

# U.S. Consumer Product Safety Commission



## Publicly Available Consumer Product Information Database

### Notice of Proposed Rule

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This presentation has not been reviewed  
or approved by the Commission and  
may not reflect its views



# Background and Statutory Requirements

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Section 6A of the Consumer Product Safety Act (“CPSA”) requires: the U.S. Consumer Product Safety Commission (“CPSC” or “Commission”) to:

- Establish and maintain a database on the safety of consumer products, and other products or substances
  
- And, that the database be publically-available, searchable, and accessible through the CPSC’s web site.



# Scope of the Notice of Proposed Rule

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- Content Requirements,
- Procedural Requirements,
- Notice and Disclosure Requirements.



## ***Who may submit:***

- 1. Consumers*
- 2. Local, State, or Federal government agencies*
- 3. Health care professionals*
- 4. Child service providers*
- 5. Public safety entities*
- 6. Others*



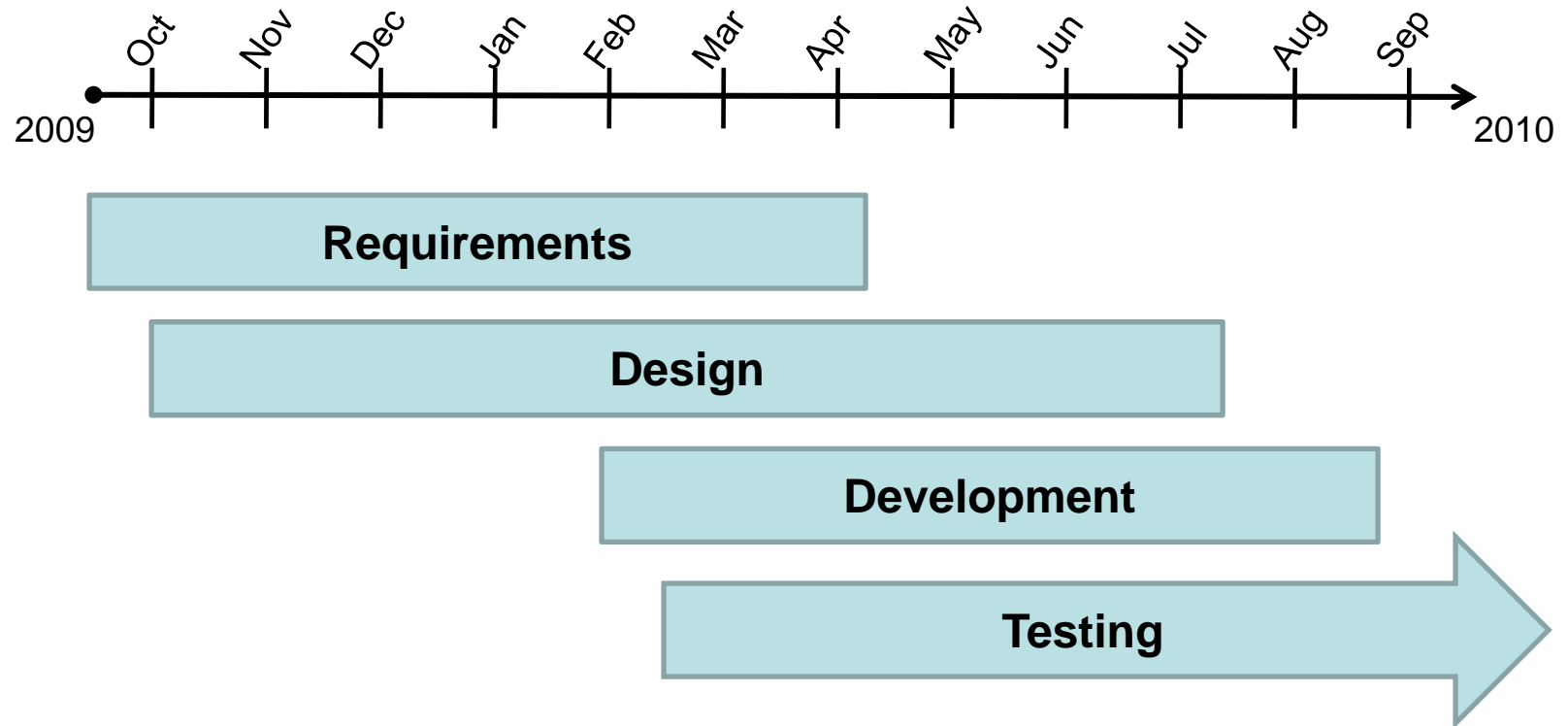
***A report of harm must have the following for publication in the database:***

- 1. Description of the product*
- 2. Description of the harm (or potential harm)*
- 3. Identity of the manufacturer or private labeler*
- 4. Submitter contact information*
- 5. Submitter verification statement*
- 6. Submitter consent*

***A report of harm that lacks these items will not be published in the public database.***



# Implementation Timeline



- The proposed rule is one of the inputs to Requirements
- Design and Development is underway
- Testing will incorporate both internal and external stakeholders

## Submit a Report

### Individuals Involved in the Incident

Please provide details regarding the individuals who were involved in the incident. Required information denoted by \*.

