



## **H.R. 2474 - To Provide for an Increased Maximum Civil Penalty for Violations Under the Consumer Product Safety Act**

### **FLOOR SITUATION**

H.R. 2474 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Bobby Rush (D-IL) on May 24, 2007. The bill was ordered to be reported, as amended, by voice vote by the Committee on Energy and Commerce on September 27, 2007.

H.R. 2474 is expected to be considered on the floor of the House of Representatives on October 9, 2007.

### **SUMMARY**

H.R. 2474 increases the maximum penalty for violations of the Consumer Product Safety Act, Federal Hazardous Substances Act, or the Flammable Fabrics Act from \$1.25 million to \$5 million temporarily (undefined length of time) and then sets the permanent maximum penalty at \$10 million.

### **BACKGROUND**

The Consumer Product Safety Act (CPSA) was enacted in 1972 and it established the Consumer Product Safety Commission (CPSC) with the authority to develop standards to reduce the unreasonable risks of injury associated with consumer products and to either ban products where there is no feasible standard or pursue recalls for products that present a substantial product hazard.

The Federal Hazardous Substances Act (FHSA) requires certain household products that could be dangerous to be labeled by their manufacturers to alert consumers to the potential hazards and inform them of how to prevent injury. The FHSA gives the Commission authority to ban by regulation a hazardous substance if it determines that the product is so hazardous that the cautionary labeling required by the act is inadequate to protect the public. The act gives the Commission authority to ban by regulation any toy, or other article intended for use by children, which presents a mechanical, electrical, or thermal hazard.

The Flammable Fabrics Act (FFA) was passed in 1953 and responsibility for administering the FFA was transferred to the CPSC when CPSC was created in 1972. Under the Flammable Fabrics Act, CPSC can issue mandatory flammability standards. Standards have been established for the flammability of clothing textiles, vinyl plastic film (used in clothing), carpets and rugs, children's sleepwear and mattresses and mattress pads.

**COST**

A cost estimate from the Congressional Budget Office (CBO) was not available at the time of publication.

**STAFF CONTACT**

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