

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Patricia H. Adkins to Sean O'Shea re: vehicle and passenger info (partial) (1 page)	05/11/2000	P6/b(6)
001b. memo	Sally Greenberg to Heather Howard re: SSN and DOB (partial) (1 page)	05/11/2000	P6/b(6)
001c. email	Barbara Woolley to Heather Howard re: DOBs and SSNs (partial) (2 pages)	05/11/2000	P6/b(6)
001d. email	Mark and Brittany Cipriotti to Ann O'Leary re: DOB and SSN (partial) (1 page)	05/11/2000	P6/b(6)
001e. fax	Steve Austin to Heather Howard re: DOB and SSN (partial) (1 page)	05/10/2000	P6/b(6)
001f. email	Mark and Brittany Cipriotti to Ann O'Leary re: SSNs and DOBs (partial) (1 page)	05/10/2000	P6/b(6)
001g. memo	Sherry Llewellyn to Barbara Wooley and Heather Howard re: DOB and SSN (partial) (1 page)	05/10/2000	P6/b(6)
001h. memo	Alan Korn to Heather Howard re: DOBs and SSNs (partial) (1 page)	05/10/11	P6/b(6)
001i. memo	Sherry Llewellyn to Barbara Wooley and Heather Howard re: DOB and SSN (partial) (1 page)	05/10/2000	P6/b(6)
002. memo	Patricia H. Adkins to Sean O'Shea re: DOBs and SSNs (partial) (1 page)	05/11/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

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]

ERIC

Horse

LEGISLATIVE PROPOSALS TO IMPROVE CPSC ENFORCEMENT POWERS

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

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. (Under the "Consumer Product Safety Improvement Act of 1990," this number is adjusted for inflation every five years. The next adjustment is due in 2005.) The proposed amendment eliminates this maximum civil penalty amount. Many of the cases in which the Commission seeks civil penalties involve very large corporations. 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 potential penalty, including the Federal Trade Commission (15 U.S.C. 21(l)) and the Federal Mine Safety and Health Administration (30 U.S.C. 820(a)).

The proposed amendment does not change the criteria for determining the amount of civil penalty to be sought. Under current law, the Commission must consider the nature of the product defect, the severity of the risk of injury, the occurrence or absence of injury, the number of defective products distributed, and the appropriateness of such penalty in relation to the size of the business of the person charged. If the Commission staff cannot reach agreement with a company on a claim for civil penalty, the matter is referred to the Department of Justice for appropriate action.

The proposed amendment also codifies the current civil penalty amount of \$7,000 for *each* knowing violation of a product safety law. This amount was recently adjusted under the Consumer Product Safety Improvement Act of 1990 ("Improvement Act"), Public Law 101-608, 104 Stat. 3110 (November 16, 1990).

2. Increase the penalty for a 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 proposed amendment increases the potential criminal penalties for a knowing 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 also increases the maximum monetary criminal penalty from \$50,000 to \$250,000 for individuals and \$500,000 for companies. 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 violations of safety requirements (e.g., the Food and Drug Administration regarding prescription drug marketing violations (21 U.S.C. 333(b)) and the Department of Transportation regarding the transportation of hazardous material (49 U.S.C. 5124)).

The proposed amendment also eliminates the requirement that the Commission give notice of noncompliance before imposing a criminal penalty for a knowing violation of product safety laws. The notice requirement makes it all but impossible to pursue a criminal penalty against companies, 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.

3. Give CPSC the authority to select the way a defective product will be fixed in a product recall.

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, even if that remedy does not provide the most protection to consumers. The company can choose repair, replacement, or refund, less a reasonable allowance for use.

The proposed amendment will permit the Commission, rather than the company with the defective product, to select the remedy to protect the public. Companies will still be afforded the opportunity for a hearing to present their views, not only on whether their product constitutes a substantial product hazard, but also on the nature of the remedy that would be appropriate in the event that a recall is ordered.

The ability of companies to choose the remedy often 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 a replacement is substantial. The company is permitted to make this choice 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, as the law is currently written, allowing the manufacturer to choose a refund would do little, if anything, to stop customers from using the dangerous product and public safety would not be furthered.

NON-LEGISLATIVE PROPOSALS TO IMPROVE CPSC ENFORCEMENT POWERS

1. Provide \$5 million to enhance CPSC's Special Investigations Unit (SIU)

Under CPSC's laws, any company that has information that "reasonably supports the conclusion that its product creates an unreasonable risk of serious injury or death" must file a report with the CPSC. However, fewer than 60 percent of the investigations of dangerous products conducted by CPSC every year are a result of company reports. The rest of the investigations are initiated because of information that comes from other sources, such as consumer complaints, newspaper articles, and reports from health care practitioners.

In 1995, CPSC established the SIU to develop new sources of information about potentially dangerous products in the marketplace and to review new and existing data sources to uncover potentially defective products. To date, the SIU has reached agreements with the International Association of Arson Investigators and a number of homeowners' insurance companies to receive information about products that may have caused death, serious injury and property damage. CPSC has initiated a number of recalls through the efforts of the SIU, including recalls of dive sticks that can impale children and playpens with protruding rivets that can strangle infants.

An additional \$5 million would enable CPSC to expand the role of the SIU to find companies who have failed to file reports of dangerous products and to investigate and prosecute cases against those companies. The combination of this increased enforcement capability and higher civil and criminal penalties for nonreporting would provide a strong deterrent against companies failing to notify CPSC about dangerous products.

2. Allow CPSC to be eligible to receive money from the Department of Justice Asset Forfeiture Fund

The money in the Department of Justice Asset Forfeiture Fund (the Fund) comes from property that was used in, or acquired through, illegal activities. Certain foreign, federal, state and local law enforcement agencies that help contribute to the Fund are authorized to apply for money from the Fund to enhance forfeiture and strengthen law enforcement. Recently, CPSC has initiated a number of cases against people who illegally distribute fireworks and other consumer products. The assets seized as a result of these cases have been deposited into the Fund. Many of these cases are ongoing, and CPSC staff anticipates that some of the cases will result in additional contributions to the Fund. However, CPSC is not currently a member of the fund, and thus, authorized to apply for money from the Fund to further our law enforcement activities.

The Asset Forfeiture and Money Laundering Section of the Criminal Division of the Department of Justice has the authority to admit CPSC into the Fund, thereby allowing the agency to apply for money from the Fund. With the additional revenue that CPSC would obtain from the Fund, the agency could expand its efforts to pursue criminals who violate product safety laws and put children and families in danger.

THE WHITE HOUSE
WASHINGTON

May 5, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

FROM: HEATHER HOWARD, ANN O'LEARY AND ERIC MORSE

SUBJECT: CHILDREN'S PRODUCTS SAFETY EVENT

We are proposing an event, tentatively scheduled for May 12 in the Roosevelt Room, for you to announce proposals to improve the safety of consumer products, especially children's products.

A *USA Today* investigation recently found that at least 17 manufacturers of children's toys failed to warn the government or the toy owners of complaints about the safety of their products. According to *USA Today*, "an analysis of government documents shows that problems with 75% of the most dangerous children's products recalled during the past three years were not reported to the government until the Consumer Product Safety Commission, often alerted by consumers, got involved." For example, the Commission recently announced a \$400,000 penalty against Hasbro, which waited until it had 12 reports of handles unlatching on infant carriers (resulting in seven skull fractures) before telling the Commission about the problem.

The Commission needs tougher penalties to deter companies from withholding complaints about their products. Currently, the Commission's penalty authority includes 1) civil penalties, which are capped at \$1.6 million (the total fine is \$7,000 per product, multiplied by the number of products sold, up to \$1.6 million), and 2) criminal misdemeanor penalties, including imprisonment of up to one year and fines capped at \$50,000.

The civil penalties are adjusted for inflation every five years, and were last adjusted in 1999. Even so, the cap is absurdly low. It is triggered when the number of products sold exceeds 228; the majority of cases the Commission handles involve, at a minimum, thousands of products sold. Under the criminal provisions of the statute, the Commission may charge anyone who "knowingly and willfully" violates the law, including the reporting requirements, "after having received notice of noncompliance." Thus, in effect, the criminal provisions only apply on a second offense. Given the high standard of the statute (knowledge of the law and willful violation), the Commission argues that the second offense requirement is unnecessary and hampers their ability to enforce the statute and protect consumer safety.

