Agenda for the Consumer Product Safety Incident Database Public Workshops

Section 212 of the Consumer Product Safety Improvement Act (CPSIA) of 2008 states that the U.S. Consumer Product Safety Commission (CPSC) shall "establish and maintain a database on the safety of consumer products, and other products or substances" regulated by the Commission. The database must be publicly available, searchable, and accessible through the Commission's Web site. CPSC is holding a series of workshops on the implementation of such a searchable consumer product safety incident database.

Workshop 1, Monday, January 11, 2010, 9:00 am - 12:00 noon: Data analysis and reporting
Data analysis and reporting from the public database, including the following topics:

- Should the CPSC design the online incident reporting form to ensure the capture of data that can be used in scientific statistical analysis? If so, how?
- What can the CPSC do, from a system design perspective, to ensure the accuracy of submitted data?
- What can the CPSC do, from a system design perspective, to ensure the ongoing and perpetual integrity of submitted data?
- In what formats should the CPSC make data available to the public? Please explain your reasoning.
- What types of data analysis and reporting tools are being used by third-party analysts in the public and industry? What are these tools relative merits and drawbacks?
- What data sets, including information from reports of harm and mandatory and voluntary recall notices, should be made available for public search and reporting? Why?

Workshop 2, Monday, January 11, 2010, 1:00 pm - 4:00 pm: Reports of Harm (Incident Report Form)
Reports of harm, including the following topics:

- How should the CPSC design the incident report form so that it is clear and easy for users to complete?
- From a design perspective, how should the CPSC deal with incomplete reports of harm?
- Should the incident report form check for inaccurate information? How?
- What, if any, instruction to users should be included on the incident reporting form?
- Should the incident report form contain links to outside websites? Please explain your reasoning.
- What, if any, disclaimers or qualifications should appear on the incident report form?
- Should any category of persons be excluded from submitting reports of harm for inclusion in the public database, and, if so, by what means?
- Should reports of harm submitted by telephone or paper meet the same statutory time frames for submission in the public database?
- What should a description of the consumer product entail and why?

- What means can the CPSC employ to ensure that the correct manufacturer and/or private labeler are identified in a report of harm?
- What contact information must be provided, at minimum, to meet the statutory requirement for inclusion in the database?
- How should the incident report form address the submitter's verification of the information submitted?
- How should the incident report form address the submitter's consent for: (i) inclusion in the public database; and (ii) release of contact information to the manufacturer or private labeler? Are there any other issues related to the user's consent that the CPSC should consider?

Workshop 3, Tuesday, January 12, 2010, 9:00 am - 12:00 noon: Manufacturer Notification and Response
Manufacturer notification and response with regard to reports of harm, including the following topics:

- What means should the CPSC employ to notify manufacturers and private labelers regarding a report of harm within the five day statutory time frame?
- Given the statutory timeframe for notification, should manufacturers and private labelers be able to "register" contact information with the Commission for the purposes of notification of a report of harm? Please explain your reasoning. What form of contact information should be acceptable, i.e., electronic mail only? What other issues should the CPSC consider?
- What, if any, authority does the CPSC have to withhold a report of harm from the public database if a manufacturer or private labeler claims the report contains materially inaccurate or confidential information?
- What means should the CPSC employ to allow manufacturers and private labelers to submit comments regarding a report of harm or to designate confidential information? What issues should the CPSC take into consideration when developing such process?
- If a manufacturer or private labeler requests that a comment associated with the report of harm be made available in the public database, what, if any, circumstances should prevent such comment from inclusion in the public database?
- What, if any, circumstances may arise which restart any timeframes contemplated in the statute with regard to manufacturer notification and responses?
- How can the CPSC ensure that manufacturers and/or private labelers do not use a submitter's contact information for purposes other than verification of a report of harm? By what means can the CPSC enforce such provision?

Workshop 4, Tuesday, January 12, 2010, 1:00 pm - 2:20 pm: Additional Database Content
What additional information, other than reports of harm, manufacturer comments, and information derived from mandatory and voluntary recall notices, the Commission should include in the public database, including the following topics:

- What additional categories of information should the CPSC include in the public database and why?
- What, if any, information cannot be included in the public database pursuant to the statute and why?
- Under what circumstances are the provisions of section 6(a) and (b) of the CPSA relevant to the provisions of section 6A of the CPSA, especially with regard to additional categories of information that may be included in the public database?

Workshop 5, Tuesday, January 12, 2010, 2:30 pm - 4:00 pm: Materially Inaccurate Information
Dealing with materially inaccurate information contained in reports of harm and manufacturer comments, including the following topics:

- Is the CPSC's responsibility with regard to materially inaccurate information limited to reports of harm and manufacturer comments? Why or why not?
- What, if any, measures should the CPSC employ to prevent the submission of fraudulent reports of harm while not discouraging the submission of valid reports?
- What types of information constitute materially inaccurate information? Please explain your reasoning.
- How should the CPSC process a claim that a report of harm or a manufacturer comment contains materially inaccurate information, both before and after such information has been made available in the public database?
- How should the CPSC allow a submitter or others to claim that a manufacturer has submitted materially false information?
- Given the statutory timeframe, how should the CPSC review claims of materially inaccurate information?
- What specific disclaimers should the CPSC make with regard to the accuracy of the information contained in the public database and why? Where should such disclaimers appear and why?

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