U.S. Consumer Product Safety Commission

Searchable Public Database

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Narrative of Staff Presentation by:

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Good afternoon.

My name is Ming Zhu. I am the Phase I Project Manager for the Consumer Product Safety Risk Management System at the CPSC. I am managing the team that is creating our new searchable public database. I appreciate this opportunity to speak with you about the database and how it will help make sure consumers are informed and their families are safe. This database is one of the top priorities of our new Chairman, Inez Tenenbaum. She has focused us on three goals: consumer education and outreach, government transparency, and fair but vigorous enforcement, and this database sits right at the center of those three priorities.

My name is Chad Tompkins. I am the program manager for the Consumer Product Safety Risk Management System. There are several projects in this program that run in parallel to the critical work that we are completing in Phase I. These projects include IT governance, rulemaking, CPSC.gov website redesign, public engagement, and scoping future phases.

We will talk with you about how we think the database will work. The views we express here are our own. They have not been reviewed by -- and do not necessarily reflect the views of – the Commission.

Let us begin with our goals. Once the database is online, it will empower consumers and save lives. The database will give consumers access to far more product safety information, allowing them to make more informed choices in the marketplace. This information will also be shared much faster than we currently do – something critical when responding to hazards.

The database will benefit our partners in the manufacturing and retail communities. If manufacturers register to use the database, it will provide them with rapid access to the reports of harm we receive about potentially hazardous products that they manufacture or label. Quick access to reports of harm regarding their products will allow them to respond quickly and to get any hazardous products off store shelves and retail websites.

Before we can speak with you about the future, it is helpful to review how we arrived here. Congress passed the Consumer Product Safety Act in 1972 establishing the Commission. Congress charged the CPSC with protecting the public against unreasonable risk of injury associated with consumer products, which now number around fifteen thousand types. We have to monitor nearly every product that could end up in the typical home except what is in your refrigerator, your medicine cabinet, and most things in your driveway. We receive tens of thousands of reports each year from health care professionals, public safety workers, and ordinary consumers. We have never had the resources to investigate every single report, or even most of them with our small staff, which currently numbers around 500. Therefore, we look for patterns and try to focus on the greatest hazards. We enforce our regulations by removing hazardous products from store shelves and imposing civil penalties. Finally, we work in conjunction with manufacturers in thousands of corrective actions to ensure consumer safety, including recalls.

This business model has allowed us to save thousands of lives. In fact, over the past 30 years, and with partnership from organizations like ICPHSO has resulted in a 30% decrease in deaths and injuries from consumer related products.[i]

Every year however, our work becomes more challenging for three reasons: first, the sheer number of products in the typical home continues to grow. Most homes today have many more gadgets than they had ten years ago. The typical child today plays with toys that are very

different than those from a generation ago. This means that we have the responsibility to monitor hundreds of additional types of products that did not exist when CPSC was created. Those products are also more complicated and typically made of parts from multiple manufacturers.

Second, the enactment of CPSIA has given us more responsibilities in the rulemaking and enforcement area. Third, manufacturing has gone global since CPSC's inception. That means we now have to monitor more closely entry of consumer products at our borders, and not just consumer products entering our stores. In 1972, most toys were made by American manufacturers. Today, ninety percent are made outside the U.S. We not only have to educate foreign manufacturers about U.S. safety standards, but we also have to work with U.S. Customs and Border Protection to catch dangerous products as they enter our ports by sea, land, and air. This presents the CPSC with logistical, communications, and enforcement challenges far greater than anything envisioned in 1972.

For years, the hard working and dedicated staff of the CPSC have been creatively doing the best we can with a budget smaller than most Federal agencies. Like other government agencies and private companies on tight budgets, we have tweaked the computer systems and databases to achieve the greatest efficiencies. We have long seen the need to modernize the business processes, systems, and databases but until recently have not had the resources to do so.

