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Subject: CPSIA and the Law of Unintended Consequences

I am writing to tell you about a situation that my business finds itself in, as a result of the CPSIA, even though we are in the business of manufacturing supplies and equipment for research scientists. We are a small business (under 25 employees) manufacturing company called Heathrow Scientific LLC. We design and manufacture basic supplies that are used by research scientists in their laboratories. Our products are designed, and intended, for use by trained laboratory technicians and they are, in fact, used by laboratory technicians in over 80 countries worldwide, because nearly 50% of our sales are exported from the U.S.

One would think that Heathrow Scientific is very far removed from the regulatory world that the CPSIA was intended to affect. Unfortunately, this is not the case.

We were recently contacted by a customer of Heathrow Scientific who sells primarily into the high school and college science lab market. They requested that we certify that our products comply with the requirements set forth in the CPSIA because ***they sell our items into middle schools.*** Here we are, focusing on our customer; the research scientist. Designing products for use by professional laboratory technicians and, because one of our customers takes our product and sells it into a marketplace other than that for which the product was intended, now this customer is requesting certification from us.

When the drafters of the legislation that resulted in the CPSIA contemplated the various scenarios that may result from the law, they certainly did not intend that all products made by any company, no matter how remote to the children's' products market, could be subject to the CPSIA if they were sold into any environment that includes children 12 years of age and under.

I believe that this communication from our customer is a result of general confusion in the market over the scope of the law. Also contributing factors are the felony and \$100,000 per occurrence penalties written into the law; very stiff penalties. In those circumstances, business people will err on the side of caution, which looks like what our customer is doing – asking us to protect him. Heathrow Scientific, a company that designs and manufactures products for research scientists, can not afford to spend thousands of dollars testing our products for compliance under CPSIA (we are not in that business!) This leaves our customer exposed to the high penalties (felony conviction and financial ruin) under CPSIA for providing a range of laboratory items to middle school science teachers, and they will likely stop doing so. Surely, Congress did not intend this result. This is bad public policy.

Well-meaning, law-abiding, business people are being scooped up in the web that is the CPSIA.

Please help! This law, and its application, need to be re-thought out. Congress should be using a scalpel and not a sledge-hammer, to cut out the cancerous effects of bad actors. This law is going to do a lot of damage to a lot of good companies if you don't act to stop it.

Respectfully yours,

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