An additional problem is that, under current law, a company with a defective product that is being recalled has the right to select the remedy (repair, replacement, or refund), even if that remedy does not provide the most protection to consumers. Recently, General Electric came under fire for offering rebates for new GE dishwashers, rather than offering to fix the defective ones.

Proposals

First, you would highlight proposed legislation to strengthen the penalty authority of the Commission. This legislation would be announced through a Presidential statement the previous day. Increased penalties would provide obvious incentives for companies to avoid manufacturing defective products, as well as to come forward earlier when problems are detected, thus preventing harm to consumers. Tougher penalties would also generate more news coverage of Commission actions, which is important to making consumers aware of dangerous products. The legislation would: 1) lift the overall cap on civil penalties; 2) make criminal violations a felony and remove the second offense requirement; and 3) provide CPSC the authority to select the way a defective product will be fixed in a product recall.

Second, we hope to have a public-private partnership in place for announcement at the event. The partnership would include CPSC and different physician groups, which would commit to raising awareness among members of the need to inform CPSC (via their hotline or email) of potentially hazardous products. The trade groups would also commit to circulating to their members notices of CPSC product recalls.

Event

On Thursday, the President would send a letter submitting the proposed legislation to Congress. On Friday, you would highlight the legislative proposals and announce the public-private partnership with Ann Brown, Chairman of the CPSC, consumer groups, and possibly a Member of Congress who would announce the introduction of the proposed legislation. We are also looking for a family that has suffered an injury from a product, the defects of which were not reported to CPSC.

May 5, 2000

PARTNERSHIP WITH THE U.S. CONSUMER PRODUCT SAFETY COMMISSION TO UNCOVER DANGEROUS PRODUCTS THAT INJURE AND KILL CHILDREN

The U.S. Consumer Product Safety Commission (CPSC) is the federal agency responsible for protecting the public from unreasonably dangerous or defective consumer products. The partnership would help CPSC find products in the marketplace that have the potential to cause death or serious injury, especially to children.

Under the partnership:

- Health care providers and other professionals would report to the CPSC when they see a death or serious injury that may have been caused by a consumer product. The professional can inform the CPSC through its Internet web site or through its toll-free Hotline.
- The professional association would inform its members through newsletters, conferences, e-mails, etc. of the need to keep CPSC informed of potentially hazardous products. The association would also circulate to its members notices of CPSC product recalls.
- CPSC staff would attend conferences and write articles in newsletters to help train association members about what kind of hazards to look for and to give them the latest product safety information.

How to contact the CPSC:

- Go to the CPSC web site at www.cpsc.gov. Click on "Report Unsafe Products." Scroll to bottom of page and click on "For Physicians and Health Care Professionals to report an injury, death, or unsafe product." Fill out the Product Incident Report.

Or

- Call CPSC's toll-free Hotline: 1-800-638-2772. When prompted, press extension 300 and speak to a Hotline representative.

FIRST LADY HILLARY RODHAM CLINTON ANNOUNCES EFFORTS TO IMPROVE THE SAFETY OF CHILDREN'S PRODUCTS [AND TOUGHEN CONSUMER PRODUCTS SAFETY LAWS]

Today, First Lady Hillary Rodham Clinton will announce efforts to improve the safety of consumer products, particularly products that are potentially harmful to children. Mrs. Clinton, 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 announce legislation to strengthen the penalty authority of the CPSC, and a public-private initiative to help the CPSC uncover dangerous products.

This initiative is in response to recent reports of manufacturers failing to warn the government about their safety of their products. A *USA Today* investigation recently found that problems with 75% of the most dangerous children's products recalled during the past three years were not reported to the government until the CPSC, often alerted by consumers, got involved.

STRENGTHENING CONSUMER PRODUCT SAFETY LAWS

The Commission needs tougher penalties to encourage companies to report problems with their products before they cause additional injuries. 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 so that the CPSC can act to protect consumers.

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.

These heightened penalties are necessary to deter companies from withholding complaints about their potentially dangerous products, and are 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 to select the way a defective product is fixed in a product recall (repair, replacement, or refund, less a reasonable allowance for use), 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.

PUBLIC-PRIVATE PARTNERSHIP TO PROTECT CHILDREN FROM DANGEROUS PRODUCTS

In addition to strengthening consumer product safety laws, the First Lady will be announcing an innovative partnership with the CPSC and health care providers to uncover dangerous products that injure and kill children.

The commitments from these organizations will assist the CPSC, which already relies heavily on notice 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 been a strong supporter of the work of the Commission. In fact, the President's FY 2001 budget includes an increase of \$3.7 million, from \$48.8 million to \$52.5 million. In addition, the First Lady has a longstanding interest in children 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.

inform the CPSC through its Internet web site or through its toll-free Hotline. The professional association would inform its members ~~through newsletters, conferences, e-mails, etc.~~ of the need to keep CPSC informed of potentially hazardous products. The association would also circulate to its members notices of CPSC product recalls. CPSC staff would attend conferences and write articles in newsletters to help train association members about what kind of hazards to look for and to give them the latest product safety information.

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 USA Today (4-3-2000) and The US Consumer Product Safety Commission (4-3-2000).

MISCELLANEOUS

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

A: There are several ways to report a dangerous product or a product-related injury to the CPSC. 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.

Q: ~~How were the greater penalties agreed upon? (ie. Who came up with new figures?)~~

Q: If this legislation is adopted, what implications do tax-payers and/or companies face (with regard to the pricing of products)?

Q: Other than strollers and cribs, are there any other products that are relevant to the study? Which companies have the worst record with the CPSC?

Q: Which companies have the best record with the CPSC?

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

→ Delr to CPSC 3m shop → P. Fisher
Q: ~~Is there any technical or scientific evidence that confirms the findings of these complaints?~~

Q: What is the standard number of complaints that must be filed for a recall to be enacted? (although they had several thousand complaints, maybe they thought it was just coincidence compared to the number of non-complaints)

Q: How are reports against companies filed with the CPSC?

They the Delr, 1-104

GENERAL BACKGROUND INFO

bold Q: ^{why} Why is this legislation being proposed?

bold A: ^{its} This initiative is in response to recent reports of manufacturers failing to warn the government about their safety of their products as required by consumer product safety laws. A *USA Today* investigation recently found that problems with 75% of the most dangerous children's products recalled during the past three years were not reported to the government until the CPSC, often alerted by consumers, got involved.

Q: How will this legislation result in companies taking action to heighten consumer awareness of their own dangerous products on the market?

Q: What changes do the proposed laws bring? Needs mention list of types of consumer products
A: The legislation proposed will heighten both monetary and criminal penalties which will ^{act as an incentive to} deter companies from withholding complaints about their potentially dangerous products. 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.

Q: How is the proposed legislation going to improve the safety of children's products?
Q: How is the proposed legislation going to improve the safety of children's products?

A: With ~~stronger criminal and monetary penalties for violating CPSC laws~~, our hope is that companies will be more sensitive to consumer complaints and take action to both report complaints to the CPSC and take action to remedy any potentially dangerous products.

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

A: The First Lady has a longstanding interest in children 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.

PUBLIC-PRIVATE PARTNERSHIP

Q: What is the public-private partnership to protect children from dangerous products?

A: This is a partnership with the CPSC and health care professionals where the two groups come together to uncover dangerous products that injure and kill children.

Q: How will the public-private partnership protect children from dangerous products?

A: Health care providers and other professionals would report to the CPSC when they see a death or serious injury that may have been caused by a consumer product. The professional can

PROGRAM

HRC

Ann Brown

Parent

Pediatrician

MOC

ATTENDEES

Members (?)

CPSC staff (3)

Consumer advocates (6)

National Safe Kids Campaign

Consumer Federation of America

Consumers Union

Public Citizen

PIRG

Fire Inspectors

Professional organizations (6)

American Academy of Pediatrics

Emergency Room Physicians

AMA

Family Physicians

American Medical Women's Association

American Nurses Association

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American Academy of Pediatrics

Emergency Room Physicians

AMA

Family Physicians

American Medical Women's Association

American Nurses Association

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.

Monday, April 3, 2000

THE NATION'S NEWSPAPER



USA TODAY

NO. 1 IN THE USA . . . FIRST IN DAILY READERS

Child dangers ignored

17 firms kept problems quiet

By Jayne O'Donnell
USA TODAY

Since 1997, at least 17 companies kept quiet about products that were seriously injuring children until the government stepped in, a USA TODAY investigation finds.