Current State – Outmoded Technology Fails to Adequately Protect Consumers
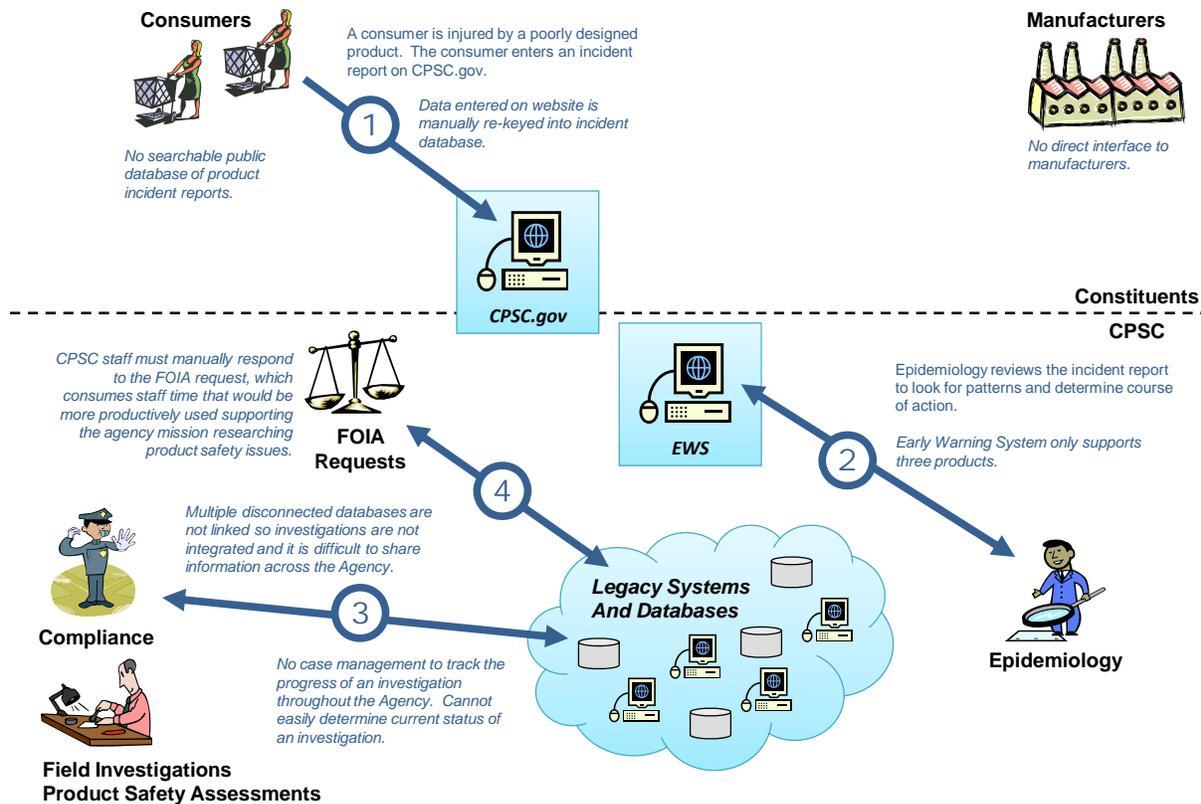
Let me show you what how we manage and investigate a hazard report in our current state, and how those limitations impact our work. Currently, when a consumer is injured by a hazardous product, they file an incident report at cpsc.gov at One (1). Our epidemiology staffers then review the incident report to look for patterns and to figure out the next steps, at Two (2). While we have an Early Warning System to automatically detect patterns and flag widespread hazards, it only affects three types of products. Unfortunately, manufacturers are notified but not very engaged at this point, even though they are a critical source of information. The investigation launched by our Epidemiology department is not as efficient as it might be because they have to search in at least five different disconnected databases. Since we lack any case management software, it is not easy to track the progress of an investigation of a single product - Three (3). Finally, if any members of the public want to see what information we have on a product, they have to file a FOIA request, so we spend a lot of staff time complying with FOIA requests instead of researching unsafe products at Four (4).

That is largely how we have been doing things for years. We have an extremely dedicated and talented staff working with an outdated and stove piped IT system that does not allow us to respond to as many reports of harm as we want to, and limits our ability to respond as quickly as we would like to. Finally, it is not transparent to the public except through a FOIA request.