#### Individuals

Number of Individuals:

Select the individuals to add information that will identify who they are.

- Individual 1
- Individual 2

#### Individual 1

\* Severity of Incident for the Individual:  [Details](#) [?](#)

Location of Injury:  Type of Injury:  [Details](#) [?](#)

Primary Injury:

Full Name:

Your relation to this Individual:

Gender:  Male  Female

Age when incident occurred: Years:  Months:

For children under 2 please specify months with years of age

## Submit a Report

### Product Information

Please provide details regarding the product that was involved in the incident. Required information denoted by \*

#### \* Required Product Information:

Product Description:

[Details](#)

#### Optional Product Information:

Product Type:

Add Product Brand / Model Information

Add Product Manufacturer / Importer

Add Purchasing Information

Add Pictures / Documents to Identify Product

Supply Additional Product Detail

#### Product Description

Please provide details, such as:

- The type of product (e.g. ...)
- What is the product 's intended use
- What the product was used with (e.g. other products, attachments, or other accessories)
- Who installed the product (e.g. ...)
- The condition of the product (e.g. ...)

[Details](#)

[Details](#)

#### Optional Product Hazard Detail:

Please identify dangers associated with this using this product.

Primary Danger: Danger Category:

Danger:

[Details](#)

Add Secondary Danger

EXAMPLE SCREEN ONLY



- Filters**
- + [Hazard](#)
  - + [Injury Type](#)
  - + [Incident Location](#) \*
  - + [Incident Timeframe](#) \*
  - + [Brand](#)
  - + [Retailer](#)
  - [Product](#)
- [Clear all](#) | [Select All](#)
- Clothing and Accessories
  - Home Furnishings
    - Bedroom
      - Single Bed
      - Double Bed
      - Queen Bed
      - King Bed
    - Dining
    - Handbags
    - Jewelry
    - Watches
  - Electronics
  - Home Appliances
  - Home Improvement and Maintenance
  - Toys and Games
  - Personal Care
  - Sports and Recreation
  - Public Use

Basic Search
Advanced Search

Search

Hide Active Filters: *Incident Location, Incident Timeframe*

**Results:** 1-3 of 50
[Download Results](#)
**Sort by:** Relevance ▼

The CPSC does not guarantee the accuracy, completeness or adequacy of the contents of the Consumer Product Safety Database, particularly with respect to the accuracy, completeness, or adequacy of information submitted by persons outside of CPSC.

**Incident Report 256-455-666**

**Incident Date:** 02/10/2010      **Product:** Coffee Maker      **Hazard:** Electrical - Burn

**Incident Description:** The narrative regarding the incident would be provided in a brief snapshot. Here, the user is presented with three lines of the narrative where words or phrases that met their criteria are highlighted within the narrative. We will also provide the user with the ability to expand this description to its full detail by clicking on a link at the end ([more...](#))

**Product Description:** The narrative regarding the product would be provided in a brief snapshot. Here, the user is presented with three lines of the narrative where words or phrases (e.g. **Rapid Coffee Machine**) that met their criteria are highlighted within the narrative. We will also provide the user with the ability to expand this description to its full detail by clicking ([more...](#))

**Manufacturer Comments:** [3 available](#)

**Incident Report 123-123-123**

**Incident Date:** 02/12/2010      **Product:** Coffee Maker      **Hazard :** Electrical-Shock / Electrical-Burn

**Incident Description:** The narrative regarding the incident would be provided in a brief snapshot. Here, the user is presented with three lines of the narrative where words or phrases(e.g. **Rapid Coffee Machine**) that met their criteria are highlighted within the narrative. We will also provide the user with the ability to expand this description to its full detail link at the ([more...](#))

**Product Description:** The narrative regarding the product would be provided in a brief snapshot. Here, the user is presented with three lines of the narrative where words or phrases that met their criteria are highlighted within the narrative. We will also provide the user with the ability to expand this description to its full detail by clicking on a link at the end of this ([more...](#))

**Manufacturer Comments:** [1 available](#)

**Incident Report 786-333-222**

**Incident Date:** 02/07/2010      **Product:** Coffee Maker      **Hazard :** Electrical-Fire

**Incident Description:** The narrative regarding the incident would be provided in a brief snapshot. Here, the user is presented with three lines of the narrative where words or phrases that met their criteria are highlighted within the narrative. We will also provide the user with the ability to expand this description to its full detail by clicking on a link at the end ([more...](#))

