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## Tougher Safety Rules Are Prepared for Imports

By [ERIC LIPTON](#)

WASHINGTON, July 12 — Responding to the outcry over dangerous imports from China and other unsafe products, the head of the [Consumer Product Safety Commission](#) is preparing regulatory proposals that could mandate broader inspections of imports and stiffer penalties for ignoring safety rules.

Consumer safety advocates welcomed the proposals Thursday as a departure for the agency, which has been criticized repeatedly during the Bush administration as being reluctant or slow to approve new product safety mandates.

Agency officials said the initiatives were inspired by the surge in problematic imports from China and reports of dangers associated with other products, including all-terrain vehicles, as well as efforts by Democrats in Congress to take up their own regulatory changes.

“It ends up being the perfect storm,” said Julie Vallese, an agency spokeswoman.

The new rules are, however, far from imminent. They would require approval by Congress and enforcement by the commission, which since January has been unable to take votes because it lacks a quorum. Industry officials have already expressed opposition to some of the ideas.

Nancy A. Nord, [a Republican](#) appointed by President Bush who is the commission’s acting chairwoman, is drafting the proposed changes. Ms. Nord’s staff has recently provided briefings to major United States importers and manufacturers as well as consumer advocates.

White House officials have also been briefed, members of her staff said. It is unclear whether the White House, which has generally favored loosening regulations on businesses, will formally endorse the plan.

Under her plan, importers and manufacturers would have to certify that products comply with regulatory standards, which might mean more inspections before goods are sent to the United States or placed on store shelves. Such an inspection might have detected the lead paint in Thomas & Friends wooden train toys made in China, which were recently recalled.

The commission might also decide to enforce certain voluntary industry standards for items, including cigarette lighters and all-terrain vehicles, both of which have been connected to consumer injuries and deaths.

That would give the agency the power to seize products or block their entry to the country. Now, the agency must sometimes wait until products are on the market and then push for a recall.

Discount retailers and Internet-based companies, among others, would also be explicitly prohibited from selling products that have been the subject of a recall.

Ms. Nord is also considering supporting an increase in the maximum fine the commission can impose, to as much as \$10 million from about \$2 million, said the commission's chief of staff, Quin D. Dodd. A separate proposal already before Congress would allow fines of up to \$20 million.

The list of specific changes Ms. Nord will propose is still incomplete and subject to revision, Mr. Dodd said. Thomas Moore, a Democrat who is the only other current member of the commission, is preparing his own list of proposed regulatory changes, the details of which have not been disclosed.

Charles A. Samuels, a lawyer in Washington who represents the nation's major appliance manufacturers, said that although he supported the effort, he was concerned that some of the measures might disrupt trade.

"There is some public crisis of confidence with some of the products coming into the U.S.," Mr. Samuels said. "But if all of a sudden you are into some kind of a Russian-styled bureaucracy involving product certification that is not going to help at all."

Frederick B. Locker, a New York lawyer who represents the nation's largest importers and manufacturers of toys and nursery products, said a top fine of \$10 million would be excessive.

"Most of American businesses are small businesses — and most small businesses cannot handle a fine of that magnitude," Mr. Locker said.

Consumer advocates reacted with cautious praise, saying they want to know more about the proposals.

"The devil is in the details," said Alan Korn, general counsel for Safe Kids Worldwide, a group based in Washington, which was briefed by Mr. Dodd on the plan. "But it sounds like you are trying here. There is an attempt here."

Sally Greenberg, senior product safety counsel for [Consumers Union](#), which publishes Consumer Reports, said the changes should include the repeal of a provision that prohibits the release of information about certain products, including injuries or deaths, before consulting with the manufacturer, a requirement that often means such reports are never released.

The regulatory proposals are being developed after months of strong criticism of the commission. For example, it was accused of moving slowly to recall magnetic toys that severely injured several children and killed one child who accidentally swallowed small magnets. Critics have also said the commission was reluctant to ban the sale of adult all-terrain vehicles for use by children.

Representative Bobby L. Rush, Democrat of Illinois and chairman of the House subcommittee that oversees the commission, said on Thursday that he looked forward to seeing the proposals.

"Right now, the agency is a distant sixth cousin to the federal government or a stepchild," Mr. Rush said. "The American public needs to know that wherever products are imported from, in any part of the world, there is a standard of safety that is met."

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