

**Consumers Union Product-Safety Recommendations for  
Improving the Quality of the Marketplace  
ICPHSO Conference, Feb. 24<sup>th</sup>, 2005  
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**Recommendations for the CONSUMER PRODUCT SAFETY COMMISSION**

1. **Ban the export of recalled products.** According to Consumer Product Safety Commission (CPSC) records, more than 900 times between 1994 and 2004 products that violated mandatory federal safety standards were exported. If a product is not safe enough to be sold here, it should certainly not be sold elsewhere.
2. **Eliminate barriers to obtaining timely safety information.** Right now the Consumer Product Safety Commission is the only federal health and safety agency that is required by law to consult the manufacturer first before it can release complaint information about a specific product to consumers or reporters who request it.
3. **Remove cap on fines.** While ideally manufacturers let their customers and the CPSC know the moment they hear about a safety problem with one of their products, the agency should be in a position to impose a fine that would send a strong message to any company that failed to do so that it should think twice.
4. **Change reporting rules for lawsuits related to dangerous products.** We believe that if Sec. 37 is truly going to serve as a preventative measure to reduce death and injury, then manufacturers should have to report to the CPSC when three lawsuits related to dangerous products have been *filed*, not *settled*.
5. **Increase notification efforts for unsafe products.** While Consumers Union was very disappointed that the commission voted 2-1 against requiring pre-paid postage registration cards for children's products and some other goods, we urge the agency to be doing everything in its power to publicize dangerous products and make consumers aware of hazards in their home.

**Recommendations for MANUFACTURERS AND RETAILERS**

1. **Build safety into your products; *it'll save you from having to build a crisis plan down the road.*** This tip may be the most important since it encompasses what manufacturers and retailers can do to actually prevent unsafe products from reaching the market in the first place. We recommend not only rigorously testing products to ensure that they *comply with all mandatory and voluntary standards* that apply in every city and country where the products are sold, but also conducting *certification testing* through independent organizations like Underwriters Laboratories. Finally, companies should evaluate their products for how a consumer is likely to use them in all potential situations. The more they can incorporate *predictable consumer behavior* into the design of their products and *analyze the potential risks* associated with bringing their products to market, the greater chance they have of avoiding both a public safety and public relations crisis.

2. **Make it easy for customers to register their products.** Many of them have no idea that mailing back the product-registration card is the best way to hear about a safety recall. Manufacturers and retailers should make it clear to their customers that this card serves a critical safety function and provide incentives to return it. We also encourage them to allow their customers to register their products online to maximize response rates.
3. **Provide incentives to customers to return defective products.** Take the case of Williams-Sonoma. Several years ago, the company recovered almost all of the 1,000 or so portable propane grills it had sold with a faulty temperature control, and one of the things it did was not only refund the price of the grill, but it offered a \$50 bounty for each one returned.
4. **Post recall information online.** The best sites have information off the homepage with a clear step-by-step interactive guide to help consumers figure out if they own any of the recalled products, including detailed photos, advice on what to do, and how to get free repair kits if available.
5. **Do not make secrecy agreements a condition of settlement.** Far too often, safety hazards that emerge as a result of litigation are hidden from the public because of gag orders the companies require in settlements that silence the victims and prevent details of the cases from coming to light.

## **Recommendations for CONSUMERS**

1. **Register for safety updates and breaking news.** Thanks to the launch of the government's RECALLS.GOV Web site a couple of years ago—the most comprehensive database of recall information---consumers can keep track of the latest recalls.
2. **Fill out product registration cards.** We advise consumers to send back these cards and skip all the marketing questions about their income and hobbies.
3. **Avoid no-name products** commonly found in dollar and discount stores and check to see that purchases such as electrical appliances, toys, cribs, car seats, and other children's gear have not been recalled.
4. **Always report injuries or accidents related to product use** to the CPSC and the manufacturer. You could end up saving someone else's life.
5. **Check the products in daycare centers.** Most people are shocked to learn that only a few states have laws that make it illegal to sell or lease recalled or dangerous children's products or to use those products in licensed childcare facilities. While we urge parents to always check that the products in their daycare centers have not been recalled, the truth is the government and manufacturers should be doing everything in their power to ensure that these products are removed from the hands of consumers. We have also supported congressional legislation to require pre-market testing of durable children's products, such as highchairs, strollers, and portable cribs, which have been subject to a disturbing number of recalls in the last decade.