In addition to these internal limitations, we face those three major external challenges I mentioned: monitoring an increasingly complicated marketplace, expanded responsibilities, and globalized manufacturing.

At the same time, we have new tools available to do our job that we are not really using. One major tool we are not doing enough to take advantage of was the Internet. Obviously, the Internet can be a very powerful tool to share information and to empower consumers. Other government agencies have been tapping the power of the Internet for years. Both NHTSA and the EPA successfully use online public databases to provide the public with valuable information -- about their cars and trucks and about toxic chemical releases in their neighborhood. The FTC also uses their Consumer Sentinel database to allow local law enforcement officials to share information about consumer complaints of identity theft, telemarketing scams, and other economic threats to consumers. All three agencies have managed to do so while being careful to protect sensitive personal information and confidential business trade secrets.
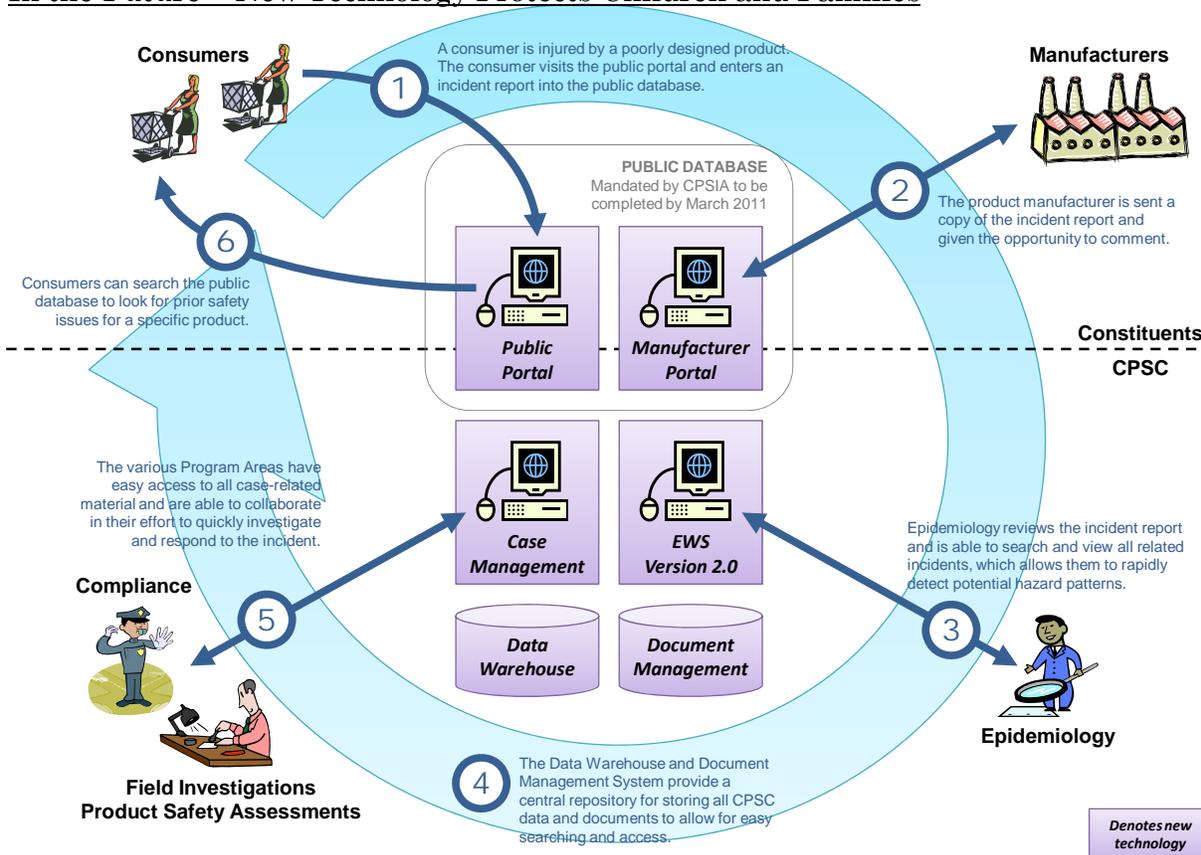
Congress was aware of these challenges and passed the Consumer Product Safety Improvement Act or CPSIA in the summer of 2008. CPSIA gave the 35-year old Consumer Product Safety Act an overdue face-lift and gave the CPSC additional resources, and new or improved authority to meet the challenges of the twenty-first century marketplace.

