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November 3, 2009

Office of the Secretary  
U.S. Consumer Product Safety Commission  
Room 502  
4330 East West Highway  
Bethesda, MD 20814

Re: Implementation of a Searchable Consumer Product Safety Incident Database

Dear Secretary:

The Retail Industry Leaders Association (RILA) appreciates this opportunity to provide comments on the Consumer Product Safety Commission's (CPSC) plan to establish and maintain a searchable consumer product safety incident database. RILA does not plan to speak at the public hearing on November 10, and we hope the CPSC will take these written views into account. RILA understands that the CPSC is also creating a contact list of parties interested in issues related to the public database. RILA would also like to be included on that contact list to be updated on any new developments related to the public database. RILA members support transparency in product safety, and believe that a public database that is populated with timely, true and accurate product safety information can help to further consumer awareness and protection.

By way of background, RILA promotes consumer choice and economic freedom through public policy and industry operational excellence. Our members include the largest and fastest growing companies in the retail industry--retailers, product manufacturers, and service suppliers--which together account for more than \$1.5 trillion in annual sales. RILA members provide millions of jobs and operate more than 100,000 stores, manufacturing facilities and distribution centers domestically and abroad.

### **Sufficient Time to Respond to Product Safety Postings on the Database**

The CPSC's report to Congress on the public database says that the CPSC will create an industry portal to allow manufacturers and retailers to comment on incident reports submitted in the

public portal. The CPSC plans to provide industry with ten business days to comment on any incident reports before they are publicly posted. RILA appreciates the importance of providing consumers with timely product safety information. RILA also believes it is equally important to ensure that the information maintained by the CPSC on the public database is true and accurate. Industry's input on the incident report can substantially improve the accuracy and veracity of information.

Ten business days is not sufficient time for retailers to comment on incident reports. Currently, when retailers receive a report of a product safety incident, they seek to determine the exact product that is affected, what happened, when the product was sold, and what action is warranted to address the problem. Oftentimes, the information included is not complete, and it takes time for a retailer to determine the exact nature of the incident. Unless the CPSC determines that there is an imminent hazard to public health and safety, RILA believes that industry should be provided 30 days to comment on incident reports before they are publicly posted on the database.

### **Information Gathered on the Public Database**

The CPSC's report to Congress on the public database says that the CPSC will establish a step-by-step process to allow users to more easily submit complete information on a product safety incident. RILA believes that the CPSC should seek as much detailed information as possible about the product and the incident. For example, RILA encourages the CPSC to include data fields such as the manufacturer, brand name and model of the product, a tracking label (if available), a UPC or bar code on the product, a photograph of the product, a time frame for when the product was purchased, and where it was purchased. In particular, a photograph of the product would greatly enhance the ability of all parties to most accurately identify the product in question. As the CPSC is aware, photographs are a key element of recall notices to help consumers identify the recalled product.

### **Conclusion**

We respectfully request the CPSC to implement measures to ensure the timeliness, veracity and accuracy of product safety information posted on its public database, and to provide industry with sufficient time to comment on product safety incident reports submitted via the public portal.

RILA members place the highest priority on ensuring the safety of their customers and the products sold to them. RILA appreciates this opportunity to comment on the CPSC's proposed public database. Should you have any questions about the comments as submitted, please don't hesitate to contact me by phone at (703) 600-2046 or by email at [stephanie.lester@rila.org](mailto:stephanie.lester@rila.org).

Sincerely,

A handwritten signature in black ink that reads "Stephanie Lester". The signature is written in a cursive style with a long horizontal flourish at the end.

Stephanie Lester  
Vice President, International Trade