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January 29, 2009

The Honorable Nancy Ann Nord
Consumer Product Safety Commission
4330 East West Highway
Bethesda, Maryland 20814-4408

Dear Commissioner Nord:

I am writing to express my concern, and the deep concern of many Utah small manufacturers and charities, about the retroactive provisions in the Consumer Product Safety Improvement Act of 2008 (P.L. 110-314), and the potential liability of Utah companies under the newly-enacted law.

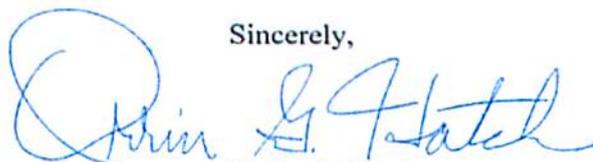
I am particularly concerned about the unintended consequences of the provisions that impose liability and criminal penalties to those selling goods on the secondary market. I intend to work with my colleagues on the Committees of jurisdiction to encourage a dialogue. It is my hope such a dialogue will result in constructive legislation which will allow us to protect our nation's children, without unduly harming those who provide our state and its community with jobs and cost-effective goods. Moreover, during these difficult economic times, it is most important that we do not unduly impose federal mandates that could stifle our local economies.

I understand the difficult position which the retroactive provisions in this law have placed the Commission. We all want to protect our nation's children, and I know that you, too, are committed to doing the same.

I understand that states across the country, including Utah, are concerned and child safety should never be compromised. However, the Commission believes a legislative solution is necessary to alleviate the unintended consequences of the law. I am willing to work with you and my colleagues to ensure that we fix the problem but not at the expense of our nation's children.

Thank you, again, for your prompt attention to this matter. I look forward to meeting with you soon.

Sincerely,



Orrin G. Hatch
United States Senator

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