

Statement of Support  
for  
the  
President's  
Executive Order  
No. 12160

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Monday  
December 10, 1979

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Part V—Section C

**Consumer Product  
Safety Commission**

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Executive Order No. 12160

## CONSUMER PRODUCT SAFETY COMMISSION

### Statement of Support for the President's Executive Order No. 12160

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Statement of support for Executive Order.

**SUMMARY:** In September 1979, President Carter issued an executive order to provide for the enhancement and cooperation of federal consumer programs. The consumer Product Safety Commission, an independent agency, fully supports this effort. In this initial document, the Commission describes its activities that increase consumer participation. The Commission anticipates that it will publish a final version at a later date.

**FOR FURTHER INFORMATION CONTACT:** Ken Rashid, Acting Associate Executive Director for Communications, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 492-6580.

#### SUPPLEMENTARY INFORMATION:

#### INTRODUCTION

The Consumer Product Safety Commission (CPSC), an independent federal regulatory agency, is charged with the responsibility of protecting the public against unreasonable risk of injury associated with consumer products. Since its creation, the Commission has recognized the vital role that consumers have in assisting the agency in carrying out its mission. The unique provisions of the Consumer Product Safety Act with respect to consumer participation and consumer information require the Commission to provide meaningful access to consumers and to consider their views in the development of major Commission programs. The Agency also has developed and used internal mechanisms to process inquiries and complaints to insure that the public's interests and concerns are met.

One important tool the Commission has is the regulations it promulgates. The CPSC, when developing consumer product safety standards and regulations under the consumer Product Safety Act, is directed by statute to provide for the participation of representatives of consumers and consumer organizations in the regulatory development process. The Commission has also sought consumer participation in other areas of agency rulemaking and other program activities. Additionally, Commission policies and requirements affecting the day-to-day conduct of agency business have benefited from this commitment to meaningful consumer participation.

#### CONSUMER AFFAIRS PERSPECTIVE

Within the CPSC, staff of the directorate for Communications, the Office of the Secretary, and the Commission's thirteen Area Offices work most directly with meeting the needs of consumers. Consumer affairs professionals in the Directorate for communications are responsible for a broad range of communications activities including the composition

and production of CPSC audio-visual and print information and education material for consumers, the dissemination of this material, and the management of the agency's coordinated efforts to alert and educate consumers about the hazards of consumer products. This latter activity necessitates the consumer affairs professionals in both Headquarters and Area Offices to be in almost constant communication with consumers and representatives of a wide range of consumer organizations.

In 1977, the Commission established a program management system in which multidisciplinary program teams drawn from the agency's technical directorates handle regulatory development and other program issues. Consumer affairs personnel from the Directorate for Communications are included on these teams, and fully participate in the development and review of all agency rules, policies, and programs.

#### CONSUMER PARTICIPATION

The Commission seeks the participation of all segments of the public in its rulemaking proceedings and other activities. While industry representatives usually make certain that their views are communicated to the Commission, the expertise and views of non-industry individuals and groups, who can be affected by the rules, may be absent. Therefore, the Commission makes a special effort to encourage the widest possible participation in CPSC activities.

As one example, the CPSC has broadened public participation by conducting meetings outside of Washington, D.C. The Commission has held meetings in cities throughout the country, especially in areas where consumers might be particularly affected by a Commission project. Top agency officials—in many cases, the Commissioners—conduct these regional meetings.

In meetings, hearings, and other proceedings, consumer participation is possible only when all segments of the public are fully informed about them. The Commission notifies the public about these proceedings through its public calendar, the *Federal Register*, press releases, notices sent directly to interested individuals, and notices placed in periodicals.

Even if consumers are aware of Commission activities, they often lack the financial resources to participate. When consumers do participate, the degree and nature of their participation is often limited for the same reason. To address this problem, the Commission has established procedures by which qualifying consumers and other parties can be compensated for expenses incurred in participating in CPSC proceedings. These procedures apply to all of the Commission's informal notice and comment rulemaking activities, including the early stage in which the Commission obtains outside assistance in developing proposed rules. The Commission does not always specifically solicit funding requests, but consumers are welcome to submit them in every proceeding. Funding is available for transportation to CPSC meetings, payment for time spent on preparing

written comments, and all other expenses related to participation in rulemaking, such as document duplication and babysitting.