In CPSIA's section 212, Congress mandated us to create a searchable public database of reports of harm that we receive from consumers; local, state, and Federal government agencies; health care professionals; child service providers; and public safety entities. Reports of harm will be transmitted to manufacturers for comment, and the whole database will be linked to our CPSC.gov website.

We are also using the development of the database to implement some of the long overdue business process, systems, and database modernizations that I mentioned earlier. We hope these modernizations will be enough to let us drink from the fire hose of incidents that will be turned on after the launch of the public database.

Let us update the business model you saw earlier to give you an idea of what we have in mind once the public database is online and the rest of our IT modernizations are complete.

In the Future – New Technology Protects Children and Families

Consumers

1 A consumer is injured by a poorly designed product. The consumer visits the public portal and enters an incident report into the public database.

Manufacturers

PUBLIC DATABASE
Mandated by CPSIA to be completed by March 2011

2 The product manufacturer is sent a copy of the incident report and given the opportunity to comment.

6 Consumers can search the public database to look for prior safety issues for a specific product.

Public Portal

Manufacturer Portal

Constituents
CPSC

The various Program Areas have easy access to all case-related material and are able to collaborate in their effort to quickly investigate and respond to the incident.

Case Management

EWS Version 2.0

Epidemiology reviews the incident report and is able to search and view all related incidents, which allows them to rapidly detect potential hazard patterns.

Compliance

5

Data Warehouse

Document Management

3

Field Investigations Product Safety Assessments

4 The Data Warehouse and Document Management System provide a central repository for storing all CPSC data and documents to allow for easy searching and access.

Epidemiology

Denotes new technology

We will go around the numbers clockwise.

- At One (1), the consumer reports a product hazard through our public database.
- At Two (2), the manufacturer is sent a copy of the report and given an opportunity to comment.
- That way, at Three (3), CPSC's Epidemiology department can begin their research with the benefit of additional information from the manufacturer. Plus, our expanded Early Warning System will accelerate our ability to detect patterns in hazard reports from many different types of products.
- At Four (4), our enhanced case management system will help CPSC staff access relevant research into similar cases far more quickly.
- At Five (5), with modernized IT systems, all our departments can quickly access all relevant information and respond more quickly to protect consumers.
- Finally and most importantly, at Six (6), consumers will have access to all the hazard reports, manufacturer comments, safety alerts, and recall information when making marketplace choices so they can avoid buying hazardous products in the first place.

This is a huge change for us. Essentially, with the creation of the searchable public database and our overall IT modernization, we are changing our business model to improve our ability to protect consumers in the 21st century economy. Our original model focused on recalls. We received incident reports, we investigated the worst ones, and we recalled the most hazardous products. Most of the time, the public did not know about the report and the investigation unless and until we issued a recall.

Our new model is proactive, and it emphasizes prevention, not just recalls. It relies on consumer education and government transparency. It gives consumers the information they need to make smart choices, and it allows them to be with us on the front lines, to be partners in our efforts to keep their families safe.

Once the database is online, in most cases the public will be able to see the incident reports we receive, and they will see any response from manufacturer of the product. In addition, they will have access to more immediate information about consumer products than they do now – so they can make their own informed decisions. We will still launch investigations and issue recalls. However, consumers will also have lots of new information about the public's experience with products whether or not we take any additional action.

This is not simply an IT project. This is a project that affects our entire agency and improves how we keep consumers and their families safe. So to make sure that the public database is as useful as possible to our end users, we have already begun outreach to many of the major stakeholders who will be using the database. That is one reason you are hearing this report today, but it did not start today. Back in November, we held public hearings. The Commission invited stakeholders to come in and tell us how they expected to use the database and how they would like to see it work.

