



**Testimony of Ann Marie Buerkle
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**Hearing on “Oversight of the Consumer Product Safety Commission”
Before the**

**U.S. House of Representatives
Committee on Energy and Commerce**

Subcommittee on Commerce, Manufacturing, and Trade

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Chairman Burgess, Ranking Member Schakowsky, and distinguished Members of the Committee: thank you for holding today's hearing on the Consumer Product Safety Commission. I had the honor of serving alongside many of the subcommittee's Members in the 112th Congress, and I'm glad to be back on Capitol Hill in my capacity as a Commissioner of the CPSC. I hope that today's hearing strengthens our partnership to keep consumers safe from unreasonable risks of injury from consumer products.

I have been a Commissioner at the agency since July 2013. Throughout that time, what has continued to impress me most is the dedication of CPSC's staff. They take our safety mission very seriously. The regulated community has also impressed me, not only with their eagerness to understand and follow our regulations, but also with their entrepreneurial drive to innovate and advance safety. I am thankful too for the tone set by our Chairman and joined by my colleagues. We often differ on matters of policy, but we discuss those differences in a mutually respectful manner.

In my work as a Commissioner, I have stressed three general priorities-- collaboration, education and balance.

It is important for CPSC to build strong, positive relationships with all stakeholders. If we keep the lines of communications open, we can tap the knowledge, insight, and expertise of many outside experts. This is especially important in the case of the regulated community. If we inspire cooperation rather than hostility, then we will see quicker introduction of safer designs as well as timely removal of defective products, all to the benefit of families.

Education is crucial to our mission. We need to make the regulated community aware of best practices and help them understand what we are trying to achieve. We also need to engage consumers, helping them to avoid hidden hazards and to take advantage of safer products that are already available. Increased awareness and education can prevent many unfortunate injuries and deaths.

Consumer safety is our top priority, but I believe that safety can be achieved in a balanced, reasonable way that does not unnecessarily burden the regulated community or deprive consumers of products they prefer. Our statutes express a strong preference for voluntary standards rather than mandatory standards. Where mandatory standards are unavoidable, the

Consumer Product Safety Act instructs us to find the “least burdensome” solution that adequately addresses the risk. Of course, mandatory standards may have unintended consequences, and they tend to stagnate while the world of consumer products evolves rapidly. It makes sense, therefore, to revisit our rules periodically and make sure that they are doing what is needed without stifling innovation. I am pleased that the Commission voted unanimously last week to make retrospective review of our rules a more regular activity of the Commission.

Regulation is a necessary function of government, and the Consumer Product Safety Improvement Act (CPSIA) strengthened our authority in a number of important ways. I think it is clear, however, that CPSIA went too far in some respects, forcing regulation without regard to risk, let alone cost. This subcommittee led the way in moderating some of the untoward consequences of CPSIA through its work on H.R. 2715, which passed into law as Public Law 112-28 while I was a Member of the House. Some objectives of that law remain unfulfilled. Just last year, the House included \$1 million in our FY 2015 appropriation, thanks to Rep. Blackburn, to kickstart our efforts on test-burden reduction. I think there is still much

more we can do to remove unnecessary regulatory burdens in this arena, and I look forward to working with this Committee to that end.

The common goal among us all – Congress, CPSC, industry, and consumers – is safety; we are all people who have families for whom we want safe products. I have six children and sixteen grandchildren. I do not want dangerous products hurting them or anyone; however, the U.S. government cannot and should not try to create a zero-risk society.

The solutions we seek should be balanced and actually address a problem. Consumers should be protected from unreasonable risks and the regulated community from an arbitrary government.