The major responsibility for administering the funding programs comes under the direction of the Commission's public participation personnel. Further information on funding is available from the Office of the Secretary (ATTN: Public Participation), Consumer Product Safety Commission, Washington, D.C. 20207

### INFORMATIONAL MATERIALS

Immediately after its establishment in 1973, the Commission began public awareness programs aimed at informing consumers about its existence, its responsibilities, and the services it could provide. Some of the first consumer information material were specifically designed to make the public aware of the agency, its mission, and the ways to communicate with it.

The Commission's dedication to informing the public about consumer participation avenues is demonstrated in its activities associated with the agency's open meetings policy. Under this policy, all meetings are open to the public, unless there is a specific and compelling reason to close them. As one of the first such policies among federal agencies, it is the subject of a pamphlet and Fact Sheet and is frequently mentioned in other CPSC materials. All of these items have been widely disseminated to consumers.

The CPSC has conducted "educational diagnoses" to determine consumers' needs for product safety information. These surveys, based on a random sampling of households across the country, focused on consumers' knowledge levels and awareness of hazards in relation to dozens of consumer products. The Commission studied habits of consumers with regard to selection, use, maintenance, storage, and disposal of consumer products. The CPSC has also periodically commissioned research projects that investigate and analyze human usage factors and patterns in connection with specific consumer products.

The Commission is constantly striving to better serve the needs of consumers through its informational materials. The creation of many of the CPSC materials has often directly resulted from consumer inquiries or concerns on specific products or hazard areas. The most widely used and disseminated material, the CPSC Fact Sheets, evolved from the need to satisfy consumer inquiries received through correspondence and through our toll-free telephone Hotline (see "Inquiries and Complaint Handling").

The Commission has, from its earliest days, been committed to the principle of conducting the public's business in public with participation by all interested parties. The CPSC open meetings policy and standards development processes, mandating the opportunity for direct public participation, are examples of this commitment. Both of these examples are supported by various consumer information materials.

The identification of particular constituent groups to be reached with product safety information is

considered during the formulation of specific product safety information and education campaigns. The segments of the population that may be at highest risk of those likely to purchase or use the product are targeted as the recipients of the bulk of the Commission's planned informational activities. Additionally, the CPSC has initiated a minorities research project which is aimed, in part, at discovering what consumer products are associated with the highest number of accidents among certain minority consumers.

In its efforts to reach as many consumers as possible, the CPSC continually strives to reach and influence group or opinion leaders who can transmit information to a significant number of consumers. This "multiplier" or "ripple" effect is an efficient and productive way to reach the greatest number of consumers while expending a minimum of resources.

The Consumer Product Safety Commission uses a wide variety of mechanisms to transmit product safety information to consumers. A list of those the Commission has used is contained in Attachment I. The choice of which method to use depends on the characteristics and nature of the population segments to be reached, their size, and the type of information to be transmitted.

The Commission has completed various assessments of its informational materials and programs. Examples of some of these measures are:

- (1) Pre-testing of new materials under development.
- (2) Informal assessment by consumers in telephone, correspondence, and face-to-face conversations with staff in Headquarters and the Area Offices.
- (3) A one-year formal review of all CPSC print material based on a questionnaire accompanying all requestes for informational materials and seeking consumer viewpoints on the usefulness and timeliness of the material and whether it was shared with others.
- (4) Formal evaluations that measure the effectiveness of specific materials or approaches and/or programs.

All of these kinds of assessments are done continually in order that the CPSC may revise its old publications or consider the comments and concerns emerging from assessments in the development of any new materials.

The Commission produces a number of radio and television public service announcements annually. Each of these announcements gives the CPSC address and/or Hotline telephone numbers so that consumers can easily obtain further information. The material that is sent usually contains currently available informational materials.

As previously mentioned, the CPSC does formulate plans for specific product safety information and education campaigns. These plans are formulated yearly and provide guidance to the Commission's consumer affairs professionals in both the Headquarters and Area Office locations, on how to conduct targeted and concentrated informational efforts. The plans include: the identification of target groups, scope of effort, national consistency

requirements, overall goals, materials to be used, suggested outreach activities, time frames, reporting requirements, and indications of resources to be used. When appropriate, the plans call for the coordination of efforts with other federal agencies or entities.