**Product Description:** The narrative regarding the product would be provided in a brief snapshot. Here, the user is presented with three lines of the narrative where words or phrases (e.g. **Rapid Coffee Machine**) that met their criteria are highlighted within the narrative. We will also provide the user with the ability to expand this description to its full detail by clicking ([more...](#))



## **Published Online**

(per statute)

1. Description of the product (product description)
2. Description of the harm (incident description)
3. Identity of the manufacturer or private labeler



## **Not Published Online** (but required for publication, per statute)

1. Contact information
2. Verification statement
3. Affirmative consent for publication

Note: Section 15(b) and retailer reporting programs are excluded by statute. Current programs will continue.



# Content Requirements: Consent and Verification

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## **Consent 1:**

May we include your report **without your name and contact information** in CPSC's Public Database?

- Yes, you may include my report.
- No, do not include my report.

## **Consent 2:**

Would you like us to release your name and contact information to the product manufacturer or private labeler?

- Yes, you may release my name and contact information to the product manufacturer.
- No, do not release my name and contact information to the product manufacturer.

## **Verification:**

To submit this report to CPSC, you will need to certify that the information you provided in this report is true and accurate to the best of your knowledge.

- I certify that the information provided in this form is true and accurate to the best of my knowledge.

## Submit a Report

### Consent and Submit

Please let us know how you would like us to handle your report.

#### CPSC Public Database



#### \* Confidentiality of Your Information



May we include your report *without your name and contact information* in the CPSC Public Database?

- Yes, you may include my report in the CPSC Public Database.
- No, you may not include my report in the CPSC Public Database.

The Consumer Product Safety Improvement Act of 2008 (CPSIA) requires the Commission to establish and maintain a database on safety of consumer products, and other products or substances regulated by the Commission that is publicly available, searchable, and accessible through the internet website of the Commission.

[Details](#)



Would you like us to release your name and contact information to the CPSC Public Database?

- Yes, you may release my name and contact information to the CPSC Public Database.
- No, do not release my name and contact information to the CPSC Public Database.

For additional information, please go to:

- [CPSIA](#)
- [Public Database](#)

[Details](#)

regarding this report.



\* To submit this report to CPSC you must certify that the information you provided in this report is true and accurate to the best of your knowledge.

I certify that the information provided in this form is true and accurate to the best of my knowledge.

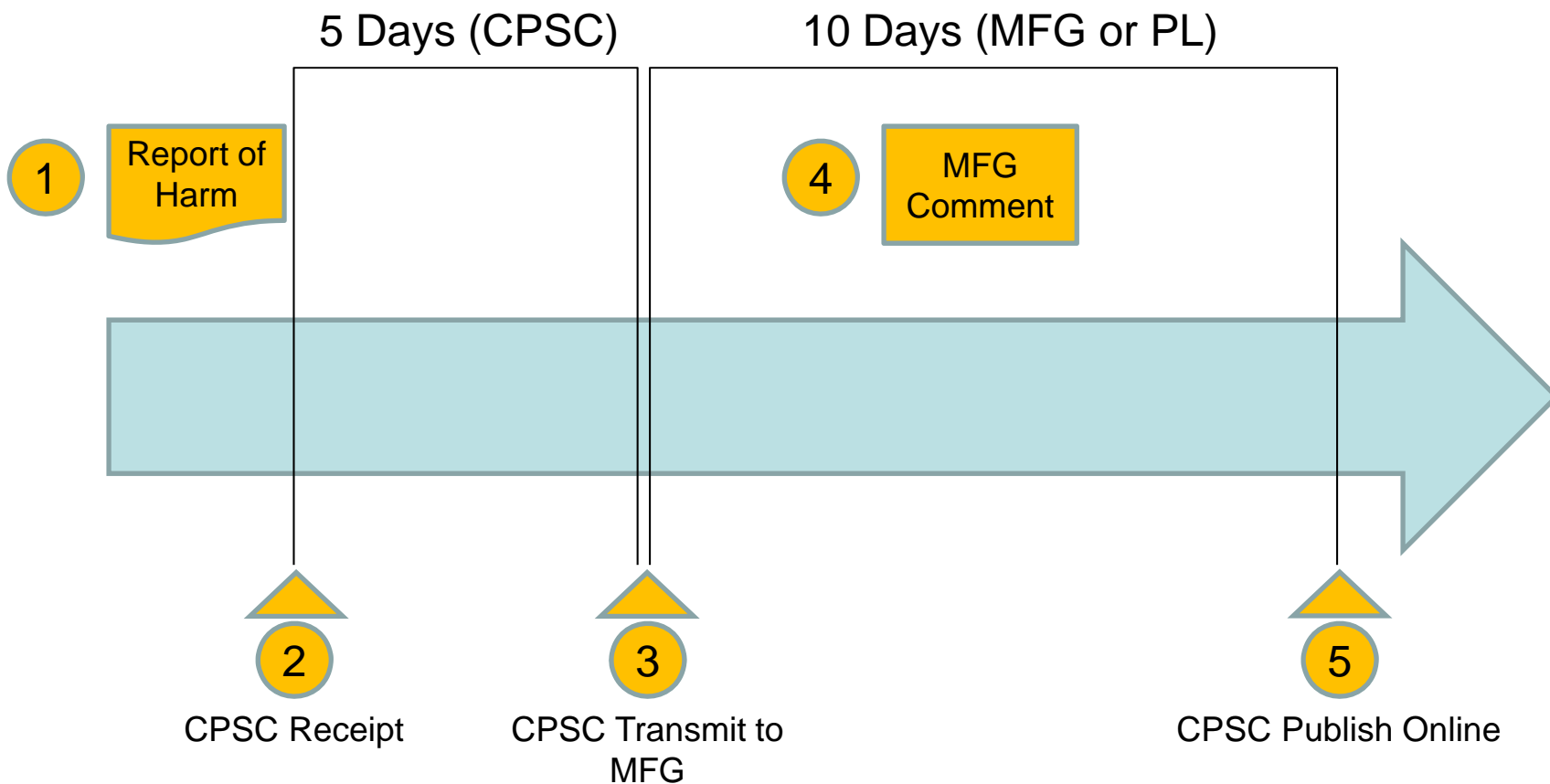
[< Back](#)