The makers of cribs, infant carriers and other children's products heard complaints — sometimes thousands — from parents. They conducted internal investigations but never told the owners of the products or the government.

In fact, an analysis of government documents shows that problems with 75% of the most dangerous children's products recalled during the past three years were not reported to the government until the Consumer Product Safety Commission, often alerted by consumers, got involved.

Today, the commission plans to announce a \$400,000 civil penalty against Hasbro for waiting until it had 12 reports of handles unlatching on infant carriers — causing seven skull fractures — before telling the agency about the problem. The carriers were recalled in 1996. Hasbro denies wrongdoing and says it settled the matter to avoid prolonged legal proceedings.

Cosco, a maker of children's products, also might wind up in court on charges it ignored reports about four products, including a crib mattress that the safety commission says trapped 12 babies, killing one. If negotiations fail, the commission could sue Cosco.

Cosco says its recent recalls have involved "complex legal and interpretative issues" and often didn't involve serious injuries.

Hasbro is the sixth children's product company to face civil penalties since early 1998 because regulators say they waited too long to report safety hazards — or never told the government at all.



► When safety is delayed. Special report, 1B

www.usatoday.com



Money

SECTION B

Monday, April 3, 2000

Special report



78 children hurt

Century Travelite
Sport stroller
CPSC says:

- ▶ 1,400 reports of collapsing strollers
- ▶ 78 injuries
- ▶ Century had 560 reports and 29 injuries, before reporting the problem
- ▶ Recalled in April 1997



7 skull fractures

Playskool Fold N' Travel
infant carrier
CPSC says:

- ▶ Seven skull fractures; one infant fell on face
- ▶ Hasbro waited four years to tell government
- ▶ Recalled in July 1996

Photos by Tim Dillon, USA TODAY



200 children hurt

Cosco Geoby Two Ways
tandem stroller
CPSC says:

- ▶ 3,000 lock failures
- ▶ More than 200 children injured, including fractures and head injuries
- ▶ Cosco never voluntarily reported problem
- ▶ Recalled in February 1999

Suffering in silence

From unsafe strollers to cribs,
companies fail to report flaws that
amputate fingers, fracture skulls

USA Today, April 3, 2000, 1B

By Jayne O'Donnell
USA TODAY

Alexia Weber was pushing her two children along a South Lyon, Mich., street two years ago when the stroller they were riding in collapsed. Weber, relieved that the 3-year-old girl and 1-year-old boy were not hurt, assumed that she had done something wrong.

Only later did she learn that hundreds of other parents had experienced the same problem with their Cosco strollers — and many were not so lucky. Their children suffered head injuries, broken bones and cut fingers.

To Weber, the most disturbing news was that the Consumer Product Safety Commission says Cosco knew about those incidents but hadn't alerted parents to the potential danger. Cosco didn't tell CPSC about the problem until the agency learned of it on its own. And it didn't recall the stroller until February 1999 — at least a year after it began receiving what turned out to be 3,000 complaints about stroller locks failing and more than 200 injury reports.

This is a pervasive problem in a wide range of products used by children, a USA TODAY investigation shows. Product manufacturers frequently conduct internal investigations but remain publicly silent as complaints about alleged defects pile up. In the past three years, 75% of the most dangerous problems that led to recalls were never voluntarily reported to the government. During that period, there were at least 17 cases in which products stayed on the market while the company gathered reports of children suffering everything from lost fingers to brain injuries, an analysis of CPSC data shows.

"If I had known what happened to the other kids, I wouldn't have bought the thing," says Kristine Kwiecinski, whose 5-week-old son was dumped out of a Playskool carrier four years after CPSC says Hasbro began collecting reports of skull fractures. A lock on the handle could fall, turning the carrier upside down.

CPSC will announce today that Hasbro will



By John Galloway for USA TODAY

Unsuspecting parent: Weber was pushing Katelynn, left, and Nicholas in a stroller when it collapsed. She was pregnant with Meghan, front, at the time.

pay the government \$400,000 in civil penalties because, the agency says, it delayed reporting the carrier problem. Hasbro denies any wrongdoing and says it settled the matter to avoid prolonged legal proceedings.

Lawyers for Cosco and other child-product makers blame vague CPSC reporting rules and say it's difficult to know when complaints stem from a defect or owner misuse.

Federal law says a company must notify CPSC if it receives information that "reasonably supports the conclusion that its product creates an unreasonable risk of serious injury or death."

In the Cosco case, the company didn't think it

Please see SPECIAL REPORT next page ►

2B - MONDAY, APRIL 3, 2000 - USA TODAY

Some product makers kept mum for years

Continued from 1B

was obligated to report the stroller problems to CPSC "due to the minimal number of reports and the minor nature of the injuries reported," says Cosco General Counsel Jonathan Reynolds.

The 3,000 complaints Cosco received represented 5% of 57,000 stroller owners.

"If someone has thousands of complaints, that's a pretty strong message about the quality or safety of their products," says R. David Pittle, a former CPSC commissioner and now vice president of Consumers Union. "That's not something you can say, 'We didn't know.' That's consumers telling you something."

Every year, more than 70,000 children are injured and about 60 die from injuries suffered in cribs, infant carriers and other non-toy items made just for kids, CPSC says.

"When you're talking about time with dangerous products, you're talking about deaths and injuries," says CPSC Chairman Ann Brown.

The companies put not only their customers but themselves at risk when they dawdle on reporting complaints. Since early 1998, manufacturers of six recalled children's products have agreed to pay the government civil penalties because they waited too long or never reported problems to CPSC. In addition to Hasbro, cited for the Playskool "Fold N' Travel" carrier.

► Baby's Dream Furniture in Georgia agreed to pay \$200,000 in civil penalties in January. CPSC said the company waited until it had eight reports of children having their fingers amputated, cut or crushed in its

Special report

"Generation" oak model cribs before it reported the problem to CPSC. The cribs were recalled in 1998. Baby's Dream President David Felfeli says the company didn't think it was late on reporting the injuries, but settled the matter to avoid court costs.

► Century Products paid \$225,000 in civil penalties in 1998. CPSC said Century was told one child died and five became trapped in its Okla Homer Smith cribs before it reported the problem. The cribs were recalled in 1997. CPSC also said Century had 560 reports of collapsing "Travelite Sport" strollers — including 29 injuries — before reporting. The strollers were recalled in 1997. Century had no comment.

► Safety 1st paid civil penalties of \$175,000 in 1998. CPSC said Safety 1st had 27 injury complaints before it reported toddler bed support rails were breaking and children were dropping to the floor. The rails were recalled in 1995. Safety 1st denied its product was defective and that it knowingly violated reporting rules.

► Coaster paid \$300,000 in civil penalties in 1998. CPSC said it failed to report defects or unreasonable risks in its full-size metal cribs despite independent lab test results showing the defect. Although no injuries were reported, the tests showed that crib slats and scrolls could strangle children and that children could choke on plastic end caps on the scrolls. The

► Binky-Grip Tight paid \$150,000 in civil penalties in 1998. CPSC said it failed to report defects in Binky's Newborn Orthodontic Pacifiers. The company had six reports of pacifiers separating from the knob, creating a choking hazard, although no injuries were reported. The pacifiers were recalled in 1996. The company denied that it knowingly violated reporting rules.

Ongoing negotiations

In the case of the Cosco stroller, CPSC has been discussing possible civil penalties with the company for about a year. CPSC levies higher penalties for companies that are repeat offenders, and Cosco agreed to pay the government \$725,000 in civil penalties in 1996 after the government sued it for failing to notify CPSC about hazardous toddler beds. If those negotiations fail, CPSC can take the company to court.

Cosco said in a statement to USA TODAY that it analyzed the product design and tested the strollers to ensure that any issues identified were corrected after it received complaints from consumers and retailers. The company also developed a repair kit.

Cosco, along with Kolcraft and Evenflo, has recalled an infant car seat that doubles as a baby carrier over the last two years because the handles released and babies fell to the ground. None of the three reported complaints or injuries until they were asked by the National Highway Traffic Safety Administration and CPSC, the government says.

By the time it recalled its carriers in December, Kolcraft had 3,000 reports of handle problems with 42 injuries, including a skull fracture and concussions, CPSC says. The agency says Cosco had 151 complaints the handles released, leading to 29 injuries, including skull fractures, and Evenflo knew of 176 carriers with handles that released, resulting in 89 injuries.

