

February 2, 2009

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Ave NW
Washington, DC 20500

Dear President Obama,

We are writing to urge you to move quickly to put in place new leadership at the U.S. Consumer Product Safety Commission (CPSC).

As you know, the Consumer Product Safety Improvement Act (CPSIA) was signed into law on August 14, 2008, after many months of discussion, multiple hearings, and input from stakeholders. The law was passed in both chambers by huge bipartisan margins: 89-3 in the Senate and 424-1 in the U.S. House of Representatives.

The bipartisan CPSIA makes consumer products safer by requiring, for the first time, that toys and infant products be tested for safety before they are sold, and by banning lead and phthalates in toys. The law also creates the first comprehensive publicly-accessible consumer complaint database, authorizes the CPSC the resources it needs to protect the public, increases civil penalties that CPSC can assess against violators of CPSC laws, and protects whistleblowers who report product safety defects. This law is a strong, effective and much-needed solution to the persistent problems plaguing our product safety system.

Unfortunately, the current CPSC leadership, which is responsible for implementing this critical new law, has delayed taking the necessary steps to ensure its successful implementation. As a result, the agency has not properly addressed concerns being raised by small businesses, home crafters, thrift stores, and book publishers, among others. These concerns involve, for example, establishing common-sense exclusions from lead testing for textiles that are proven to be lead-free, component part testing for lead and phthalates, and clear guidance for thrift stores. This did not have to be the case. The CPSIA *already* includes mechanisms for solving these legitimate concerns raised by these groups in a manner that protects the public health.

As a result, this has created a climate of confusion and is contributing to broader efforts to undermine consumer safety in this nation. Effective leadership at the CPSC is urgently needed to help implement the law as intended, to provide common sense interpretations of the law, and to clarify pervasive misstatements and confusion about this consumer protection law.

Nominating a new Chairman of the CPSC is critical because the Chair has full responsibility for all of the executive and administrative functions of the Commission. The Chair manages and oversees the hiring, supervision and work of the staff, including setting the priorities and scope of the Agency's work as well as the allocation of agency resources. All of the offices and directorates of the Commission report to the Chair, either directly or through the office of the

Executive Director. In addition, quick action is necessary because the current acting chair remains in that position until a new nominee is confirmed.

As you know, the CPSC has been underfunded and understaffed for too long. We urge you to move expeditiously to nominate a strong chairperson to the CPSC who can implement the critical new product safety law and begin to tackle the myriad issues facing this agency.

Sincerely,

Pamela K. Miller, Executive Director
Alaska Community Action on Toxics

Laura Abulafia, MHS, Director, Environmental Health Initiative
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