In January, Commission staff brought dozens of key stakeholders -- manufacturers, retailers, and consumer advocates -- to our headquarters to participate in staff workshops. Staff and stakeholders sat down across the table, and we had vigorous discussions over two full days. We covered details like what the reporting form should look like, how manufacturers would be notified of reports of harm about their products; and how the CPSC should handle any inaccurate information we receive. We captured all the suggestions we heard and we have passed those requirements along for consideration. Soon, we are looking at convening focus groups to help us understand how different types of end users will use the database. Stakeholders should also expect to see a notice of proposed rulemaking related to the database in the next few months.

That feedback from important stakeholders will be invaluable as we propose a rule and design Phase I of the CPSRMS project. Later this year, we will again solicit input from end users, and that input will be used to inform Phase II of our database project and our overall IT modernization. Phase II of this project features both some transformational efforts we have planned to take advantage of the new information we get from the public database. It also include our work to tie together various modernization improvements in order to allow us to work more effectively and efficiently.

In the meantime, we are launching, today, a new website, SaferProducts.gov, at which you can track our database development progress, and where you will be able to find information to keep your staff, your customers, and your members informed as we move forward. We will also use the site to preview some of the pages and functionality of the database before we go live with it in March 2011. Eventually, we think this site will become the public face of the database when it is launched in March 2011. You might wonder why we are announcing this launch today, rather than waiting until the database launch in March 2011. The reason is that not only that we want to keep stakeholders and end users engaged every step of the way as we develop the database. Just as important, we want you to use the site to help your members, customers, and staff members understand the new business model, to be aware of the information that will soon be at their fingertips, and to be prepared to use the new tools that will be available to them.

Now that you have the background and you know where we are headed, we want to share with you a little sneak preview into what the database might look like and how it might function. You can bet the final database you will see in March of next year will not look exactly like this. These slides are what we call "storyboards". They tell the story of the flow and functionality, but not the look and feel of the website. The final product will be far more user friendly. However, these slides give you some idea of what we are looking at, and they are making their debut today here at ICPHSO. Previews like these will be posted on SaferProducts.gov as we move forward.

Let us say that after March of next year you log on to SaferProducts.gov to report an injury. First, we will find out what type of product caused a problem so we can put you in touch with the appropriate agency. If the problem is caused by a car or truck, food or drugs, or business practices, we cannot help you, but we will put you in touch with the right people.

Then, if it is one of the 15,000 types of products we regulate, we will ask you how you want to submit a report: via our online form, via email, by phone, or by postal mail. We will encourage

you to submit an online form, but we will also have information about our phone hotline, our mailing address, and downloadable forms you can email us, both in English and Spanish.

After you agree to complete the online form, we will assess your relationship to the incident: you might be the injured party or a family member, the owner of a potentially defective product, a manufacturer or retailer, a public safety official, or a medical examiner or coroner.

Then we will assess the severity of the incident, and capture the date, location, and type of injury.

We will have to capture the information on the product, and we will use drop-down menus to ensure our data integrity. We will find out what you know about the brand, the manufacturer, and the retailer. We will also ask you to upload pictures of the product.

We will capture your contact information and that of your parent or guardian if you are a child submitting a report on behalf of an adult in your household.

If we have a problem with any of the data you have submitted, we may ask you do go back and fix it, and we may suggest possible corrections. Finally, before you submit the data, we will ask you to review it, to verify that it is accurate, and that you consent to its being used in the public database.

Submit Report   View Reports

Your report has been successfully submitted to CPSC

Thank you for submitting your report to CPSC.

Your report reference number is listed below. This information has also been sent to the email address you provided. Please keep this information for your reference.

