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Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Energy and Commerce Consumer Product Safety Commission Oversight: Current Issues and a Vision for the Future September 10, 2009

I want to thank Chairman Rush for holding this important hearing. I'd also like to welcome Chairman Tenenbaum to the Committee and to her new position at the Consumer Product Safety Commission (CPSC).

Last year, Congress enacted truly historic product safety legislation.

Our product safety system – and especially our toy safety system – was terribly broken. We saw record recalls and a total loss of consumer confidence in the safety of products. Children were killed and horribly injured by defective and dangerous products.

The stories were shocking. This situation was unacceptable to the American people and Congress responded.

Following a lengthy and careful process, we enacted legislation that is strong, well designed, and effective.

- The law bans lead in children's products, a step that is decades overdue. There is no safe level of lead, and no reason that children should be exposed to lead in their toys.
- The law establishes a safety net for product testing that many consumers already assumed was in place. For the first time, under this law, manufacturers need to demonstrate that products are safe before they can be sold.
- The law bans phthalates in certain children's products, recognizing science that shows these chemicals to be dangerous, especially to the youngest, most vulnerable children.
- And finally, the law addresses systemic problems at CPSC. It provides CPSC with stronger legal authorities to carry out its mission, provides for additional funding for

the agency, and restores the Commission to its full size of five commissioners. This is a key step that enables the Commission to carry out its critical mission after years of neglect and dysfunction.

In short, this is good, strong legislation that vastly improved our children's health and safety.

Now that we are a year away from the recalls, and the most dramatic stories have left the front pages, some suggest that we didn't really need to enact such a strong law. But the fact remains that the system we had in place was a failure. This law was necessary to protect kids and families across the country.

To retreat now from the proven consumer protections achieved under this law would be a huge mistake.

There is no question, however, that implementation has at times been uneven. Since the law went into effect, there has been unnecessary and widespread confusion among businesses and consumers. I am committed to working with the Commission and with interested members of Congress to ensure that, moving forward, implementation of the law is clear and comprehensible.

I am therefore very pleased to welcome the new Chairman, Ms. Tenenbaum, and to hear from her about her plans for the Commission and for the law. I have great confidence that Chairman Tenenbaum, together with the other four Commissioners, will restore the agency to one capable of carrying out this law and its entire mission effectively and efficiently.

I look forward to hearing the Chairman's testimony, and I look forward to engaging in a productive relationship with leadership that is truly committed to protecting all consumers, especially our children.