[Submit](#)

[Save & Continue Later](#)



# Procedural Requirements: Process Timeline





**Reports of Harm that meet minimum requirements for publication will be transmitted to the extent practicable by CPSC to the manufacturer or private labeler**

**Exceptions:**

- Published ➤ When the Agency determines that a manufacturer or private labeler is out of business with no identifiable successor;
  
- Published ➤ When the Agency cannot locate valid contact information at all for a correctly identified manufacturer or private labeler;
  
- Published ➤ When the Agency has incorrect contact information for a correctly identified manufacturer or private labeler, which must be updated;
  
- May Be Published ➤ When the consumer misidentifies a manufacturer or private labeler.



## Published Online

1. Manufacturer or private labeler comment
2. Unique identifier number of the report of harm





## **Not Published Online**

1. Verification statement
2. Affirmative request for publication



## **Designation of Confidential Information**

- Identify exact portion of the report of harm claimed confidential
- State whether information has ever been released to non-employee
- State whether information is commonly known in the industry or readily ascertainable
- State the company's relationship to the victim and/or submitter – and how they came to possess confidential information
- State how release of the information may cause substantial harm to company
- State whether person submitting allegation is authorized to make claims of confidentiality



## **Designation of Materially Inaccurate Information**

- State the unique id number on report of harm
- Identify the exact portion(s) of the report claimed materially inaccurate
- State basis for the allegation that it is materially inaccurate
- Provide evidence (docs, statements, electronic mail, etc.) sufficient for the Agency to make determination
- State what relief the requester is seeking – exclusion of report, redaction of specific information in report, correction, addition
- State whether and how material inaccuracy may be corrected with removing the entire report
- State whether person submitting allegation is authorized to make claims of material inaccuracy



## **Designation of Materially Inaccurate Information (Continued)**

Before the report of harm or comment is published in the database, the Agency has three options for dealing with materially inaccurate information. If it makes such a determination, prior to making a report available in the database, the Agency shall:

1. decline to add the materially inaccurate information to the database;
2. correct the materially inaccurate information in the report or comment and add the report or comment to the database; or
3. add information to correct inaccurate information in the database.

After a report of harm or manufacturer comment has already been published in the public database, the Agency shall, not later than seven business days after investigation and determination:

1. remove such information from the database;
2. correct such information; or
3. add information to correct materially inaccurate information in the database.



# Notice and Disclosure Requirements: Disclaimer

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## **Statutory Requirement:**

“Commission shall provide clear and conspicuous notice to users of the database that the Commission does not guarantee the accuracy, completeness, or adequacy of the contents of the database.”

## **NPR Proposed Disclaimer:**

“The CPSC does not guarantee the accuracy, completeness or adequacy of the contents of the Consumer Product Safety Database, particularly with respect to the accuracy, completeness, or adequacy of information submitted by persons outside of CPSC.”



**In summary, the proposed rule describes the content and procedural requirements for:**

- **Reports of Harm**
- **Manufacturer or Private Labeler Comments**
- **Voluntary and Mandatory Recall Notices**
- **Addressing Confidential and Materially Inaccurate Information**
- **Additional Information that the Agency Determines is in the Public Interest**