



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, DC 20207

Record of Commission Action  
Commissioners Voting by Ballot\*

Commissioners Voting: Chairman Ann Brown  
Commissioner Mary Sheila Gall  
Commissioner Thomas H. Moore

ITEM:

Amendment on Consumer Product Safety Act Section 15(b) Reporting

DECISION:

The Commission voted unanimously (3-0) to approve a Federal Register notice to issue in final form an amendment on reporting of information by companies under section 15(b) of the Consumer Product Safety Act. Commissioner Gall filed a statement regarding her vote, copy attached.

For the Commission:

A handwritten signature in black ink, appearing to read "Todd A. Stevenson".

Todd A. Stevenson  
Acting Secretary

\* Ballot vote due October 17, 2001



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**STATEMENT OF THE HONORABLE MARY SHEILA GALL  
ON VOTE TO APPROVE THE PUBLICATION OF  
AMENDMENTS TO THE COMMISSION'S REGULATIONS  
REGARDING THE REPORTING OF INFORMATION  
ON PRODUCTS MANUFACTURED OR SOLD  
OUTSIDE OF THE UNITED STATES**

October 22, 2001

I voted today to approve the publication of changes in the Commission's regulations concerning the obligation of manufacturers, distributors and retailers to make reports required by Section 15(b) of the Consumer Product Safety Act. These changes make it clear that manufacturers, distributors and retailers must consider incidents that occurred in non-U.S. countries in assessing whether they are obligated to make such reports. I voted in favor of publication largely because I want to make sure that persons reading the Commission's regulations for the first time are aware of the position that the Commission is taking on the relevance of experience in non-U.S. countries on a company's reporting obligations.

Despite my vote to publish the changes to the regulations, I wish to make it clear that I will consider the obligation to report on a case-by-case basis. Information gained by non-U.S. subsidiaries of U.S. companies may be less available to the U.S. company than information available from its U.S. subsidiaries. Similarly, U.S. companies owned by non-U.S. companies may have less access to experiences with products sold abroad than do U.S. companies with U.S. parents. I have, in the past, voted to impose civil penalties for failures to report where some of the experience with the product occurred outside of the U.S. I will do so in the future in the proper cases. But I will always scrutinize the situation very carefully where information from outside the U.S. is involved. I will vote for civil penalties for failure to report in such cases only if I am satisfied that the information was, or reasonably should have been, available to the company with the duty to report.