

Congress of the United States
Washington, DC 20510

February 24, 2023

Mr. Ynon Kreiz
Chief Executive Officer
Mattel, Inc.
333 Continental Boulevard
El Segundo, California 90245

Dear Mr. Kreiz,

We write with serious concern over the effectiveness of recall efforts for dangerous infant inclined sleepers manufactured by your subsidiary Fisher-Price Inc., and request information about the actions you have taken to remove these deadly products off the market.

In April 2019, Fisher-Price and the Consumer Product Safety Commission (“CPSC”) announced the recall of its Rock ‘n Play Sleeper after the product was initially linked with the deaths of over 30 infants. Since the first announcement this dangerous product has been linked to at least one hundred deaths, a tragic toll made worse by Fisher-Price and Mattel’s efforts to stop the CPSC from warning the public.

Despite the recall, Rock ‘n Play Sleepers remain in people’s homes, likely leading to more preventable deaths. When CPSC re-announced the recall of the product last month, it linked the sleeper to an additional eight deaths that occurred after the 2019 recall.¹ The American Academy of Pediatrics warns parents of the risks associated with inclined sleepers, and has long recommended that all infants sleep on flat and firm surfaces.² As was expressed to you in a prior letter from March 2022, Mattel and Fisher-Price undermined recall efforts through failing to adequately notify consumers and continuing to downplay the dangers of the product.

It is clear that the efforts outlined in your response to our letter have not been effective in removing these sleepers from people’s homes and keeping infants safe from preventable deaths. Despite the recall notice, by the end of 2020, fewer than a tenth of the 4.84 million units manufactured by Fisher-Price for the U.S. market had been accounted for.³ As a result, many of

¹ CPSC Recall, [Fisher-Price Reannounces Recall of 4.7 Million Rock ‘n Play Sleepers; At Least Eight Deaths Occurred After Recall | CPSC.gov](#).

² DiMaggio, Dina, “Inclined Sleepers, Crib Bumpers & Other Baby Registry Items to Avoid,” AMERICAN ACADEMY OF PEDIATRICS (January 23, 2023), [Inclined Sleepers, Crib Bumpers & Other Baby Registry Items to Avoid - HealthyChildren.org](#)

³ “Blumenthal & Schakowsky to Facebook Marketplace: Stop Resales of Deadly Recalled Products Like Rock ‘n Play Sleeper,” PRESS RELEASE (March 16, 2022). [Blumenthal & Schakowsky to Facebook Marketplace: Stop Resales of Deadly Recalled Products Like Rock ‘n Play Sleeper | U.S. Senator Richard Blumenthal \(senate.gov\)](#).

these products are still being used or sold in secondary marketplaces.⁴ It is critical that Fisher-Price examine the source of the Rock ‘n Play Sleepers linked to the new deaths. The CPSC recall and the Safe Sleep for Babies Act, which passed in May of 2022, made it illegal to sell, distribute, manufacture or import the Rock ‘n Play Sleepers and other inclined sleep products. That begs the question, how did families involved in these recent tragedies acquire the Rock ‘n Play Sleeper?

We urge Mattel to take further action to ensure these dangerous products are off the secondary market and out of consumer’s homes. The recall reannouncement directs consumers to contact Fisher-Price for a refund or voucher, but the remedy offered by your company is wholly inadequate. People are only entitled to a full refund if they purchased the product in the six months prior to the first recall in 2019.⁵ All other consumers have to wait 12-16 weeks for a voucher to receive an undisclosed Fisher-Price product.⁶ An effective recall should encourage participation, but having parents jump through hoops to get some sort of unnamed compensation for the life threatening product in their home is grossly inappropriate. Your company must do better.

We will not sit by while dangerous products continue to put babies at serious risk and rip families apart. Fisher-Price shares a responsibility to keep the public safe, which is why we request that you answer the following questions:

1. How did Fisher-Price improve their recall efforts after the recall re-announcement?
 - a. Please describe the work Fisher-Price is undertaking to alert consumers about the re-announced recall.
 - b. Is Fisher-Price working with online marketplaces, like Facebook Marketplace, Craigslist, and eBay, to remove illegal listings of Rock ‘n Play Sleepers?
2. How many Rock ‘n Play Sleepers are still unaccounted for through the recall process?
 - a. How many injuries have been reported to Fisher-Price?
 - b. How many injuries were a result of the Rock ‘n Play Sleeper?
 - c. How many refunds has Fisher-Price issued to date?
 - d. How many vouchers has Fisher-Price issued to date?
3. How were the Rock ‘n Play Sleepers tied to the new infant deaths acquired by the families?
4. Is Fisher-Price considering improving the recall remedy to encourage more consumer participation in the recall and remove the Rock ‘n Play from people’s homes? If so, how?

We look forward to hearing from you on this very important issue by March 7th, 2023.

⁴ “Blumenthal & Schakowsky to Facebook Marketplace: Stop Resales of Deadly Recalled Products Like Rock ‘n Play Sleeper,” PRESS RELEASE (March 16, 2022). [Blumenthal & Schakowsky to Facebook Marketplace: Stop Resales of Deadly Recalled Products Like Rock 'n Play Sleeper | U.S. Senator Richard Blumenthal \(senate.gov\)](#).

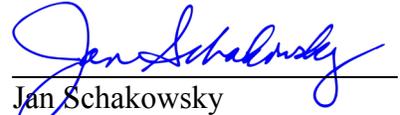
⁵ “Don’t use infant inclined sleep products,” KIDS IN DANGER (June 13, 2018), <https://kidsindanger.org/2018/06/dont-use-inclined-sleep-products/>.

⁶ CPSC Recall, [Fisher-Price Reannounces Recall of 4.7 Million Rock ‘n Play Sleepers; At Least Eight Deaths Occurred After Recall | CPSC.gov](#).

Sincerely,



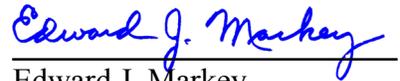
Richard Blumenthal
United States Senator



Jan Schakowsky
Member of Congress
Ranking Member,
Subcommittee on Innovation,
Data, and Commerce



Tony Cárdenas
Member of Congress



Edward J. Markey
United States Senator



Richard J. Durbin
United States Senator



Maria Cantwell
United States Senator



Ben Ray Lujan
United States Senator



Amy Klobuchar
United States Senator

Darren Soto

Darren Soto
Member of Congress