

Union Calendar No. 227

110TH CONGRESS
1ST SESSION

H. R. 1699

[Report No. 110-366]

To direct the Consumer Product Safety Commission to require certain manufacturers to provide consumer product registration forms to facilitate recalls of durable infant and toddler products.

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2007

Ms. SCHAKOWSKY (for herself and Mr. UPTON) introduced the following bill; which was referred to the Committee on Energy and Commerce

OCTOBER 9, 2007

Additional sponsors: Mrs. MCCARTHY of New York, Mr. MARKEY, Mr. MOORE of Kansas, Mr. MCGOVERN, Mr. LANTOS, Ms. NORTON, Mr. DAVIS of Illinois, Mr. PRICE of North Carolina, Mr. BRADY of Pennsylvania, and Mr. GORDON of Tennessee

OCTOBER 9, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 26, 2007]

A BILL

To direct the Consumer Product Safety Commission to require certain manufacturers to provide consumer product registration forms to facilitate recalls of durable infant and toddler products.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Danny Keysar Child*
5 *Product Safety Notification Act”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds the following:*

8 (1) *Unintentional injuries are the leading cause*
9 *of death among children, and for every such injury*
10 *that is fatal, approximately 18 children are hospital-*
11 *ized and 1,250 are treated by emergency departments*
12 *for such injuries that are nonfatal.*

13 (2) *According to the Consumer Product Safety*
14 *Commission, an average of 50 children under the age*
15 *of 5 die each year in incidents associated with nurs-*
16 *ery products, and about 16 of these deaths each year*
17 *are associated with cribs.*

18 (3) *In 2003, an estimated 60,700 children under*
19 *the age of 5 were treated in United States hospital*
20 *emergency rooms for injuries associated with nursery*
21 *products, and there were 10,700 injuries to children*
22 *under the age of 5 years associated with strollers*
23 *alone.*

24 (4) *Of the 397 recalls issued by the Consumer*
25 *Product Safety Commission in fiscal year 2005, 109*

1 *(or 27 percent) were children’s products. Children’s*
2 *products were recalled, on average, over 2 times per*
3 *week, and accounted for 19,635,627 individual units.*

4 **SEC. 3. DEFINITIONS.**

5 *In this Act:*

6 (1) *COMMISSION.*—*The term “Commission”*
7 *means the Consumer Product Safety Commission.*

8 (2) *DURABLE INFANT OR TODDLER PRODUCT.*—
9 *The term “durable infant or toddler product”—*

10 (A) *means a durable product intended for*
11 *use, or that may be reasonably expected to be*
12 *used, by children under the age of 5 years; and*

13 (B) *shall include—*

14 (i) *full-size cribs and nonfull-size cribs;*

15 (ii) *toddler beds;*

16 (iii) *high chairs, booster chairs, and*
17 *hook-on chairs;*

18 (iv) *bath seats;*

19 (v) *gates and other enclosures for con-*
20 *fining a child;*

21 (vi) *play yards;*

22 (vii) *stationary activity centers;*

23 (viii) *infant carriers;*

24 (ix) *strollers;*

25 (x) *walkers;*

1 *(xi) swings; and*

2 *(xii) bassinets and cradles.*

3 **SEC. 4. CONSUMER PRODUCT REGISTRATION FORMS.**

4 *(a) RULEMAKING.—Not later than 1 year after the*
5 *date of enactment of this Act, the Commission shall, pursu-*
6 *ant to its authority under section 16(b) of the Consumer*
7 *Product Safety Act (15 U.S.C. 2065(b)), promulgate a final*
8 *consumer product safety rule to require manufacturers of*
9 *durable infant or toddler products—*

10 *(1) to provide consumers with a postage-paid*
11 *consumer registration form with each such product;*

12 *(2) to maintain a record of the names, addresses,*
13 *email addresses, and other contact information of con-*
14 *sumers who register their ownership of such products*
15 *with the manufacturer in order to improve the effec-*
16 *tiveness of manufacturer campaigns to recall such*
17 *products; and*

18 *(3) to permanently place the manufacturer name*
19 *and contact information, model name and number,*
20 *and the date of manufacture on each durable infant*
21 *or toddler product.*

22 *(b) REQUIREMENTS FOR REGISTRATION FORM.—The*
23 *registration form required to be provided to consumers*
24 *under subsection (a) shall—*

1 (1) *include spaces for a consumer to provide*
2 *their name, address, telephone number, and email ad-*
3 *dress;*

4 (2) *include space sufficiently large to permit*
5 *easy, legible recording of all desired information;*

6 (3) *be attached to the surface of each durable in-*
7 *fant or toddler product so that, as a practical matter,*
8 *the consumer must notice and handle the form after*
9 *purchasing the product;*

10 (4) *include the manufacturer's name, model*
11 *name and number for the product, and the date of*
12 *manufacture;*

13 (5) *include a message explaining the purpose of*
14 *the registration and designed to encourage consumers*
15 *to complete the registration;*

16 (6) *include an option for consumers to register*
17 *through the Internet; and*

18 (7) *include a statement that information pro-*
19 *vided by the consumer shall not be used for any pur-*
20 *pose other than to facilitate a recall of or safety alert*
21 *regarding that product.*

22 *In issuing regulations under this section, the Commission*
23 *may prescribe the exact text and format of the required reg-*
24 *istration form.*

1 (c) *RECORD KEEPING AND NOTIFICATION REQUIRE-*
2 *MENTS.*—*The standard required under this section shall re-*
3 *quire each manufacturer of a durable infant or toddler*
4 *product to maintain a record of registrants for each product*
5 *manufactured that includes all of the information provided*
6 *by each consumer registered, and to use such information*
7 *to notify such consumers in the event of a voluntary or in-*
8 *voluntary recall of or safety alert regarding such product.*
9 *Each manufacturer shall maintain such a record for a pe-*
10 *riod of not less than 6 years after the date of manufacture*
11 *of the product. Consumer information collected by a manu-*
12 *facturer under this Act may not be used by the manufac-*
13 *turer, nor disseminated by such manufacturer to any other*
14 *party, for any purpose other than notification to such con-*
15 *sumer in the event of a product recall or safety alert.*

16 (d) *STUDY.*—*The Commission shall conduct a study*
17 *at such time as it considers appropriate on the effectiveness*
18 *of the consumer registration forms in facilitating product*
19 *recalls. Not later than 4 years after the date of enactment*
20 *of this Act, the Commission shall report its findings to Con-*
21 *gress.*

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