

Congress of the United States
Washington, DC 20510

June 21, 2022

Mr. Ynon Kreiz
Chief Executive Officer
Mattel, Inc.
333 Continental Boulevard
El Segundo, California 90245

Dear Mr. Kreiz,

We write today with grave concern regarding the recent announcement from the Consumer Product Safety Commission (CPSC) and Fisher Price that Fisher Price’s Infant-to-Toddler Rockers and Newborn-to-Toddler Rockers (hereinafter: “Rockers”) have been linked to multiple deaths over the past decade.¹ This is an alarming and devastating announcement that comes just a few years after the recall of your company’s Rock ‘n Play that was linked to dozens of infant deaths. The prolonged period over which these deaths occurred, and the delay in getting this information to consumers—possibly resulting in more deaths—once again raises significant concerns with how your company values the safety of our children.

On your website, you describe the Infant-to-Toddler Rocker as follows: “The Fisher-Price Infant-to-Toddler Rocker starts out as an infant rocker or stationary seat with bat-at toys overhead. Then, as your child grows, you can easily remove the toy bar and convert the seat to a toddler chair...And with two comfy recline positions, calming vibrations, and a machine-washable seat pad, what's not to love?”² Apparently, there is a lot not to love. On June 14, 2022, CPSC and Fisher Price jointly issued a warning to consumers alerting them of at least 13 infant deaths between 2009 and 2021 tied to the 17 million Rockers sold worldwide. It is possible that more deaths will come to light as consumers are made aware and reports are filed on SaferProducts.gov.³

Any infant death tied to this product is devastating, regardless of whether the product was used as designed or used as a sleep product by parents. The latter is not an unexpected use given the “calming vibrations” that your company touts and multiple consumer reviews that describe how the product helped rock babies to sleep.⁴ Given that, and the delay in releasing this

¹ U.S. Consumer Product Safety Commission, “CPSC and Fisher-Price Warn Consumers About 13 Deaths in Fisher-Price Infant-to-Toddler and Newborn-to-Toddler Rockers: Advise Rockers Should Never Be Used for Sleep,” press release, June 14, 2022, <https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-and-Fisher-Price-Warn-Consumers-About-13-Deaths-in-Fisher-Price-Infant-to-Toddler-and-Newborn-to-Toddler-Rockers-Advise-Rockers-Should-Never-Be-Used-for-Sleep>.

² “Infant-to-Toddler Rocker,” Mattel Shop, last accessed June 21, 2022, <https://shop.mattel.com/products/infant-to-toddler-rocker-gvg46>.

³ Consumer Product Safety Commission, “Infant-to-Toddler and Newborn-to-Toddler Rockers.”

⁴ “Infant-to-Toddler Rocker.”

information to the public, we have questions about how Fisher Price handled product and death reports, and why this information failed to reach the CPSC sooner.⁵ It is also apparent that Fisher Price, even after CPSC was made aware of infant deaths, sought to delay release of this data to the public. CPSC Commissioner Richard Trumka, Jr. stated that CPSC “fought an uphill battle to release this information to warn parents and caregivers.”⁶ This is unacceptable.

Furthermore, we have significant concerns that Fisher Price is seeking to delay additional enforcement action that the CPSC could take to protect consumers, such as a recall. CPSC has the authority to recall products that pose a harm to consumers, regardless of whether that harm can be attributed to the design of the product, or if it is due to foreseeable misuse. For a company that claims to “be the most trusted brand for parents and caregivers of babies, toddlers, and preschoolers,”⁷ it is shocking that your company has continued to let down consumers in such a tragic manner. Fisher Price’s actions, or inactions, make a perfect case for why CPSC’s authority to issue recalls and warnings for consumers, independent of manufacturers, needs to be strengthened and reformed.

Given the devastation that this product has caused families, we would request that you answer the following questions on behalf of Fisher Price:

1. When was Fisher Price first made aware of deaths related to the Infant-to-Toddler Rockers and/or the Newborn-to-Toddler Rockers?
2. When did Fisher Price first report these deaths to CPSC?
3. Has Fisher Price received additional reports of injuries related to use of the Rockers since the product’s release?
4. Please describe the circumstances under which each of the deaths and injuries occurred.
5. Please send a list of all deaths and injuries by juvenile product type (any product a baby would be placed in for either awake or sleep time) that Fisher Price is aware of to date.
6. Please provide a copy of all Fisher Price’s marketing materials from 1990 to today for the Rockers.
 - a. Has Fisher Price, at any point, marketed these Rockers as sleep products? This list should include any mention of the Rockers being marketed as being “calming,” “soothing.”
7. Please clarify the language within the rocker’s instruction manual (“HBD25”) citing that the “product is not safe for unsupervised use or unattended sleep.” Does Fisher Price believe the rocker is safe for infant sleep when supervised?
8. As of June 21, 2022, the Infant-to-Toddler Rocker was available for sale on your website with no apparent product warning.

⁵ Sandee LaMotte, “Baby Rockers Have Led to More than a Dozen Infant Deaths, Government Agency Warns,” *CNN*, last modified June 14, 2022, https://www.cnn.com/2022/06/14/health/infant-rocker-recall-wellness/index.html?utm_source=twCNN&utm_content=2022-06-15T00%3A00%3A19&utm_term=link&utm_medium=social.

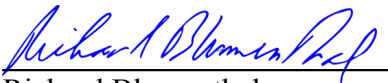
⁶ LaMotte, “Baby Rockers.”

⁷ Consumer Product Safety Commission, “Infant-to-Toddler and Newborn-to-Toddler Rockers.”

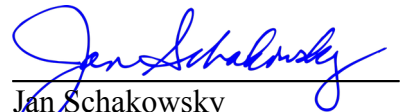
- a. Please describe the work that Fisher Price is undertaking to alert consumers to this warning, in addition to the press release dated June 14, 2022.
 - b. Please describe the work that Fisher Price is undertaking to alert retailers to this warning, in addition to the press release dated June 14, 2022.
9. Does your company support efforts to provide consumers with product safety information as soon as possible by reforming CPSC's ability to independently issue recalls and product warnings, without requirements to negotiate with manufacturers?

Given the grave circumstances, we respectfully request an answer to these questions by July 8th, 2022.

Sincerely,



Richard Blumenthal
United States Senator
Chairman, Subcommittee on
Consumer Protection, Product
Safety, and Data Security



Jan Schakowsky
Member of Congress
Chair, Subcommittee on
Consumer Protection and
Commerce



Bobby L. Rush
Member of Congress



Barbara Lee
Member of Congress



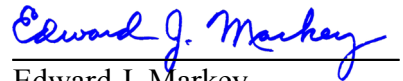
Jon Ossoff
United States Senator



Ro Khanna
Member of Congress



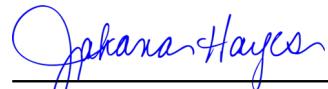
Eleanor Holmes Norton
Member of Congress



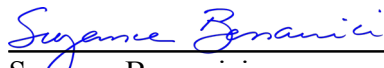
Edward J. Markey
United States Senator



Robert Menendez
United States Senator



Jahana Hayes
Member of Congress



Suzanne Bonamici
Member of Congress



Lori Trahan
Member of Congress



Donald S. Beyer Jr.
Member of Congress