Evenflo spokesman Brian Bloom says the company made managerial changes and implemented an "ag-

USA Today, April 3, 2000, 2B



By Tim Dillen, USA TODAY

On the lookout: CPSC Chairman Ann Brown, director of recalls Marc Schoem, left, and his brother Alan, director of compliance, amid several of the products that the agency discovered on its own were unsafe.

gressive" quality-assurance program after the recall. The company "takes each recall very seriously because the safety of our customers and their families is our top priority," Bloom says.

Cosco blamed most of the carrier injuries on misuse and says federal tests for handles were not approved until after the carrier went on sale.

Kolcraft General Counsel Eileen Lysaught said the handle-related complaints it had in the fall of 1997 — when regulators asked for information — did not suggest a recall was needed. Along with injury reports, some of the handle complaints related to non-safety issues, such as color and smell.

Fuzzy rules?

"I don't think there's any excuse if a company knows something is causing harm to a child to not let CPSC know to help get the word out to parents," says

Karen Sheehan, assistant professor of pediatrics at Northwestern University Medical School.

Lawyers who represent juvenile-product manufacturers blame CPSC regulations and methods for many of the delay problems:

► Peter Winik, an attorney with Latham & Watkins who represents Cosco and other manufacturers, says CPSC's reporting requirements are vaguely written, making it easy to see how companies might not think they need to report a hazard.

"The regulations leave plenty of gray areas for all different interpretations," Winik says. "In an awful lot of cases, the answer isn't clear. I suspect CPSC likes the regs just the way they are."

But Alan Schoem, CPSC's director of compliance, says the regulations are "pretty clear," and that companies simply prefer not to report. He says there is "no magic number" of injuries or complaints that suggests when a company should notify CPSC. But the agency

USA Today, April 3, 2000, 2B

gives companies from 24 hours to 10 days to investigate complaints and decide if a product hazard, rather than misuse, led to the complaint. He urges any company that is unsure of its reporting responsibility to call CPSC — anonymously, if necessary — to get a reading of the agency's position.

► Former CPSC general counsel Jeffrey Bromme, now a defense lawyer with Arnold & Porter, says CPSC's zeal in areas affecting children can catch some companies off guard.

"If your product has been involved in a child's death or in a horrible injury to a child, the staff is likely to move heaven and earth to get a recall," he told a child-safety conference recently.

Frederick Locker, legal counsel to the Juvenile Products Manufacturers Association and the Toy Manufacturers Association, says CPSC sets out to find a defect — and nearly always does — when it is investigating consumer complaints.

"It has to have chilling effect" on companies across the board, Locker says. "They want to encourage people to report insignificant or minor problems, but people think they'll all wind up being treated the same way" as those with deadly problems.

► Michael Brown, a former CPSC general counsel, now a defense lawyer with Brown & Freeston, says some firms complain it's difficult to predict how consumers might misuse a product and don't think they should be blamed for consumers' mistakes.

For instance, the handles on the combination car seat-infant carriers were unlocking when people propped them against their hips, CPSC says.

The companies considered it improper use of their products. But CPSC says the manufacturers should have known people would do that. The agency considered the lock failure in that position a defect.

"Say you make 3 million of something, and four people complain. Does that mean the design of the whole product is wrong?" asks Brown. "The government's answer is you should always come talk to us, but most of the time it's just a customer-satisfaction issue."

Alexia Weber disagrees.

When she called Cosco about the stroller that collapsed with her children in it, the company told her there was nothing wrong with it. But when she returned the stroller to the store, it wasn't being sold there anymore because management decided it was unsafe — even though it hadn't yet been recalled.

"It's scary that parents can have kids that have been injured after the company knew it was a problem, but decided, 'It's so rare,'" says Weber. "It's scary that companies can get away with it."

Web sites offer data on products' safety

Even the most diligent parent would have trouble keeping up with the children's product recalls announced every year. Here are the best bets for getting information:

► www.cpsc.gov: Includes all the recalls of infant and children's products, toys, household products and other consumer items announced since 1992. Recalls can be searched by name of product, company or product category. You can also sign up to be on CPSC's mailing list to get recall notices faxed or mailed. CPSC's hotline can be reached at 800-638-2772.

► www.nhtsa.gov: Has everything you need to know about child safety seats. You can search the National Highway Traffic Safety Administration's Web site for recalls, complaints and investigations related to any brand or model of child seat. (CPSC's site has only child seats that double as infant carriers.) Also includes tips on proper use of child safety seats. Information can also be obtained by calling 800-424-9393.

► www.registrationvillage.com: Allows consumers to register all their products in exchange for recall updates through e-mail or letters. Consumers also can search for historical recall data on any new purchases they make.

► www.parentsoup.com: Offers a "Consumer Reports" board in the "Around the House" center, which is designed for parents who have found products they "can't live without" and ones they "want everyone to avoid."

► www.momsonline.com: Check "Product Watch" board in the "Homespace" area for information on recalls and other information moms want to share about their children's products.

By Jayne O'Donnell

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WEDNESDAY, MAY 3, 2000 • USA TODAY

Millions of weed trimmer heads recalled for dangerous chain flaw

By Jayne O'Donnell
USA TODAY

About 3.5 million weed trimmer heads are being recalled today because the metal chain links can fly off at speeds up to 240 miles an hour and injure or kill people.

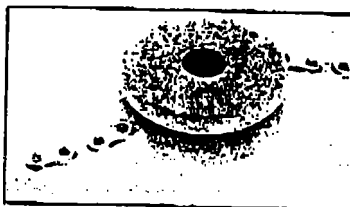
A 3-year-old girl was killed and 40 others have been injured when they were hit by the flying metal from Weed Wizard trimmer heads with metal chains.

In August 1997, Peyton Pytlewicz of Dothan, Ala., was playing when she was hit in the skull by a metal link as her grandfather was trimming weeds 35 feet away.

"The metal link becomes a deadly piece of shrapnel," Consumer Product Safety Commission Chairman Ann Brown says.

Weed Wizard Acquisition of Bradley, Mich., which acquired the product after the child's death, settled a lawsuit by her family for \$7.35 million last year.

Spokesman Kevin McGrath says an engineering consultant conclud-



Weed Wizard: Chain links have become deadly projectiles.

ed that the incidents wouldn't have occurred if the product had been used according to instructions.

There were at least 12 reported accidents before the death, according to family attorney Sam Cherry of Cochran, Cherry, Givens and Smith. Most of those injuries were flesh wounds.

The company never reported the death or injuries to the agency, which is investigating whether Weed Wizard Acquisition should face civil penalties.

"It's a case that illustrates what can happen when a company is not reporting their accident histories,"

Cherry says. "The public is at peril for potentially dangerous products."

A USA TODAY analysis last month showed that 75% of the most dangerous child-product problems that led to recalls never were voluntarily reported to the government. That percentage is believed to apply to all products.

The Weed Wizard being recalled has a metal chain trimmer head that replaces the string trimmer head on gas-powered trimmers.

The Weed Wizards with metal chains were sold from May 1987 through April of this year for \$19 to \$25. The replacement chain kits were sold from January 1992 through April of this year for \$8. They were sold in stores and on TV.

Consumers should stop using the Weed Wizards with metal chains immediately and contact the firm to obtain free plastic replacement blades and installation instructions. For a free replacement kit, call Weed Wizard at 888-810-7536 or check www.weedwizard.com.

GE Faces Lawsuits on Dishwasher-Recall Plan

By MATT MURRAY

Staff Reporter of THE WALL STREET JOURNAL

General Electric Co. is coming under increasing heat for a dishwasher-recall plan. New York state's attorney general, Eliot Spitzer, said he formally notified GE he intends to file within days a lawsuit over its October recall of 3.1 million dishwashers containing a defective energy switch that could spark fires. In a statement, Mr. Spitzer said GE "deceived consumers in New York and across the country so they could sell more dishwashers."

Terry Dunn, a spokesman at GE Appliances, Louisville, Ky., called the action "grandstanding." Pointing out that the rebate program was implemented in conjunction with the federal Consumer Products Safety Commission, he said, "This has been, is and will continue to be about consumer safety and removing these hazards from the consumer marketplace. We are working very hard to communicate effectively with and to satisfy all our consumers during this recall."

Separately, a lawsuit accusing GE of attempting "to turn the CPSC procedures into a marketing program for the sale of new GE dishwashers" and seeking class-action status was filed yesterday in U.S. District Court in St. Petersburg, Fla. An earlier suit filed in Florida state court ac-

cuses GE of intentionally concealing the design defect in its dishwashers from the late 1980s until it notified the commission in November 1998.

