



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
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CHAIR ALEXANDER D. HOEHN-SARIC

Remarks of Chair Alexander D. Hoehn-Saric

103rd Annual Meeting of the American Broncho-Esophagological Association

**Friday, May 5, 2023
8:00 AM Eastern**

Thank you for inviting me to participate in today's panel.

We've been working together on this issue for quite some time. Dr. Jacobs and Dr. Jatana, you were involved in the creation of the Button Battery Task Force over a decade ago. And Ms. Hamsmith, you bore the most unimaginable tragedy of losing your child and have become a leading force for change. I am honored to join you all today – it's because of your work that we've made progress on addressing this hazard.

I first heard about the dangers of button and coin cell batteries in 2010, as a staffer for the Senate Commerce Committee. At a hearing that December, the witness from the American Academy of Pediatrics, Dr. Garry Gardner, told us about an emerging hazard he and his colleagues were encountering.

Dr. Gardner described the harm that button and coin cell batteries can do to toddlers who swallow them and alerted us to the growing number of such injuries. His searing testimony was an important learning moment for me and my colleagues. Dr. Gardner has since passed away. But the impact of his testimony regarding this hazard remains.

More than a decade later, because of the dedicated work of the folks on this panel, and many of you in this room, more parents and caregivers are aware of the dangers posed by button batteries and the batteries themselves are being packaged more safely.

Reese's Law, named after Trista's daughter, Reese, was signed into law by President Biden last summer and has two key components.

- First, the law requires all button and coin cell batteries to be sold in child resistant packaging. This requirement has been in effect since February of this year.
- And second, the law requires CPSC to issue a regulation to make the battery compartments in consumer products that contain button batteries more secure and safer. CPSC must also issue regulations for proper labeling of battery packaging and of the consumer products that use button and coin cell batteries.

CPSC issued a proposed regulation last winter and our staff is now reviewing the public's comments on the proposal before they draft a final regulation for consideration by the Commission later this year. Four of you on this panel submitted comments, and I appreciate the information and perspective that you provided.

Reese's law will save lives. This law – and our implementing regulations – will prevent batteries from getting loose when they are in their packaging or are installed in consumer products. And additional warnings and labels will serve as strong reminders to parents and caregivers to keep coin cell batteries away from children and safely dispose of them after use.

CPSC is able to move forward on this rulemaking because we have data in front of us that demonstrate this hazard.

This raises a broader point. In order for CPSC to protect consumers, we need to know the hazard patterns associated with specific consumer products. We need incident and injury data to support any regulatory or enforcement actions that we take. This is where we need your help.

You are all medical professionals. Providing CPSC with information on the consumer product and the hazard scenario your patients experienced is, understandably, not your first priority. Your priority must be to treat the acute trauma that your patients are suffering. However, if you and your patients could take a few extra steps after the initial trauma has passed, you can provide us vital information to prevent these tragedies from happening to other individuals in the future.

So I urge you to stay in touch with CPSC as you identify new hazards or see new injury patterns in your patients. Whether you come together in something as formal as the Button Battery Task Force or simply reach out to share what you know, we are here to listen. And I urge you to report injuries to SaferProducts.gov.

For example, over the last several months, I have heard more and more about risks posed by water beads. These are small beads that expand in water and are used as sensory toys. We have heard from families whose children were injured after they swallowed a bead that expanded inside them. Our staff is examining these cases, but we need more information about the acute and potentially chronic impacts the beads can have on a child.

As a data-driven agency, CPSC is only as strong as the information we collect. And we can only address hazards that we know about. We gather data from a wide range of sources – from manufacturers, retailers, hospitals, state and local governments, medical examiners, and others. But you are on the front lines and often see things before anyone else.

Please:

- Use SaferProducts.gov to report injuries you are witnessing among your patients.
- Urge families to report their injuries to SaferProducts.gov.
- If you are in a hospital, recommend to the administration that it become one of the select hospitals across the country that share data with us through our National Electronic Injury Surveillance System, known as "NEISS."
- Encourage your local medical examiners and coroners to participate in our Medical Examiner and Coroner Alert Project, known as "MECAP," when they have a potential consumer product related fatality.
- And use associations like this one to share information and bring it to us.

More than a decade ago, the doctors on this panel and their colleagues brought us the first warnings about button and coin cell batteries. I want to make sure that CPSC is well-positioned and well-prepared to address the next hazards that come our way.

On button batteries, the advocacy of doctors and parents was essential in getting us to where we are today. There will be more to do, I am certain. There are still risks from these batteries that have not been eliminated. I hope that the Button Battery Task Force and Reese's Purpose will stay active, and I encourage everyone here today to let CPSC know when you see weaknesses in consumer product safety that need to be addressed.

Thank you.