

CPSC Holds Conferences Discussing the Publicly- Available Consumer Product Safety Information Database

January 24, 2011

In preparation for the Consumer Product Safety Commission's ("CPSC") launch of the Publicly-Available Consumer Product Safety Information Database ("Database"), the CPSC held two conferences, on January 11 and 20, 2011, to demonstrate specific aspects of the Database. The conferences provided information regarding how to submit reports of harm, how manufacturers and private labelers may register on the Database, how entities may submit comments regarding reports of harm, and general information about the Database's structure and search capabilities.

Important information for manufacturers and private labelers includes the following—

- Manufacturer and Private Labeler Registration with the Database
 - Manufacturers and private labelers should register with the Database to expedite receipt of reports of harm, and facilitate the commenting and review request process. The CPSC will collect basic information from entities during registration and will require entities to designate a "primary contact." The primary contact will receive reports of harm and may submit comments regarding the reports on behalf of the organization. Once an entity has registered, the primary contact may also designate other individuals who can receive reports.
 - If an entity is registered with the Database, the CPSC will send reports of harm through email to the entity's primary contact. As an entity only has ten business days to comment before the report of harm is published on the Database, registration will expedite an entity's receipt of a report of harm. For entities that are not registered, the CPSC will have to rely on slower delivery methods, such as postal mail.
 - Entities may register at any time through <http://www.saferproducts.gov/intercept.html>.
- Manufacturer and Private Labeler Comments and Review Requests
 - The CPSC must transmit a report of harm to the manufacturer or private labeler within five business days of receipt. Entities may submit comments regarding the report to be posted on the Database, provide comments that will not be posted on the Database, or request that the CPSC review a report because an entity believes the report contains confidential or materially inaccurate information.
 - An entity may post a comment at anytime and may post multiple comments. If an entity wants a comment to be posted at the same time the report of harm is posted to the Database, however, comments must be submitted with sufficient time for the CPSC to

determine that the comment meets the minimum requirements (*i.e.*, the comment relates to the report of harm, and the manufacturer or private labeler provides its unique identifier, verifies that information in the comment is true and accurate, and requests that the comment be published) within the ten business day posting period.

- An entity may also submit a comment about a report and request that this comment not be posted to the Database. These comments, however, will still be subject to Freedom of Information Act (“FOIA”) requests.
- Finally, specific sections of the Database will allow an entity to request review of a report because the report contains confidential or materially inaccurate information. A review request should identify which portion of the report is confidential or materially inaccurate, explain why information is confidential or materially inaccurate, and, if available, provide documents demonstrating why a report contains confidential or materially inaccurate information. If an entity wants the CPSC to review a request before the ten business day posting period has elapsed, the entity must allow the CPSC sufficient time to review the claim. An entity may request expedited treatment of a claim, but these review requests should be limited to five pages including any attachments.

On January 24, 2011, the CPSC intends to begin a soft-launch of the Database. From January until the Database’s official launch in March 2011, consumers and other parties may submit reports through the Database’s website. These reports will not be posted to the publicly-searchable Database, but will be available through FOIA requests. More information regarding the CPSC’s Database is available in our [December 9, 2010 Client Advisory](#) and through the CPSC’s Database website —www.saferproducts.gov.