GE has denied those allegations. But the commission said yesterday that it is investigating whether GE should have reported the problem sooner.

The recall concerns GE and Hotpoint brand dishwashers made from April 1983 to January 1989. GE and the commission said 50 fires caused by a defective energy switch on the dishwashers had been reported. Seven spread beyond the machines themselves. No injuries were reported.

The big question is how practical it is to repair the machines. GE offered individual owners rebates of \$75 to \$125 toward new GE replacements, or \$25 toward a non-GE dishwasher. But it refused to pay for repairing them, citing the costs and the age of the appliances, and warns on its Web site, "If you choose to repair it independent of GE, you do so at your own cost and risk."

Yesterday, Mr. Dunn went further, insisting that the appliance cannot be repaired, but can only be altered to deactivate the switch, thus denying users a choice between heated drying and air drying of dishes. "There is no fix," he said. "You can disable the feature, but you cannot repair it to its original condition." The

cost of such an action, Mr. Dunn said, is \$75 to \$100, but "it makes no economic sense for the consumer to spend this money to make an old dishwasher that's past its useful life not do something." The average dishwasher lasts nine to 11 years.

At the same time, GE has offered some big-volume customers, such as apartment managers, instructions and tools to correct the problems on existing dishwashers "if they have a financial hardship," Mr. Dunn said. "They can do this because they have qualified service technicians to safely do this." GE also offers such customers rebates on replacements, which run from \$200 to \$300 a unit.

GE had a choice under the law to offer a recall, a rebate or repairs, said Alan Schoem, director of compliance at the CPSC. He said the agency had urged GE to offer repairs to individual consumers but "they flat out refused."

Moreover, he said: "They might be splitting hairs or playing a semantic game when they talk about a repair. The hazard can be repaired from the dishwasher by rewiring the switch." He conceded that doing so wouldn't permit users to choose between heat drying and air drying their dishes.

He also said that since the recall was announced, the commission has gotten "many more complaints than we would normally get about a recall program."

GE said it has received mostly positive responses.

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. Mrs. Clinton, 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 (*initiative?*) to help the CPSC identify dangerous products.

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. 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. A crib manufacturer agreed to pay \$200,000 in penalties after it waited until it had eight reports of children having their fingers amputated, cut or crushed, before reporting problems to the CPSC. [Another company never voluntarily reported problems with the locks on its strollers, even after receiving 3,000 complaints about failing locks and reports of more than 200 children being injured, some with fractures and head injuries.] 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. *didn't others sell at the commission first?*

STRENGTHENING CONSUMER PRODUCT SAFETY LAWS

The First Lady will be highlighting proposals for tougher penalties designed to encourage companies to report problems with their products before they cause additional injuries. 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.

PUBLIC-PRIVATE CAMPAIGN [partnership??] TO INCREASE REPORTING OF DANGEROUS PRODUCTS THAT HARM CHILDREN AND FAMILIES

In addition to proposing strengthening consumer product safety laws, the First Lady will be announcing immediate efforts to protect the health and safety of children and families. 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 the campaign to increase reporting of dangerous products in their newsletters, web sites, and e-mail updates, 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.

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 been a strong supporter of the work of the CPSC. In fact, the President’s FY 2001 budget includes an increase of \$3.7 million for the CPSC, from \$48.8 million to \$52.5 million. 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. **[put in a couple broader sentences about HRC's commitment to children? (from Ritalin press paper?)]**

USA TODAY

Q: Why is this legislation being proposed?

as required by consumer product safety laws.

A: This initiative is in response to recent reports of manufacturers failing to warn the government about their safety of their products. A *USA Today* investigation recently found that problems with 75% of the most dangerous children's products recalled during the past three years were not reported to the government until the CPSC, often alerted by consumers, got involved.

Q: How will this legislation result in companies taking action to heighten consumer awareness of their own dangerous products on the market?

A: The legislation proposed will heighten both monetary and criminal penalties which will deter companies from withholding complaints about their potentially dangerous products. 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.

Q: How is the proposed legislation going to improve the safety of children's products?

A: With stronger criminal and monetary penalties for violating CPSC laws, our hope is that companies will be more sensitive to consumer complaints and take action to both report complaints to the CPSC and take action to remedy any potentially dangerous products.

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 *USA Today* (4-3-2000) and The US Consumer Product Safety Commission (4-3-2000).

Q: How were the greater penalties agreed upon? (ie. Who came up with new figures?)

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

A: I am not aware of any "formal" procedures, however there are several ways to report a dangerous product or a product-related injury to the CPSC. 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.

Q: If this legislation is adopted, what implications do tax-payers and/or companies face (with regard to the pricing of products)?

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

ST

strengthen }
toughen } consumer product safety laws

web site + home

A: The First Lady has a longstanding interest in children 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.

Q: Other than strollers and cribs, are there any other products that are relevant to the study? Which companies have the worst record with the CPSC?

Q: Which companies have the best record with the CPSC?

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

Q: Is there any technical or scientific evidence that confirms the findings of these complaints?

Q: What is the standard number of complaints that must be filed for a recall to be enacted? (although they had several thousand complaints, maybe they thought it was just coincidence compared to the number of non-complaints)

Q: How are reports against companies filed with the CPSC?

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. ~~A USA Today investigation recently found that problems with 75% of the most dangerous children's products recalled during the past three years were not reported to the government until the CPSC, often alerted by consumers, got involved.~~ *Something about kids being injured.*

Q: How will this legislation result in companies taking action to heighten consumer awareness of their dangerous products and improve the safety of such products?

A: *to report* The proposed legislation is designed to act as an incentive ^{for} ~~to deter~~ companies from withholding complaints about their potentially dangerous products ~~in three ways~~. First, the proposed amendment eliminates ^{1. the max cap on civil penalties} the maximum civil penalty amount. 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. Next, the new legislation ^{will} ~~will~~ increase the penalty for a 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.~~ This translates into ~~monetary criminal penalties from \$50,000 to \$250,000 for individuals and \$500,000 for companies.~~ Finally, the proposal ^{will} ~~will~~ give ^{World CPSC} the 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} 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.

~~PUBLIC-PRIVATE PARTNERSHIP CAMPAIGN~~ *To Increase Reporting of Dangerous Product*

Q: How will the ~~public-private partnership~~ ^{Campaign} protect children from dangerous products?

A: *also working with the campaign -- such as pediatricians + Emergency Room Nurses --*
Health care providers ~~and other professionals~~ ^{from the group} 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 through its toll-free Hotline. ~~The professional association would inform its members of the need to keep CPSC informed of potentially hazardous products. The association would also circulate to its members notices of CPSC product recalls. CPSC staff would attend conferences and write articles in newsletters to help train association members about what kind of hazards to look for and to give them the latest product safety information.~~

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 (4-3-2000) and The US Consumer Product Safety Commission (4-3-2000);
hushigchi

MISCELLANEOUS

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

A: ~~There are several ways to report a dangerous product or a product-related injury to the CPSC. 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.~~
Consumers can contact the CPSC through their web site or toll free #.

Q: If this legislation is adopted, what implications do tax-payers and/or companies face (with regard to the pricing of products)?

A: None

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.

May 5, 2000

MEMORANDUM FOR HILLARY RODHAM CLINTON

**FROM: HEATHER HOWARD
ANN O'LEARY
ERIC MORSE**

**CC: MELANNE VERVEER
SHIRLEY SAGAWA
LISSA MUSCATINE**

SUBJECT: CHILDREN'S PRODUCTS SAFETY EVENT

We are proposing an event, tentatively scheduled for May 12 in the Roosevelt Room, for you to announce proposals to improve the safety of consumer products, especially children's products.

A *USA Today* investigation recently found that at least 17 manufacturers of children's toys failed to warn the government or the toy owners of complaints about the safety of their products. According to *USA Today*, "an analysis of government documents shows that problems with 75% of the most dangerous children's products recalled during the past three years were not reported to the government until the Consumer Product Safety Commission, often alerted by consumers, got involved." For example, the Commission recently announced a \$400,000 penalty against Hasbro, which waited until it had 12 reports of handles unlatching on infant carriers (resulting in seven skull fractures) before telling the Commission about the problem.

