

GAO Highlights

Highlights of [GAO-15-52](#), a report to congressional committees

Why GAO Did This Study

The oversight of consumer product safety is a complex system involving many federal agencies. As part of a mandate that requires GAO to identify federal programs, agencies, offices, and initiatives with duplicative goals or activities, GAO reviewed federal oversight of consumer product safety.

This review examines (1) which federal agencies oversee consumer product safety and their roles and responsibilities; (2) the extent and effects of any fragmentation or overlap in the oversight of consumer products; and (3) collaboration among agencies to address any negative effects of fragmentation or overlap.

To assess the involvement of multiple agencies in the oversight of consumer product safety, GAO conducted a multiagency survey and reviewed laws and regulations, and past GAO work. GAO also interviewed federal agency officials and consumer and industry groups.

What GAO Recommends

Congress should consider (1) transferring oversight of the markings of toy, look-alike, and imitation firearms from NIST to CPSC, and (2) establishing a formal collaboration mechanism to address comprehensive oversight and inefficiencies related to fragmentation and overlap. Also, GAO recommends that the Coast Guard and CPSC establish a formal coordination mechanism. CPSC, the Department of Homeland Security, and NIST agreed with GAO's matters and recommendation; other agencies neither agreed nor disagreed.

View [GAO-15-52](#). For more information, contact Alicia Puente Cackley, 202-512-8678, cackleya@gao.gov

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CONSUMER PRODUCT SAFETY OVERSIGHT

Opportunities Exist to Strengthen Coordination and Increase Efficiencies and Effectiveness

What GAO Found

GAO identified eight agencies that have direct oversight responsibilities for consumer product safety: the Consumer Product Safety Commission (CPSC), Department of Housing and Urban Development, Environmental Protection Agency, Food and Drug Administration, National Highway Traffic Safety Administration (NHTSA), Nuclear Regulatory Commission, Pipeline and Hazardous Materials Safety Administration, and the U.S. Coast Guard (within the Department of Homeland Security). All eight agencies conduct regulatory activities to promote consumer product safety, such as rulemaking, standard setting, risk assessment, enforcement, and product recalls. In addition, at least 12 other agencies play a support role in consumer product safety in various areas, such as public health and law enforcement.

Oversight of consumer product safety is fragmented across agencies, and jurisdiction overlaps or is unclear for certain products. In some cases, agencies regulate different components of or carry out different regulatory activities for the same product, or jurisdiction for a product can change depending on where or how it is used. For example, NHTSA regulates hand-held infant carriers when used as car seats, but CPSC regulates the carriers when used outside of motor vehicles. Agencies reported that the involvement of multiple agencies with various expertise can help ensure more comprehensive oversight by addressing a range of safety concerns. However, agencies also noted some inefficiencies, including the challenges of sharing information across agencies and challenges related to jurisdiction. For example, GAO found that the jurisdiction for some recreational boating products can be unclear and the potential exists for confusion regarding agency responsibility for addressing product safety hazards. Coast Guard officials said they work informally with CPSC when the need arises but that these interactions are infrequent. Without a more formal coordination mechanism to address jurisdictional uncertainties some potential safety hazards may go unregulated. In addition, the Department of Commerce's National Institute of Standards and Technology (NIST) oversees the markings of toy and imitation firearms to distinguish them from real firearms, which may be an inefficient use of resources because it does not leverage NIST's primary expertise related to scientific measurement. According to NIST, this function may be better administered by CPSC, which oversees the safety and performance of toys. However, this would require a statutory change.

Agencies reported that they collaborate to address specific consumer product safety topics, but GAO did not identify a formal mechanism for addressing such issues more comprehensively. Independent agencies, such as CPSC, are not subject to the Office of Management and Budget's planning and review process for executive agencies. Additionally, no single entity or mechanism exists to help the agencies that collectively oversee consumer product safety. GAO has identified issues for agencies to consider in collaborating, such as clarifying roles and including all relevant participants. Because no mechanism exists to help agencies collectively address crosscutting issues, agencies may miss opportunities to leverage resources and address challenges, including those related to fragmentation and overlap identified in this report.