



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

COMMISSIONER RICH TRUMKA JR.

**DOJ SUES SUNSETTER FOR FAILING TO REPORT
LETHAL AWNING DEFECT TO CPSC**

APRIL 6, 2023

Manufacturers should take notice of today's action by CPSC and the Department of Justice (DOJ)—companies will face swift and serious consequences if they knowingly fail to report safety information to CPSC. I am encouraged by, and grateful for, the close cooperation between DOJ and CPSC in pursuing corporate bad actors.

DOJ's civil action against SunSetter alleges disturbing facts: Hundreds of thousands of awnings with protective vinyl covers were sold or given away to Americans. SunSetter received reports of the awning springing open unexpectedly when consumers removed the cover and these reports included broken bones and a death. Despite an obligation to report immediately, the company knowingly allowed incidents and injuries to mount for years, reporting to CPSC only after it learned of the death. The law requires immediate reporting so that CPSC has a chance to ensure issues are fixed before they cost someone their life. We were deprived of that opportunity by SunSetter. If the allegations in this case are proven in court, they would show an unacceptable disregard for the lives of American consumers.

I commend CPSC's expert attorneys who worked with DOJ to bring this case.

I continue to emphasize that this Commission is serious about deterring corporate misconduct using every tool at our disposal, including the appropriate use of civil penalties and, where warranted, criminal referrals to DOJ.