The Commission needs tougher penalties to deter companies from withholding complaints about their products. Currently, the Commission's penalty authority includes 1) civil penalties, which are capped at \$1.6 million (the total fine is \$7,000 per product, multiplied by the number of products sold, up to \$1.6 million), and 2) criminal misdemeanor penalties, including imprisonment of up to one year and fines capped at \$50,000.

The civil penalties are adjusted for inflation every five years, and were last adjusted in 1999. Even so, the cap is absurdly low. It is triggered when the number of products sold exceeds 228; the majority of cases the Commission handles involve, at a minimum, thousands of products sold. Under the criminal provisions of the statute, the Commission may charge anyone who "knowingly and willfully" violates the law, including the reporting requirements, "after having received notice of noncompliance." Thus, in effect, the criminal provisions only apply on a second offense. Given the high standard of the statute (knowledge of the law and willful violation), the Commission argues that the second offense requirement is unnecessary and hampers their ability to enforce the statute and protect consumer safety.

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.

PUBLIC-PRIVATE PARTNERSHIP [campaign?] TO PROTECT CHILDREN FROM DANGEROUS PRODUCTS

In addition to strengthening consumer product safety laws, the First Lady will be announcing immediate efforts to protect the health and safety of children and families. She will launch an innovative partnership with the CPSC and health care providers to uncover dangerous products that injure and kill 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, [Emergency Physicians], [National Safe Kids Campaign] have committed to a campaign to encourage health providers to report products causing injuries. For example, these groups will promote the campaign in their newsletters, web sites, and e-mail updates. These groups have also agreed to work with the CPSC to disseminate information about produce recalls.

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. The commitments from these organizations will assist the CPSC, which already relies heavily 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 been a strong supporter of the work of the CPSC. In fact, the President's FY 2001 budget includes an increase of \$3.7 million for the CPSC, from \$48.8 million to \$52.5 million. In addition, the First Lady has a longstanding interest in children 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.

An additional problem is that, under current law, a company with a defective product that is being recalled has the right to select the remedy (repair, replacement, or refund), even if that remedy does not provide the most protection to consumers. Recently, General Electric came under fire for offering rebates for new GE dishwashers, rather than offering to fix the defective ones.

Proposals

First, you would highlight proposed legislation to strengthen the penalty authority of the Commission. (This legislation would be announced through a Presidential statement.) Increased penalties would provide obvious incentives for companies to avoid manufacturing defective products, as well as to come forward earlier when problems are detected, thus preventing harm to consumers. Tougher penalties would also generate more news coverage of Commission actions, which is important to making consumers aware of dangerous products. The legislation would: 1) lift the overall cap on civil penalties; 2) make criminal violations a felony and remove the second offense requirement; and 3) provide CPSC the authority to select the way a defective product will be fixed in a product recall.

Second, we hope to have a public-private partnership in place for announcement at the event. The partnership would include CPSC and different physician groups, which would commit to raising awareness among members of the need to inform CPSC (via their hotline or email) of potentially hazardous products. The trade groups would also commit to circulating to their members notices of CPSC product recalls.

Event

On Thursday or Friday, the President would send a letter submitting the proposed legislation to Congress. On Friday, you would highlight the legislative proposals and announce the public-private partnership with Ann Brown, Chairman of the CPSC, consumer groups, and possibly a Member of Congress who would announce the introduction of the proposed legislation. We are also looking for a family that has suffered an injury from a product, the defects of which were not reported to CPSC.



Heather H. Howard
05/11/2000 02:46:56 PM

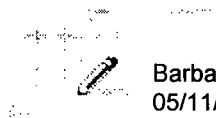
Record Type: Record

To: Eric J. Morse/OPD/EOP@EOP

cc:

Subject: Updated List

----- Forwarded by Heather H. Howard/OPD/EOP on 05/11/2000 02:46 PM -----



Barbara D. Woolley
05/11/2000 02:20:44 PM

Record Type: Record

To: Heather H. Howard/OPD/EOP@EOP

cc:

Subject: Updated List

Child Safety Event with the First Lady
Friday, May 12, 2000
Provider List

Meet and Greet - 5

Mary Foley, RN, President,
American Nurses Association
San Francisco, CA

Kathy Robinson, ENA Board of Directors
Emergency Nurses Association
Staff Nurse/ED Case Manager, Geisinger Medical Center
Bloomsburg, PA

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

Marilyn Jean Bull Bruins, MD, Chair, Committee on Injury and Poison Prevention
American Academy of Pediatrics
Indianapolis, IN

Jeff Human, Staff, American Academy of Family Physicians

Additional staff for audience

Stephanie Reed, American Nurses Association

Janice Guerney, American Academy of Pediatrics

GROUPS TO BE NAMED IN FLOTUS REMARKS

[Please list is alphbet. Order]

American Academy of Family Physicians

American Academy of Pediatrics

American College of Emergency Physicians

American Medical Women's Association

American Nurses Association

Emergency Nurses Association

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Patricia H. Adkins to Sean O'Shea re: vehicle and passenger info (partial) (1 page)	05/11/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

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]



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date: May 11, 2000

TO : Sean O'Shea
Office of Cabinet Affairs

FROM : Patricia H. Adkins *Pha*
Chief of Staff

SUBJECT : **REVISED VERSION @ 5:00 P.M.**
Friday, May 12 White House Event with the First Lady

I am providing vehicle and passenger information for attendees at tomorrow's event.

Vehicle #1: 1999 Dark Blue, Mercury Grand Marquis, Govt Tag # US 13307

Driver: Gary Reynolds, [REDACTED] P6/(b)(6) [001a]

Passengers: Chairman Ann Brown

[REDACTED] P6/(b)(6)

Pamela Gilbert, Executive Director

[REDACTED] P6/(b)(6)

Vehicle #2: 1998 Light Blue, Ford XLT Van, Govt Tag # US 12535

Driver: Victor Crawford, [REDACTED] P6/(b)(6)

Passengers: Michael Solender, General Counsel

[REDACTED] P6/(b)(6)

Alan Schoem, Assistant Executive Director, Office of Compliance

[REDACTED] P6/(b)(6)

Russell Rader, Director, Office of Information and Public Affairs

[REDACTED] P6/(b)(6)

With consumer products for event (stroller, infant carrier, power wheels)

Vehicle #1 will arrive around 10:30a and Vehicle #2 will arrive around 10:15a.

I can be reached at (301) 504-0214, faxed at (301) 504-0768 or e-mailed at padkins@cpsc.gov.



U. S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

Fax Message Cover Sheet

Date: 5/11 Time: 6:00

☐ Fax To (Name): Heather Howard

☐ Fax Number: _____

☐ Voice Phone Number: _____

From: Office of the Executive Director

Name: _____

Voice Phone Number: (301) 504-0550

Fax Number: (301) 504-0121

Subject: _____

Number of Pages to Follow: 1

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. memo	Sally Greenberg to Heather Howard re: SSN and DOB (partial) (1 page)	05/11/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

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]

By Fax:

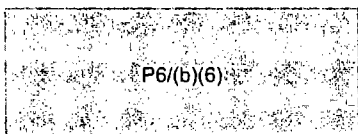
TO: Heather Howard - 456-2878

FROM: Sally Greenberg,

DATE: May 11, 2000

Person attending tomorrow's press conference in Roosevelt Room on increasing fines for failure to report safety defects:

Sally Greenberg, Senior Product Safety Counsel, Consumers Union



[001c]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001c. email	Barbara Woolley to Heather Howard re: DOBs and SSNs (partial) (2 pages)	05/11/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

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]
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- 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]

05/11/2000



Heather H. Howard
05/11/2000 01:53:39 PM

Record Type: Record

To: Eric J. Morse/OPD/EOP@EOP

cc:

Subject: clearance list for child safety event

----- Forwarded by Heather H. Howard/OPD/EOP on 05/11/2000 01:53 PM -----

05/11/2000



Barbara D. Woolley
05/11/2000 01:44:19 PM

Record Type: Record

To: Heather H. Howard/OPD/EOP@EOP

cc:

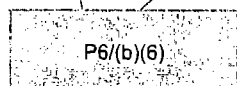
Subject: clearance list for child safety event

ENA and AMWA will want to know if they can bring staff person.

