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A motion to reconsider was laid on the table.

DANNY KEYSAR CHILD PRODUCT SAFETY NOTIFICATION ACT

Mr. RUSH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1699) 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1699

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. FINDINGS.

Congress finds the following:

(1) Unintentional injuries are the leading cause of death among children, and for every such injury that is fatal, approximately 18 children are hospitalized and 1,250 are treated by emergency departments for such injuries that are nonfatal.

(2) According to the Consumer Product Safety Commission, an average of 50 children under the age of 5 die each year in incidents associated with nursery products, and about 16 of these deaths each year are associated with cribs.

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

(4) Of the 397 recalls issued by the Consumer Product Safety Commission in fiscal year 2005, 109 (or 27 percent) were children’s products. Children’s products were recalled, on average, over 2 times per week, and accounted for 19,635,627 individual units.

SEC. 3. DEFINITIONS.

In this Act:

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

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

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

(B) shall include—

- (i) full-size cribs and nonfull-size cribs;
- (ii) toddler beds;
- (iii) high chairs, booster chairs, and hook-on chairs;
- (iv) bath seats;
- (v) gates and other enclosures for confining a child;
- (vi) play yards;
- (vii) stationary activity centers;
- (viii) infant carriers;
- (ix) strollers;
- (x) walkers;
- (xi) swings; and
- (xii) bassinets and cradles.

SEC. 4. CONSUMER PRODUCT REGISTRATION FORMS.

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

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

(2) to maintain a record of the names, addresses, email addresses, and other contact information of consumers who register their ownership of such products with the manufacturer in order to improve the effectiveness of manufacturer campaigns to recall such products; and

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

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

(1) include spaces for a consumer to provide their name, address, telephone number, and email address;

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

(3) be attached to the surface of each durable infant or toddler product so that, as a practical matter, the consumer must notice and handle the form after purchasing the product;

(4) include the manufacturer’s name, model name and number for the product, and the date of manufacture;

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

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

(7) include a statement that information provided by the consumer shall not be used for any purpose other than to facilitate a recall of or safety alert regarding that product.

In issuing regulations under this section, the Commission may prescribe the exact text and format of the required registration form.

(c) RECORD KEEPING AND NOTIFICATION REQUIREMENTS.—The standard required under this section shall require each manufacturer of a durable infant or toddler product to maintain a record of registrants for each product manufactured that includes all of the information provided by each consumer registered, and to use such information to notify such consumers in the event of a voluntary or involuntary recall of or safety alert regarding such product. Each manufacturer shall maintain such a record for a period of not less than 6 years after the date of manufacture of the product. Consumer information collected by a manufacturer under this Act may not be used by the manufacturer, nor disseminated by such manufacturer to any other party, for any purpose other than notification to such consumer in the event of a product recall or safety alert.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. RUSH) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. RUSH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RUSH. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, H.R. 1699, the Danny Keysar Child Product Safety Act was introduced by the vice chairwoman of the Subcommittee on Commerce, Trade and Consumer Protection, Ms. SCHAKOWSKY, and Mr. UPTON, a senior member of the Energy and Commerce Committee. The bill is named after 16-month-old Danny Keysar, who tragically and senselessly died when his defective portable crib collapsed and strangled him to death. Unbeknownst to Danny’s poor parents and caregiver, the crib was subject to a voluntary recall 5 years earlier.

H.R. 1699 directs the Consumer Product Safety Commission to require manufacturers of certain nursery products to create a voluntary registry to facilitate the efficacy of recall of those products when they occur. Under the bill, when a consumer buys one of 12 types of everyday durable nursery products as defined by statute, such as cribs, high chairs, bath seats and strollers, the manufacturer must provide the consumer with a postage-paid postcard. Parents will have the option to fill out the postcard and register with the manufacturer by mail or, alternatively, by e-mail so that they can be immediately notified if the product is the subject of a recall. The information on these postcards cannot be used for marketing or any other purpose than to notify consumers of the recall. It’s worth noting, Madam Speaker, that this registry is based on an existing successful program for child car seats maintained by the National Highway Transportation Safety Administration.

It’s also worth noting that this bill is extremely timely, given the recent recall of infant cribs made by the company Simplicity, because of the strangulation hazard the defective cribs posed to young toddlers. Moreover, numerous press reports have recently cited just how ineffective product recalls can be. Unfortunately, parents are often unaware of defective recall products, and they remain in homes posing danger to children, as was the case with Danny Keysar. Indeed, in recent years, the CPSC has increasingly issued expanded recalls of products that have already been the subject of recalls, because the Commission continues to be vigilant and to receive injury reports on defective products. H.R. 1699 will go a long way towards remedying this problem and empowering parents to become aware of infant product recalls immediately after they are our initiated.

Madam Speaker, I urge all of the Members of the House to vote for this excellent bill.

Madam Speaker, I reserve the balance of my time.

Mr. STEARNS. Madam Speaker, my colleagues, this bill aims to improve

the recall process of children's products such as toys and furniture by requiring the inclusion of a product safety registration card with each product at the point of sale. The program is modeled on the car seat registration program mandated by the National Highway Traffic Safety Administration, better known as NHTSA.

Now, my colleagues, this legislation creates a new mechanism for keeping consumers informed of child product recalls. To the extent we can improve the recall process, we should, and we think it's a good idea. Parents should know as soon as possible, if they own a product that's dangerous to their child's safety.

Children have been injured by the continued use of a recalled product simply because the parents were simply unaware of the product's dangerous nature. Our hope is that this registration program will render these type of accidents preventable.

