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CPSC Spotlight Forum
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2:30pm

I am speaking today on behalf of Nancy Baker and the Baker Family, Abbey's Hope Charitable Foundation and The ZAC Foundation for Children's Safety. As the Congressional members participating in this Forum know very well (in particular--Senator Blumenthal, Senator Klobuchar and Congresswoman Debbie Wasserman Schultz), these three families and organizations have been working tirelessly over the past 18 years with Congress and the Consumer Product Safety Commission to address the public health crisis of drowning, entrapments and other water risks with the goal of preventing these tragedies from occurring. Each of these families suffered the tragic loss of a child due to an entrapment in either a public or residential pool/spa. Their stories are well known, and, in fact, were the catalyst for the ultimate passage of the Virginia Graeme Baker Pool & Spa Safety Act, which changed the way pools and spa are built and maintained in this country.

1. The Swimming/Bathing Public Relies on the CPSC for Safe Pools/Spas

Of course, we are all very proud of the fact that the VGB Act, to this day, is a piece of legislation that is regularly held up as an example of government actually working to protect Americans and especially children. Industry, non-profits, families who have experienced loss, public health and medical officials and the CPSC, among many others, all came together to craft and ultimately implement a public policy response to the hidden hazard of entrapment and even the broader issue of drowning. At the time, there were certainly disagreements and even a compromise or two, but the legislation has been an unqualified success. The CPSC regularly touts (and we do too) the fact that since the passage of the VGB Act there has not been a single entrapment death in the United States at a compliant public pool or spa.

We note specifically that much of this success is due to the good and hard work of the CPSC. That is by design. The VGB Act gave the Agency the power to enforce the law and, in turn, it or in partnership with local government inspects thousands of pools around the country to make sure

the safe drains are installed. The CPSC conducts throughout the year the Pool Safety Campaign designed to educate parents, grandparents and caregivers about how they can protect their children/grandchildren from drowning (barriers/fencing, pool alarms, supervision, drain safety). It administers the small education grant program authorized by the Act meant to give local governments the tools they need to inspect pools and spas and educate the public about the potential dangers posed by water.

2. Policing the Marketplace

Like 3-wheel ATVs, metal lawn darts, baby bumpers and small parts for children under 3 years of age, non-compliant VGB drain covers are banned from the marketplace. It is illegal to sell them. Notwithstanding this marketplace prohibition provided by the VGB Act itself, we are still finding banned and dangerous drain covers in online commerce and subsequently in pools/spa around the country. In fact, Abbey's Hope over the past 2 years has found, ordered, and received several examples of banned covers from the e-Bay and Amazon commerce platforms. Abbey's Hope, for example, has filed an "Unsafe Products" Report through the CPSC [saferproducts.gov](https://www.saferproducts.gov) website. The CPSC, in turn, recalls the dangerous, illegal drains. We rely on the Agency and its years of experience to identify the dangerous drains, work with the retailers and/or manufacturers to remove them from the marketplace and often provide the consumer with a refund. It also investigates pool and spa injuries when they do happen to determine why they happen.