Clearance List for Friday's - Child Safety Event
Friday, May 12, 2000

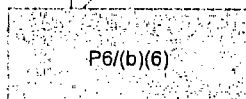
Roosevelt Room

Janis Guerney
AAP



[001C]

Mary Foley
ANA



stephanie reed
ANA

P6/(b)(6)

Kathy Robinson
ENAL

P6/(b)(6)

Omega Silva
AMWA

P6/(b)(6)

Marilyn Jean Bull Bruins
AAP

P6/(b)(6)

Jeff Human
ACFP

P6/(b)(6)

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001d. email	Mark and Brittany Cipriotti to Ann O'Leary re: DOB and SSN (partial) (1 page)	05/11/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

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]



Mark & Brittany Cipriotti <cipriotti@erols.com>

05/11/2000 12:18:56 PM

Record Type: Record

To: Mark & Brittany Cipriotti <cipriotti@erols.com>, Ann O'Leary/OPD/EOP

cc: Heather H. Howard/OPD/EOP, Eric J. Morse/OPD/EOP

Subject: Re: Friday's event for Child Safety

Hello Heather,

Ann gave me your Name and number as a contact for tomorrow. Here is some missing information from the email yesterday

This is the Social security for William Gage Carroll

P6/(b)(6)

[001d]

Looking forward to seeing you on Friday.

Thank you,

Brittany Cipriotti



- att1.htm

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001e. fax	Steve Austin to Heather Howard re: DOB and SSN (partial) (1 page)	05/10/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

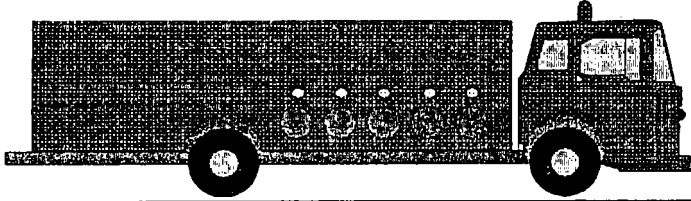
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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

FIVE ALARM FAX



Steve Austin
Box 5070 Wilmington DE 19808
Phone: 302-995-0336
Fax: 302-995-6330
Pager: [REDACTED] P6(b)(6) [001e]
Email: steveaustin@earthlink.net

To: Heather Howard

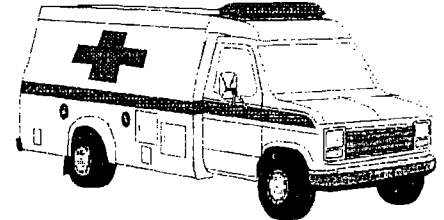
Fax #: 1,202-456-2878

Company: White House

Sent: 5/10/00 at 6:36:14

Subject: CPSC Event

Pages: 1 (including cover)



I am pleased to accept the invitation to attend the CPSC event with the First Lady on Friday May 12. Please advise me of the exact time and at what gate I am to enter. Thank You.

Stephen P. Austin, [REDACTED] P6(b)(6)
Director of Governmental Relations
International Association of Arson Investigators

Support Your Local Firefighters America's Domestic Defenders

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001f. email	Mark and Brittany Cipriotti to Ann O'Leary re: SSNs and DOBs (partial) (1 page)	05/10/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

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



Mark & Brittany Cipriotti <cipriotti@erols.com>

05/10/2000 05:58:10 PM

Record Type: Record

To: Ann O'Leary/OPD/EOP
cc: Heather H. Howard/OPD/EOP, Eric J. Morse/OPD/EOP
Subject: Re: Friday's event for Child Safety

Ann,

Here is the information that you requested, My husband will be joining me as well.

Lenni Brett Cipriotti (Brittany) [REDACTED] P6/(b)(6) [001f]
Mark Charles Cipriotti [REDACTED] P6/(b)(6)
Ellen Rae Huffstutler [REDACTED] P6/(b)(6)
Ross Nicholas Cipriotti [REDACTED]
McKenzie Rae Cipriotti [REDACTED] P6/(b)(6)
William Carroll (a daycare child, i will send this info later or call one of your representatives)

-----Original Message-----

From: Ann_O'Leary@opd.eop.gov <Ann_O'Leary@opd.eop.gov>
To: cipriotti@erols.com <cipriotti@erols.com>
Cc: Heather_H._Howard@opd.eop.gov <Heather_H._Howard@opd.eop.gov>;
Eric_J._Morse@opd.eop.gov <Eric_J._Morse@opd.eop.gov>
Date: Wednesday, May 10, 2000 11:17 AM
Subject: Friday's event for Child Safety

Brittany --

Great talking points!!! You will be a powerful voice in this effort to toughen the penalties manufactures face when they fail to report defective, faulty, or unsafe products and put children in danger.

I have made several suggested changes below -- one important change is that our lawyers have asked that we not mention the company by name given that the company is still in negotiation with CPSC on payment of penalty and we cannot unfairly influence that process. Other changes I made are with the intent to try to trim it a bit in order to shorten it. Overall, it looks great.

Please send the names, date of birth, and social security numbers for you, your children, and your mother in order to get cleared into the White House. You and your family will need to arrive here by 10:30 a.m. and should enter the White House through the Northwest Gate which is located on Pennsylvania Avenue. There are several parking garages on Pennsylvania

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001g. memo	Sherry Llewellyn to Barbara Wooley and Heather Howard re: DOB and SSN (partial) (1 page)	05/10/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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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]
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- 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]

American Academy of Pediatrics



Reply To
Department of Federal Affairs
 American Academy of Pediatrics
 The Homer Building
 601 Thirteenth Street, NW
 Suite 400 North
 Washington, DC 20005
 202/347-8800
 800/338-5475
 Fax: 202/393-6137
 e-mail: kids1st@aap.org
 http://www.aap.org

Executive Committee

President

Donald E. Cook, MD

Vice President

Steve Berman, MD

Executive Director

Joe M. Sanders, Jr, MD

Board of Directors

Eileen M. Ouellette, MD, JD
 Salem, Massachusetts

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Susan S. Aronson, MD
 Narberth, Pennsylvania

E. Stephen Edwards, MD
 Raleigh, North Carolina

Stanford A. Singer, MD
 Bloomfield Hills, Michigan

Ordean L. Torstenson, MD
 Madison, Wisconsin

L. Leighton Hill, MD
 Houston, Texas

Jon R. Almquist, MD
 Federal Way, Washington

Lucy S. Crain, MD, MPH
 San Francisco, California

Charles W. Linder, MD
 Augusta, Georgia

Immediate Past President

Joel J. Alpert, MD

May 10, 2000

To: Barbara Wooley
 Heather Howard

From: Sherry Llewellyn, public affairs

Re: AAP staff representative for May 12 event

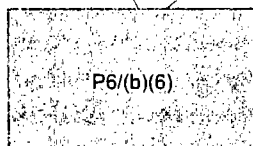
The following is information about the AAP staff representative who will attend the May 12 event at the White House:

For security clearance:

Name: Janis Guerney

DOB:

SS#:



[001g]

If you have any questions or need additional information, please let me know.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001h. memo	Alan Korn to Heather Howard re: DOBs and SSNs (partial) (1 page)	05/10/11	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

RESTRICTION CODES

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

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1301 Pennsylvania Avenue, N.W.
Suite 1000
Washington, DC 20004 1707
(202) 662-0600
(202) 393-2072 Fax

Chairman
C. Everett Koop, M.D.

President
Martin R. Bichelberger, M.D.

Executive Director
Heather Paul, Ph.D.

To: Heather Howard, White House
From: Alan Korn, Director of Public Policy & General Counsel
Date: May 10, 2000
RE: White House/CPSC/National SAFE KIDS Campaign Partnership on Recalls

I. Introduction

As you may know, the National SAFE KIDS Campaign is the first and only national organization dedicated solely to the prevention of unintentional childhood injury – the number one killer of children ages 14 and under. More than 280 state and local SAFE KIDS Coalitions in all 50 states, the District of Columbia and Puerto Rico comprise the Campaign. Former U.S. Surgeon General C. Everett Koop, M.D., Sc.D., is chairman of the Campaign.

Over the past 12 years, the Campaign has become an effective advocate in the marketplace to educate consumers and caregivers about recalled products. The Campaign utilizes its 280 state and local offices to disseminate information about dangerous consumer products. Our SAFE KIDS network is extremely active and effective at getting the word out.

The National SAFE KIDS Campaign and its 280 state and local Coalitions is thrilled to partner with the White House and the U.S. Consumer Product Safety Commission to alert parents, consumers, and other caregivers about this new initiative.

