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Mrs. Nancy A. Nord

Acting Chairman
U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814-4408

Congress of the United States
House of Representatives
Washington, DC 20515-4601
January 16, 2009

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Dear Chairman Nord:

I am writing to bring to your attention concerns and share my observations regarding implementation of the Consumer Product Safety Improvement Act (CPSIA). I joined with my Congressional colleagues to support passage of the Consumer Product Safety Improvement Act in December 2007. Like my colleagues, I am committed to ensuring the safety of all products, especially those intended for use by children.

However, it has come to my attention through several conversations with small business owners and mail from my congressional district I have learned about an issue that unduly burdens small businesses without improving product safety.


Specifically, I am concerned about the implementation of CPSIA section 102 and its impact on small businesses that assemble certified and tested component parts into a finished product. For example, I recently met with a small business woman who assembles children's diapers. This business owner assembles third party tested and certified components in her home into a final product, a children's diaper. The final product is not substantially altered or changed however, under CPSIA this business would have to retest and certify the finished product, burdening the business owner with additional cost and duplicative effort.

In my view, the current CPSIA implementation requires double testing and an undo burden on certain small business that assemble prior tested and certified components. By requiring additional third party testing of finished products small business are required to test products that have already been tested, duplicating efforts and burdening small business with additional costs without improving overall product safety. I would encourage the Consumer Product Safety Commission to consider interpreting the CPSIA in a way that does not force small business to retest a product whose components have already been certified safe.

I appreciate your consideration and attention to this important issue.

With kind regards, I remain

Sincerely,


Robert J. Wittman