



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MD 20814

CHAIRMAN ELLIOT F. KAYE

January 19, 2017

Kathleen McGuigan, Esq.  
Deputy General Counsel & Senior Vice President  
Retail Industry Leaders Association  
1700 North Moore Street, Suite 2250  
Arlington, VA 22209

Re: Current Voluntary Standards Process for Window Coverings

Dear Ms. McGuigan:

Thank you for your recent letter regarding the process underway to revise the voluntary standard associated with corded window coverings, a product that continues to kill or seriously injure, on average, a child a month in the United States.

As you very well know, I have had no higher priority as Chairman of the Consumer Product Safety Commission than to finally and conclusively address this decades-long hidden hazard in American homes. Thanks to the excellent work of my predecessor, Chairman Inez Tenenbaum, two leading retailers stepped up a few years ago and demonstrated much-needed live-saving leadership by phasing out the sale of these products and offering economical, safe alternatives for consumers. I have been pleased to continue Chairman Tenenbaum's work, including securing commitments from three additional leading retailers to phase out these deadly products by the end of next year.

Simply put, without the retailers, we would not be where we are today. While it is certainly a step forward that there is finally somewhat of a forum for dialogue to create a sufficient standard, as your letter and numerous complaints from others involved have indicated, the current process is flawed. Concerns have been raised both with the original approach suggested to address the hazard as well as the perceived lack of transparency into how proposals are moved through the process and who is permitted to have a say, and to what extent, on proposals at various stages.

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Despite the flawed process, I acknowledge that the Window Covering Manufacturers Association's original proposal to segment products into "stock" or "custom" categories is better than doing nothing to address the hazard. My understanding, though, is that more effective proposals have now been presented. I applaud some participants for recently circulating proposals that are evidently driven by hazard data and are targeted at most effectively addressing the greatest percentage of incidents. More specifically, I am aware a "hybrid" proposal has been offered, one which CPSC staff has estimated would address more than 90 percent of the known incidents. I strongly encourage your members, and all participants in this voluntary standards process, to rally around whatever proposal would most effectively address the hazard, to offer support for this kind of approach in the working group and to finally approve a standard that solves this addressable problem. Even if it takes a little more time to adopt, the difference in lives saved would certainly be worth it.

If the current process does not seem likely to produce the strongest and most effective standard based on the hazard data, I would encourage those of your members and others in the working group who are genuinely committed to addressing this hazard to relocate to a different voluntary standards forum that provides the proper fair, open and transparent process.

Thankfully, there is still time to salvage the process. I am hopeful your members and other stakeholders will join me in publicly supporting any approach that is driven by the hazard data and would address the greatest percentage of the known incidents. Now is the time to finally find a real solution to these terrible and tragic incidents that have torn apart so many families.

Again, thank you for reaching out to me on this very important and timely matter.

Sincerely,



Elliot F. Kaye

cc: Ralph Vasami, Executive Director, Window Coverings Manufacturers Association  
S. Joe Bhatia, President and CEO, American National Standards Institute