The Office of the Secretary issues the CPSC Public Calendar, which lists in advance all meetings of Commission employees and non-Commission representatives in which matters of substantial interest will be discussed. Since most of the listed meetings will be open, members of the public can plan to attend meetings that interest them. The Public Calendar notice includes the intent of the meeting and the subject to be discussed, the time and location of the meeting, and the name and telephone number of the Commission employee to contact for further information. The Public Calendar, which also describes recent Commission actions and notifies the public of the matters to be considered at regularly scheduled Commission meetings and briefings, is published and mailed weekly free of charge to interested persons who request it.

#### EDUCATION AND TRAINING

The Directorate for Communications will be responsible for informing CPSC staff members about the Executive Order. Part of this has already been accomplished by the circulation of the Executive Order to the Commissioners and senior staff officials in the Commission's headquarters and Area Offices with accompanying instructions to notify all staff members of the Order. Additionally all of the agency's Associate Executive Directors will be briefed on the Order.

During fiscal 1980, the Directorate for Communications will help prepare an orientation session for the consumer affairs personnel in each one of the agency's thirteen Area Offices on points relating to the Executive Order. During these orientation sessions, information and procedures will be provided to the consumer affairs personnel that will aid them in being better able to offer technical assistance to consumers upon request.

#### INQUIRIES AND COMPLAINT HANDLING

Since December of 1973, the Consumer Product Safety Commission has collected consumer complaint and consumer contact data. What began as a "Hotline" and consumer correspondence program has evolved into an agency-wide consumer contact system which is supported by a computerized data base, "CONTACT." This data base provides computerized facilities for the collection and retrieval of consumer contact data and information. The Data is composed of public inquiries, requests for publications, complaints about products, reports of product safety hazards, and injury reports. The agency has established procedures to ensure that consumer inquiries and complaints are handled in a timely and effective manner. All CPSC Headquarters and field offices can contribute and retrieve consumer complaint data by using the

computer terminals installed in many Commission offices.

In a number of instances, consumer communications are petitions for rulemaking that identify unreasonable risks of injury presented by consumer products and lead to Commission proceedings for safety regulations.

In fiscal 1979, the agency received 500,000 inquiries and complaints from the public, an increase of over 200 percent from the previous year. Of the total inquiries and complaints, 300,000 were received on the toll-free telephone "Hotline" and 200,000 were from letters. Over 80% of the complaints and inquiries were handled in less than three weeks by the Directorate of Communications. Complaints of a technical and legal nature are referred to other CPSC units for analysis and appropriate follow-up. By the end of fiscal 1979, only 100 of the more complex letters had not been answered.

Within CPSC, the Directorate for Communications has been delegated the responsibility for maintaining the agency's CONTACT program. Both monthly reports and an annual report summarizing a full year's trends have been issued.

During the past year, CPSC has taken significant steps towards improving its consumer complaint data system by conducting training sessions for all agency offices to assure uniformity in coding and use of the data in policy making and priority setting.

Any consumer can request information and report a product hazard by writing to the U.S. Consumer Product Safety Commission, Washington, D.C. 20207. Consumers can also call the toll-free Hotline at the following numbers: Continental U.S.A. (800) 638-8326; in Maryland only, (800) 492-8363; in Alaska, Hawaii, Puerto Rico, Virgin Islands, (800) 638-8333. A teletype for the deaf is available from 8:30 a.m. to 5:00 p.m. EST on the following numbers: national (including Alaska and Hawaii), (800) 638-8270; in Maryland only, (800) 492-8104.

Dated: November 23, 1979.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

#### Attachment 1

##### *CPSC Outreach Methods and Mechanisms*

- Pamphlets
- Brochures
- Booklets
- Fact Sheets
- Curriculum Guides
- Teacher and Student Readings
- Discussion Leader Guides
- Counter Cards
- Transit Cards
- Posters
- Coloring Books
- Comic Books
- Newspaper Articles
- Magazine Articles
- Bill Stuffers'
- TV Public Service Announcements
- Radio Public Service Announcements
- Announcer Copy
- Newsettes

Slide-Tape Presentations  
Films  
Films Strips  
Press Releases  
Speeches  
Staff Appearances on Mass Media  
Consumer Hotline  
Periodic Mailings  
Workshops  
Seminars  
Public Display of Information  
Exhibits  
Conferences  
Conventions  
Hearings  
Agency Newsletter  
Spotmaster Service  
Free Loan of Audio-Visual Materials  
Consumer Information Center Distribution of Materials

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