Report Number	Date Submitted	Report Status	Edit Deadline	Web Access
1234-5678-9876	02/01/2010	Submitted and Certified	02/06/2010	https://www.saferproducts.gov/reports/1234-5678-9876

Important Information Regarding Your Report

You will have 5 days to come back and amend this report

Recalls.gov

To provide better service in alerting the American people to unsafe, hazardous or defective products, six federal agencies with vastly different jurisdictions have joined together to create www.recalls.gov -- a "one stop shop" for U.S. Government recalls. Enroll in this free service by signing up for direct notification of recalls from the U.S. Consumer Product Safety Commission, the Food & Drug Administration and the U.S. Department of Agriculture.

Join Recalls.gov Subscription list

Close and Return to Safer Products.gov Home

Once you verify and submit the report, you will receive a Report Number, and you will receive a copy in your email.

That is where we are headed. Obviously, as more and more reports come in and become available to the public, consumers will have a tremendous new tool to assess whether the consumer products in their households or the ones they are considering buying in a store or online may have any unaddressed safety problems.

Manufacturers will benefit from the new database as well. First, we are creating a manufacturer registry so that they can register with us to be notified quickly when a consumer reports an incident involving one of their products. Manufacturers and private labelers will have the opportunity to view reported product safety information more quickly, and they will have the opportunity to comment. Moreover, the rapid nature of both the consumer report and manufacturer comment will mean a more rapid response to incidents. In the event that a hazardous product makes its way into stores or online retailers, this faster response may mean fewer injured consumers. Likewise, retailers stand to benefit. Retailers will be able to see incident reports about the products on their shelves and websites and make informed wholesale purchasing decisions.

Requirements Gathering: 4Q 2009 – 1 Q 2010

Requirements Gathering: Hearing	Requirements Gathering: Workshops	Close Requirements
November 2009	January 2010	Mar 1, 2010
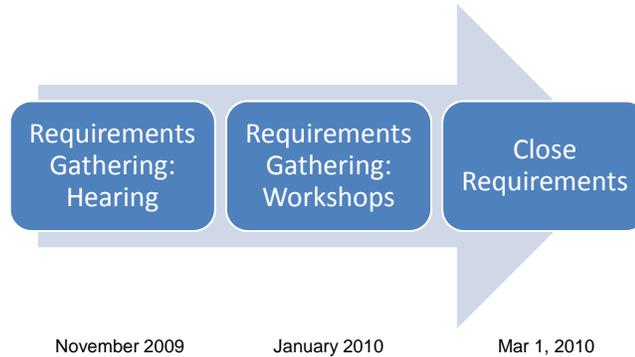
You may be wondering when this is going to happen. Last September, Chairman Tenenbaum delivered a report to Congress on the progress of this program. Congress set in statute a deadline of eighteen months from that date for us to bring the database online. So we have spent the last quarter of 2009 and are spending the first quarter of this year gathering database requirements as I mentioned earlier.

Database Development: 4Q 2009 – 1Q 2010

Design	Development	Testing
Mar 2010 – 2Q 2010	1Q 2010 – 3Q 2010	3Q 2010 - 1Q 2011
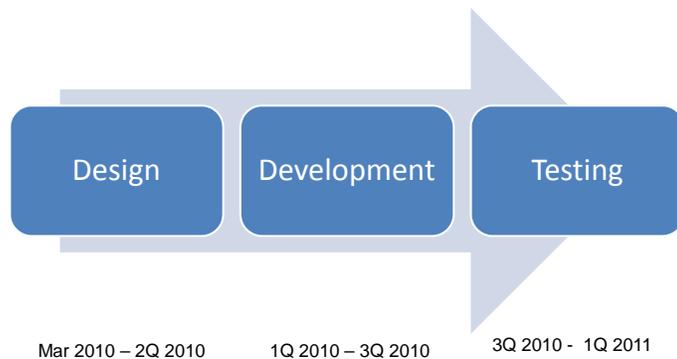
The database design team will begin design soon and will likely continue to design all summer. Testing will hopefully begin in the third quarter of this year, and continue until the proposed release in March of 2011.

