

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
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Opening Statement of Rep. Henry A. Waxman
Ranking Member, Committee on Energy and Commerce
“A Review of CPSIA and CPSC Resources”
Subcommittee on Commerce, Manufacturing, and Trade
February 17, 2011

I want to thank Chairman Bono Mack for holding this hearing and congratulate her on her new chairmanship of this important Subcommittee.

Until recently, our product safety system – and especially our toy safety system – was terribly broken. In 2007 and 2008, we saw record recalls and a total loss of consumer confidence in the safety of all products. Children were killed and horribly injured by defective and dangerous products. The Consumer Product Safety Commission (CPSC) had limited statutory authority; only two of the three Commissioner slots were filled; and its staff numbers and resources had thoroughly atrophied.

This situation alarmed families across the nation and Congress responded. In 2008, Congress enacted truly historic product safety legislation that vastly improved our children’s health and safety.

Now that we are a few years 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 that is wishful thinking. 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.

Let me just mention a few of the law’s successes. Today, toy recalls have dropped from 172 in 2008 to 44 in 2010. Today, we have strong mandatory standards for cribs and CPSC has finished creating a publicly accessible consumer incident database. Today, CPSC has increased staff and resources, increased surveillance at ports, five Commissioners, as well as a new IT system and laboratory. To retreat now, from the proven consumer protections achieved under this law, would be a huge mistake.

This morning an important new study was published. It shows that between 1990 and 2008, nearly 200,000 infants and young children went to emergency rooms for injuries related to

cribs and playpens. As a new poll from Consumers Union documents, Americans want a strong federal regulator to protect children from these dangers.

As legislators, we know that legislation is not flawless. Although the Commission has made great strides in carrying out this law, we have heard from a number of stakeholders that certain provisions of the law may need adjustment. We have taken these concerns seriously and, over the past two years, met repeatedly with stakeholders affected by the new law to understand their concerns and to craft an appropriate legislative response. I see that some of these stakeholders are represented on the second panel of this hearing, and I welcome them.

As I have stated to them in the past and I will repeat today, I am committed to working with them, the Commission, and members of this Committee to strike a delicate balance between the need for targeted changes to the law and the need to preserve the most important public health accomplishments of the law.

Product safety should not be a partisan issue, and it is my sincere hope that this Committee will work quickly to resolve these issues once and for all.

I look forward to hearing the testimony, and I look forward to working with the new Subcommittee and Committee leadership as we continue our commitment to protect all consumers, especially our children.