Now, my colleagues, of course children's products are often passed along to other friends or family members once their child is grown, outgrows its use. We all know that. We put it up in the attic, then we hear a friend at church says they have a new child and we bring down this particular product. So many products are donated to charity outlets for resale, or sold at second-hand stores, online or at yard sales. No registration program will reach these parents in the event of a recall. They'll have to depend upon media.

This legislation will attempt to reach these legacy owners by permanently marking each product with the manufacturer's name, model number and other information used in consumer product recalls. A parent can simply research the item on the Internet or call the manufacturer to verify a product's safety if he or she gets this product either in a yard sale or it's given to them by a friend. This is good.

To the extent this measure improves notification to parents of potentially dangerous products, all of us should support this bill. At the same time, we all know that nothing is more important to a child's safety than vigilant parental supervision. I hope the good intentions of this legislation proves effective for both the consumers who purchase the products and the companies who will have to maintain these databases.

Madam Speaker, I yield back the balance of my time.

Mr. RUSH. Madam Speaker, I am pleased to yield 5 minutes to the sponsor of this legislation along with Congressman UPTON, the gentlewoman from Illinois, the vice chairman of the subcommittee, my friend, Congresswoman JAN SCHAKOWSKY.

Ms. SCHAKOWSKY. Madam Speaker, I'd first like to thank the chairman of the Commerce, Trade and Consumer Protection subcommittee, Mr. RUSH, for his support and help.

I also want to thank Mr. STEARNS for his support of the legislation, as well

as full committee Chairman DINGELL and Ranking Member BARTON.

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It is clear that our system for recalling dangerous products is simply broken. It is failing American families. The recall system relies on the media to pick up the story and spread the word, but many times the stories are not picked up and the news does not reach the owners of defective products. In fact, some estimate that the recall effectiveness rate for products under jurisdiction of the Consumer Product Safety Commission is a mere 16 percent. Notification targeted to owners of the product is rare, and many parents remain unaware of the dangers.

And that's why I rise in strong support of H.R. 1699, the Danny Keysar Child Product Safety Notification Act, which I was proud to introduce with my good friend from Michigan, Congressman UPTON. This bill will begin to close the significant gaps in the recall system by requiring that durable children's products such as cribs and strollers and high chairs come with a postage-paid postcard that parents or caregivers can mail in to be notified if a product is recalled for safety reasons.

This legislation is a commonsense solution to a very real and pervasive problem. Unintentional injuries are the leading cause of death among children. According to the Consumer Product Safety Commission, an estimated 64,700 children under the age of 5 were treated in emergency rooms across the country for injuries associated with nursery products in 2003 at a cost of \$2.5 billion, and that figure has almost certainly risen in the last 4 years. And even more tragically, an average of 50 children under the age of 5 die each year in incidents associated with nursery products, and about 16 of these deaths each year are associated with cribs.

And this bill is a tribute to one such child. On May 12, 1998, 16-month-old Danny Keysar was strangled to death at his licensed day care facility when a portable crib collapsed, turning the horizontal side rail into a V-shaped wedge that squeezed his throat and strangled him. Imagine what Danny's parents must have felt when they learned that the crib that killed their son, a Playskool Travel-Lite crib, had been recalled by the government and the manufacturer 5 years earlier.

And, sadly, Danny's parents aren't alone. More than 1.5 million portable cribs like the one that killed Danny were made with a similar design by different manufacturers. The crib that took Danny's life had already killed four children. A 10-month-old New Jersey baby became the sixth child to be strangled to death by the Playskool crib just 3 months after Danny died.

Despite the recall, neither the day care center nor State inspectors who had been to the facility just a week before Danny's death knew that recalled products were being used there. And

they are not to blame. It was not the State agency's mandate to inspect for recalled materials; and unless someone who worked in the center happened to catch the recall story on the news, there was virtually no way to know that the cribs they used were death traps. And, by the way, Illinois did change its law.

But in case anyone might think this was an isolated incident, think again. In 2005 children's products were recalled on average two times a week. Just over 2 weeks ago, the Consumer Product Safety Commission issued the largest recall of full-sized cribs in the agency's history, recalling almost a million of the Nation's most popular cribs because of design flaws that have already killed at least three more children. And a week later, Kolcraft, the company that manufactured the Playskool crib that killed Danny Keysar, recalled 425,000 infant play yards following the death of a 10-month-old child.

Congress needs to act to make sure that these kinds of senseless tragedies don't occur again. When Danny's parents, Linda Ginzel and Boaz Keysar, learned that the crib that had killed their son had been recalled in 1993, they turned their grief into action and founded Kids in Danger, a Chicago-based nonprofit that is dedicated to protecting children by improving children's product safety. It is because of their dedication that we are here today, and I am honored to represent them here today and thank them for their work. I hope with the passage of this legislation no more parents will have to endure what they did.

I believe that H.R. 1699, which allows people to send in a card or e-mail to make sure that the manufacturer will let them know, just as is done with car seats in the National Highway Transportation and Safety Administration, a provision that has been so successful that there has been a tenfold increase in recalls and recall repair rates have gone up by 56 percent, that at a cost of a handful of pennies per card, this legislation will save lives of children.

I would appreciate support.

Mr. RUSH. Mr. Speaker, this is a commonsense piece of legislation. It takes a giant step toward protecting our Nation's most important asset: our children.

I urge Members of this body to pass this legislation.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. COHEN). The question is on the motion offered by the gentleman from Illinois (Mr. RUSH) that the House suspend the rules and pass the bill, H.R. 1699, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.