Over the next month, we will be working to incorporate the feedback we have received on the database and we are focused on completing the design of three elements of what we call Phase I of development. We consider Phase I not just the public database itself, but also a data warehouse of our archived data, and an early warning system that will help us recognize patterns and respond more quickly to hazard reports. We are hustling to get all that developed in time to meet the projected release date, which is March 2011. In the meantime, you can follow our progress at SaferProducts.gov.

Those are the details on Phase One, which, again, turns on the fire hose. Phase Two lets us hopefully drink from it without being overwhelmed. Phase Two is about strengthening our infrastructure to improve our information flow, which means those efforts, though less visible, will still be extremely valuable to the public. Though subject to change at this point, we are looking into four specific approaches.

First, we will improve our document and records management. We accept thousands of reports each year, not just from individual consumers, but from hospitals, EMS professionals, coroners, local and state consumer protection offices, and other Federal agencies. We receive email, faxes, phone calls, and electronic reports in many different formats. We will work to automate the classification of information received, regardless of source and format.

Second, we will use tools to help us investigate and manage individual cases. Once the information is classified correctly, we will aggregate it and route it appropriately via workflow. This will help us prioritize hazard reports, recognize patterns in smaller populations, and, hopefully, take appropriate action more quickly.

Third, we will improve our use of industry data. Working with our partners in the manufacturing and retail communities, we will strive to remove recalled products from shelves and retail websites automatically once risks are identified to most importantly make sure they do not end up as choices for consumers.

Finally, the early warning system is a critical component of our ability to drink from the fire hose. We anticipate lessons learned and improved methods to identify patterns earlier and are planning now to enhance our early warning system about two years after the initial launch to provide better service to consumers.

These four approaches, as well as others, will help us manage that growing amount of information in ways that will enable us to make critical decisions more quickly and effectively to prevent hazards. That is the heart of Phase Two.

I also want to mention a few other related initiatives. First, we are planning a major redesign of our main website, CPSC.gov. Thirty years of accumulated research, recall notices, alerts, educational materials, and other documents means that it is time to clean up and organize our archives and legacy data. When consumers, businesses, and staff go to our website, they need to be connected with the right information they need the first time.

Second, and related to this, and one of the tools that we will use to "clean up our basement" is work in an area called Taxonomy. For both CPSC.gov and the new public database, we are working hard to put all that important stuff in our basement into the right boxes with the right labels. As the story boards showed, we are going to ask better questions up front to help categorize information we receive as automatically as possible.

Finally, we are expanding our presence in social media. You're about to hear a full presentation later on this topic, but I want to mention, in the context of our IT modernization, that we hope to use social media to drive traffic to both SaferProducts.gov and the redesigned CPSC.gov. We want consumers to find our websites as the place to go to find information about the products in their homes, stores, and websites.

So we are categorizing vast amounts of information, making it available through an easier-to-use website and more powerful search tools, and using social media on the Internet to draw consumers to our websites. This is all part of our new overall emphasis on public education and

transparency, which are priorities for Chairman Tenenbaum, the Administration, and Congress. If we do it right, and I think we are going to, we are going to save a lot of lives and keep consumers much safer in an increasingly challenging environment.

We have put a lot of thought into the creation of the public database and our overall IT modernization in an effort to improve public access to product safety information related to the use of consumer products as they participate in the dynamic 21st century global marketplace. But we are a small agency, and we cannot make this happen by ourselves. Frankly, we cannot make this work without all of you. We are asking you to communicate with your members and your staff and your customers about the public database and help them understand what a powerful tool it will be. We hope you will talk about it at your board meetings and conferences, in your newsletters and on your websites. We hope you will notify us about all the ways you and your members plan to use the database so we can continue to improve it. Specifically, we will be looking for formal feedback on Phase II starting this fall. Again, please watch for an NPR – a Notice of Proposed Rulemaking – to come out in the next few months.

Thank you for your attention.

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[i] Interview with Hal Stratton, IECEE newsletter, http://www.iecee.org/whatsnew/PDF/product-safety.pdf, and amazon.com review of CPSC CD-ROMs, http://www.amazon.com/Consumer-Product-Safety-Commission-CPSC/dp/1422017222