE KIDS Campaign

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b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

TO THE CONGRESS OF THE UNITED STATES:

I am pleased to transmit today for immediate consideration and prompt enactment the "Consumer Product Safety Commission Enhanced Enforcement Act of 2000." This legislative proposal would increase the penalties that the Consumer Product Safety Commission (CPSC) could impose upon manufacturers, distributors, and retailers of consumer products who do not inform the Commission when the company has reason to believe it has sold a product that does not meet federal safety standards or could otherwise create a substantial product hazard. The proposal would also improve product recalls by enabling the Commission to choose an alternative remedy in a recall if the Commission finds that the remedy selected by the manufacturer is not in the public interest.

Under current consumer product safety laws, manufacturers, distributors, and retailers of consumer products are required to inform the CPSC whenever they have information that one of their products: (1) fails to comply with a CPSC product safety standard; (2) contains a defect that could create a substantial product hazard; or (3) creates an unreasonable risk of serious injury or death. After a company reports this information to the CPSC, the Commission staff initiates an investigation in cooperation with the firm. If the agency concludes that the product presents a substantial product hazard and that a recall is in the public interest, the staff works with the company to conduct a product safety recall. Of course, the sooner the Commission hears about a dangerous product, the sooner the agency can act to remove the product from store shelves and inform consumers about how to eliminate the hazard. That is why it is critical that companies inform the Commission as soon as they are aware that one of their products may present a serious hazard to the public.

Unfortunately, in about half the cases involving the most significant hazards – where the product can cause death or serious injury – companies do not report to the Commission. In those cases, the agency must get the information from other sources, including its own investigators, consumers, or tragically, from hospital emergency room reports or death certificates. Sometimes years can pass before the agency learns of the product hazard, even though the company has known all along. During that time, deaths and injuries continue to occur. Once the agency becomes aware of the hazard without the cooperation of the firm, many companies continue to be recalcitrant, and the staff must conduct its own independent investigation. This often includes finding and investigating product incidents and conducting extensive laboratory testing. This process can take a very long time, which means that the most dangerous products continue to stay on store shelves and in consumers' homes longer, placing children and families at continuing risk.

CPSC can assess civil penalties against companies who fail to report a dangerous product. Criminal penalties are also available in particularly serious cases. In fact, in 1999 the agency assessed ten times the amount of civil penalties assessed ten years ago. But, too many companies still do not report, especially in cases involving serious harm.

This legislative proposal would enhance CPSC's civil and criminal enforcement authority. This would provide an added incentive for companies to comply with the law so that we can get dangerous products out of stores and consumers' homes faster.

The legislative proposal would also help to make some product recalls more effective by allowing the CPSC to choose an alternative remedy if the Commission finds that the remedy chosen by the manufacturer is not in the public interest. Under current law, a company with a defective product that is being recalled has the right to select the remedy to be offered to the public. The proposal would continue to permit the company to select the remedy in a product recall. However, under the amendment, the Commission may determine (after an opportunity for a hearing) that the remedy selected by the company is not in the public interest. The Commission may then order the company to carry out an alternative program that is in the public interest.

The Consumer Product Safety Commission helps to keep America's children and families safe. This legislative proposal would help the Commission be even more effective in protecting the public from dangerous products. I urge the Congress to give this legislation prompt and favorable consideration.