II. Suggested Partnership Program

- A. The Campaign and its state and local offices will help the White House and the CPSC police the marketplace for potentially dangerous and recalled products. The Campaign will activate its Coalitions and their members to visit many venues, including retail stores, thrift shops, day car centers, schools, hotels/motels, and hospitals to search for these dangerous products.
- B. The Campaign will aggressively publicize recall information on its web site (www.safekids.org), in its monthly newsletter, and to the public at large via interviews and other television and news appearances.
- C. Our SAFE KIDS Coalitions at the state and local level will, in turn, disseminate and publicize recall information provided by the national office throughout venues in their communities, including pediatricians' offices, school nurses' offices, PTA meetings, fire houses, retail outlets, and through their own individual SAFE KIDS web sites, events, and newsletters.
- D. During the National SAFE KIDS Campaign's annual Leadership Conference – which draws over 400 injury prevention specialists from across the country – we will showcase this new initiative and train our attendees about how to better spot recalled products and effectively communicate recall safety information.

III. Attendees for Friday's Event

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

P6/(b)(6)

[001h]

Alan Korn, J.D., Director of Public Policy & General Counsel,
National SAFE KIDS Campaign

P6/(b)(6)



A program of
Children's National
Medical Center
Washington, DC



Founding Sponsor

Johnson & Johnson

American Academy of Pediatrics



DEPARTMENT OF FEDERAL AFFAIRS

601 Thirteenth Street, NW
Suite 400 North
Washington, DC 20005
www.aap.org

202/347-8600 or 800/336-5475
FAX: 202/393-6137
E-mail: sllewellyn@aap.org

TO: Barbara Wooley
Heather Howard

FROM: Sherry Llewellyn
Public Affairs

DATE: 5/10/00

PAGE: 1 of 2

RE: Info. about Janis for Friday's event—

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001i. memo	Shrry Llewelly to Barbara Wooley and Heather Howard re: DOB and SSN (partial) (1 page)	05/10/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Eric Morse (Subject Files)
OA/Box Number: 21191

FOLDER TITLE:

Toy Safety

2011-0619-S

rc282

RESTRICTION CODES

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

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American Academy of Pediatrics



Reply To:
Department of Federal Affairs
 American Academy of Pediatrics
 The Homer Building
 601 Thirteenth Street, NW
 Suite 400 North
 Washington, DC 20005
 202/347-8600
 800/336-5475
 Fax 202/393-6137
 e-mail: kids1st@aap.org
<http://www.aap.org>

Executive Committee

President
 Donald E. Cook, MD

Vice President
 Steve Berman, MD

Executive Director
 Joe M. Sanders, Jr, MD

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 Madison, Wisconsin

L. Leighton Hill, MD
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 Federal Way, Washington

Lucy S. Crain, MD, MPH
 San Francisco, California

Charles W. Linder, MD
 Augusta, Georgia

Immediate Past President

Joel J. Alpert, MD

May 10, 2000

To: Barbara Woolcy
 Heather Howard

From: Sherry Llewellyn, public affairs

Re: AAP speaker for May 12 event

The following is information about the speaker who will represent the American Academy of Pediatrics at the childhood injury prevention event on May 12. You'll note that there are a few issues with her professional and married names, so I'll do my best to clarify.

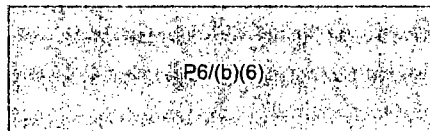
For representation at the event: Marilyn Bull, M.D., FAAP
 chair, Committee on Injury and Poison
 Prevention, American Academy of
 Pediatrics

For security clearance:

Full name: Marilyn Jean Bull Bruins

DOB:

SS#:



[0011]

Passport ID: Marilyn Bull Bruins

Driver's License ID: Marilyn Bruins

Other information:

Hospital affiliation: director of Developmental Pediatrics
 James Whitcomb Riley Hospital for Children

If you have any questions or need additional information, please let me know. I'll forward a copy of Dr. Bull's remarks to you as soon as they are available.

REQUEST FOR APPOINTMENT PARKING

THIS FORM MUST BE COMPLETED AND SENT BY FAX
TO EXT. 1655 AT LEAST 2 HOURS IN ADVANCE.
(5:00 p.m. on Friday for Weekend Parking)

Date

5/11/00

Requestor's Name

ERIC MORSE

Requestor's Office

DPC

Phone Extension

60122

Room No.

2nd Fl. WW

Date Parking Needed

5/12/00

Name of Driver

Victor Crawford

Make of Car

1998 Ford XLT Van

State and License No.

Gout. # US B535

Time of Arrival

10:30

Time of Departure

12:30

IT IS YOUR RESPONSIBILITY TO CONTACT
WAVES FOR ALL PASSENGERS ARRIVING IN THE CAR.

These people need to be dropped
off at the West wing lobby. Please
call me with any questions or
concerns.

Thanks,
Eric



**FROM THE OFFICE OF ANN BROWN
CHAIRMAN**

**U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814**

**Office: 301-504-0213
Facsimile: 301-504-0768**

Please deliver the following fax to:

Name: Heather Howard

Organization:

Fax Number: (202) 456-2878

Date 5/11/00 *Number of Pages + cover sheet 3*

From: Pamela Gilbert

Telephone:

Message:

NOTE: If all pages are not received, or if you have any problems with this transmittal, please contact the person listed above.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. memo	Patricia H. Adkins to Sean O'Shea re: DOBs and SSNs (partial) (1 page)	05/11/2000	P6/b(6)

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UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date: May 11, 2000

TO : Sean O'Shea
Office of Cabinet Affairs

FROM : Patricia H. Adkins
Chief of Staff *Pha*

SUBJECT : Friday, May 12 White House Event with the First Lady

Following up on your conversation of today, I am providing vehicle and passenger information for attendees at tomorrow's event.

Vehicle #1: 1999 Dark Blue, Mercury Grand Marquis, Govt Tag # US 13307
Driver: Gary Reynolds [REDACTED] P6/(b)(6) [002]

Passengers: Chairman Ann Brown

[REDACTED] P6/(b)(6)

Pamela Gilbert, Executive Director

[REDACTED] P6/(b)(6)

Vehicle #2: 1998 Light Blue, Ford XLT Van, Govt Tag # US 12535
Driver: Victor Crawford, [REDACTED] P6/(b)(6)

Passengers: Michael Solender, General Counsel

[REDACTED] P6/(b)(6)

Alan Schoem, Assistant Executive Director, Office of Compliance

[REDACTED] P6/(b)(6)

Russell Rader, Director, Office of Information and Public Affairs

[REDACTED] P6/(b)(6)

I understand the above individuals should arrive no later than 10:45 a.m. However, it has been requested by the White House media staff that the consumer products which are being used for this event should arrive by 9:45 a.m. Therefore, there will be a third vehicle that will need

access to do a drop-off. I do not have the information on the vehicle or driver yet, but will provide the necessary information, as soon as it is finalized. At the conclusion of the event, the children's products will be returned on Vehicle #2.

I can be reached at (301) 504-0214, faxed at (301) 504-0768 or e-mailed at padkins@cpsc.gov.

REQUEST FOR APPOINTMENT PARKING

THIS FORM MUST BE COMPLETED AND SENT BY FAX
TO EXT. 1655 AT LEAST 2 HOURS IN ADVANCE.
(5:00 p.m. on Friday for Weekend Parking)

Date 5/11/00
Requestor's Name Eric Morse
Requestor's Office DPC
Phone Extension 60122 Room No. 2nd Fl WW

Date Parking Needed 5/12/00
Name of Driver Gary Reynolds
Make of Car Mercury Grand Marquis
State and License No. # US 13307
Time of Arrival 10:30 A.M.
Time of Departure 12:30 P.M.

IT IS YOUR RESPONSIBILITY TO CONTACT
WAVES FOR ALL PASSENGERS ARRIVING IN THE CAR.

PROGRAM—28 audience attendees
5 speaker participants

*Final
all people wanted*

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)

[Handwritten sketch of a person's head and shoulders, with the text "am B/A Bull Capps" written next to it.]

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)

~~✓~~ Leni 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

AGENDA

First Lady Hillary Rodham Clinton speaks

Ann Brown speaks

Brittany Cipriotti speaks

Dr. Marilyn Bull speaks

Rep. Lois Capps speaks

The First Lady closes

Final

PROGRAM—28 audience attendees
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Dr. Marilyn Bull—Pediatrician

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HRC Briefing

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Jennifer Forshey