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U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814
DIVISION OF
CONSUMER PROTECTION

Denise P. Beatty
Director
State and Local Programs
Division of Field Investigations
Office of Compliance and Field Operations

MAR 20 2013

Traci Gunderson, Director
Division of Consumer Protection
State of Utah, Department of Commerce
160 E. 300 S, 2nd Floor
P.O. Box 146704
Salt Lake City, UT 84114

Dear Traci Gunderson,

The U.S. Consumer Product Safety Commission (CPSC) conducts marketplace surveillance to ensure that previously recalled or banned products are not being offered for sale to consumers. This surveillance includes visits to new product retailers as well as second-hand/used product sellers such as thrift stores. Our primary focus is educational; we encourage store owners to remove questionable products and to establish processes and procedures that will insure that dangerous or previously recalled products are not being resold.

It is a prohibited act to sell or offer for sale a recalled product. The Consumer Product Safety Improvement Act of 2008 (CPSIA), PL 110-314, amended Section 19 of the Consumer Product Safety Act (CPSA). Specifically, Section 19(a)(2) of the CPSA, 15 U.S.C § 2068(a)(2), states:

- (a) It shall be unlawful for any person to—
- (2) sell, offer for sale, manufacture for sale, distribute in commerce, or import into the United States any consumer product, or other product or substance that is—
 - (B) subject to voluntary corrective action taken by the manufacturer, in consultation with the Commission, of which action the Commission has notified the public or if the seller, distributor, or manufacturer knew or should have known of such voluntary corrective action;
 - (C) subject to an order issued under section 12 or 15 of this Act; or
 - (D) a banned hazardous substance within the meaning of section 2(q)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1261(q)(1)).

CPSC Investigators periodically visit thrift and secondhand stores nationwide to verify compliance with the requirements. The violations we most often find typically involve children's upper outerwear clothing containing drawstrings that pose a choking hazard; hairdryers without ground fault circuit interrupters (GFCI's); cribs with drop-sides or which otherwise do not meet current safety standards and other previously recalled products or banned products.

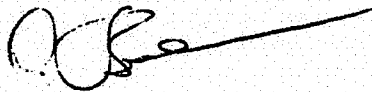
The CPSC recognizes that taking action to inform and educate the public about the hazards associated with defective products is most effective when handled as a partnership between CPSC and State and local agencies. For this reason, we will be periodically notifying you of stores in your State where we found unsafe products being offered for sale and we are seeking your assistance with informing and educating store owners and consumers about the requirements of the law.

We have several educational materials that are available to you at no cost and request that you assist us with the following activities:

1. Disseminate the Resellers Guide to stores in your jurisdiction and your local networks. The Resellers Guide contains information about how to comply with the law.
2. Incorporate the Resellers Guide video in your training activities and share it with stores in your jurisdiction. The video provides an overview of the law and guidance for compliance. Copies are available in limited quantities.
3. Report unsafe products and product-related injuries at www.SaferProducts.gov or call CPSC's Hotline at (800) 638-2772 or teletypewriter at (800) 638-8270 for the hearing impaired.
4. Register on CPSC's website to receive important information about recalls and visit www.recalls.gov for information on recalls from other government agencies
5. Inform consumers that they can obtain news release and recall information at www.cpsc.gov, on Twitter @OnSafety or to join a free email subscription list please go to <http://www.cpsc.gov/Newsroom/Subscribe/>.

If you have any questions please feel free to contact me. We look forward to working with you to promote product safety and health for consumers nationwide and thank you in advance for your assistance.

Sincerely,



Denise P. Beatty

cc: CPSC Field Directors
CPSC Office of Compliance

Enclosures:
Thrift Store Resellers Guide
Thrift Store Video
Window Covering Alert
Crib Standard Poster