

INFORMATION COLLECTION REQUEST (ICR):
SUPPORTING STATEMENT AND PRIVACY IMPACT ASSESSMENT
FOCUS GROUPS – GENERIC CLEARANCE
(Updates to Generic Clearance March 2010)

A. Justification

1. *Information to be collected and circumstances that make the collection of information necessary*

The U.S. Consumer Product Safety Commission (CPSC) is an independent federal regulatory agency that was created in 1972 by Congress in the Consumer Product Safety Act (CPSA). In that law, Congress directed the Commission to “protect the public against unreasonable risks of injuries and deaths associated with consumer products.” The Commission is authorized under section 5(a) of the CPSA, 15 U.S.C. 2054(a), to collect information, conduct research, perform studies and investigations relating to the causes and prevention of deaths, accidents, injuries, illnesses, other health impairments, and economic losses associated with consumer products. Section 5(b) of the CPSA, 15 U.S.C. 2054(b), further provides that the Commission may conduct research, studies and investigations on the safety of consumer products or test consumer products and develop product safety test methods and testing devices.

In order to better identify and evaluate the risks of product-related incidents, the Commission staff seeks to solicit and obtain direct feedback from consumers on issues related to product safety such as recall effectiveness, product use, and perceptions regarding safety issues. Through participation in certain focus groups, consumers will be able to answer questions and provide information regarding their actual experiences, opinions and/or perceptions on various safety issues such as the use or pattern of use of a specific product or type of product, including recalled products.

For example, one way the Commission accomplishes its mission is by negotiating and subsequently monitoring product recalls and public notice of those recalls. The type of notice for any given recall is tailored to the nature of the risk of injury. The more serious the risk of injury or death, the greater the means of effort used to reach consumers.

There are two critical aspects to any recall – getting notice of a recall to those consumers who possess a recalled product and getting those consumers to act on the recall. The CPSC has worked over the years to explore new and innovative methods of consumer notification to reach as many owners of recalled products as possible. When possible (e.g., the company has purchaser information) direct notification is used. In addition, when announcing a recall, the Commission uses a multifaceted approach including press releases, video news releases, web site notices, pediatrician posters, in-store posters, paid advertisements in print media, (e.g., newspapers and magazines) as well as paid advertisements on radio and television. Because recalls at CPSC are primarily cooperative, the Office of Compliance staff works with the recalling firm to achieve a mutually acceptable recall program. The other challenge is getting consumers to comply

with the recalls. CPSC staff is seeking information to better understand what motivates consumers to respond to specific recall notices.

For our first focus group, the Recall Effectiveness Focus Group, a contractor recruited participants from two manufacturers' customer databases related to two recently recalled consumer products. Initially, they were contacted via telephone or email. Upon confirmation that they own/owned the recalled product, they were asked to participate in a focus group to talk about the product and the recall process. The focus groups were helpful in understanding what type of information consumers receive and act upon when a recall personally affects them. Information we received from the focus groups helped support how and what information is presented in CPSC recall notices in the future.

Staff is also interested in receiving input from consumers regarding how they use information received from CPSC's website and data sources. CPSC is in the process of updating our data reporting system pursuant to the Consumer Product Safety Improvement Act of 2009, and will be making this information available to the public in the new Consumer Product Safety Risk Management System (CPSRMS). In order to assure that the system is user friendly, staff anticipates conducting focus groups to determine how consumers will use the data system. These focus groups are likely to take place under the current approval period and into an extension period for which staff is requesting.

Staff is also planning a large public awareness campaign for the new Virginia Graeme Baker Pool and Spa Safety Act. In order to make this campaign the most successful as possible, staff contracted to conduct focus groups with a variety of consumer groups—parents, youth, adult consumers, and community opinion leaders. CPSC is seeking to amend the clearance to accommodate these additional focus groups. These focus groups consist of typically 8-12 participants and one-on-one interviews conducted by telephone or in-person.

2. Use and sharing of collected information

The information collected from the Consumer Focus Groups will help shape the Commission's evaluation of consumer products and product use by providing insight and information into consumer perceptions and usage patterns. Such information may also assist the Commission in its voluntary standards activities, and help the staff identify areas regarding consumer safety issues that need additional research. Based on the information obtained, the staff may be able to provide safety information to the public that is easier to read and is more easily understood by a wider range of consumers. The Consumer Focus Groups also may be used to solicit consumer opinions and feedback regarding the effectiveness of product recall communication and consumer responses. This may aid in tailoring future recall activities to increase the success of those activities by allowing the staff to make more informed, specific, and focused recall packages designed to motivate consumers to respond appropriately to the recalls. The information may also be compiled and incorporated into the CPSC Recall Handbook that is distributed to manufacturers, importers, and retailers who are conducting a recall. In

addition, the information will assist with forming new ways of providing user friendly data to consumers through CPSC's website and public affairs campaigns.

3. *Use of information technology (IT) in information collection*

All information collection will be audio and video recorded. The information will then be transcribed and summarized into a final report.

4. *Efforts to identify duplication*

The intent of the Focus Groups is to obtain information that is not readily available elsewhere. The information collected will not just be hypothetical consumer opinions, but will be what consumers actually did and thought regarding a specific product issue. **The information will also be about how consumers use CPSC data and information and how CPSC can make that information more accessible and usable.**

5. *Impact on small businesses*

The information will not be collected from small businesses or other small entities. Individual consumers will participate in the focus groups.

6. *Consequences to Federal program or policy activities if collection is not conducted or is conducted less frequently*

If this information is not collected, the Commission may not have available certain useful information regarding consumer experiences, opinions, and perceptions related to specific product use, which the Commission uses, in part, in its ongoing efforts to improve the safety of consumer products and safety information on behalf of consumers. Currently, the Commission staff relies on their expert judgment about consumer behavior, perceptions, and similar information related to consumer products and product use. Not conducting the information collection activity, therefore, would not reduce the quality of assessments currently completed by the staff. However, conducting the information collection activity would likely provide the staff with evidence that would focus the staff's assessments, or could provide insight into consumer perceptions and usage patterns that could not be anticipated by the staff. Hence, conducting the information collection activity would likely improve the quality of the staff's assessments.

7. *Special circumstances requiring respondents to report information more often than quarterly or to prepare responses in fewer than 30 days*

Not applicable.

8. *Agency's Federal Register(FR) Notice and related information*

The first FR notice announcing CPSC's intent to request an extension of approval of information collection requirements was published on January 18, 2007 (72 Federal Register 2264). The second FR announcement was published on April 25, 2007.

9. Decision to provide payment or gift

It is anticipated that a cash incentive will be provided to participants. It is standard industry practice to provide monetary incentives to those individuals who participate in the focus group session, along with meals, snacks and beverages prior to their focus group. This honoraria covers the cost of transportation to and from the facility, parking, and childcare (if necessary), as well as compensation for the time they are spending to attend the group. Without the incentives, the cost for recruitment would increase greatly, and would likely result in a less diverse group with a lower attendance rate. In our first planned focus group, Recall Effectiveness Focus Group, the contractor will provide a \$75 cash incentive to participants.

10. Assurance of confidentiality

None of the participants will be specifically identified by their full name. To facilitate open conversations, individual's first names will be used during the session and therefore will be recorded on the audio and video tapes. However, the audio and video tapes will not be released to the public. Only demographic information will be generalized in the final report and none of the responses in the final report will be attributed to any specific individual. In our planned Recall Effectiveness Focus Group, the responses will be summarized and analyzed by the contractor in a final report along with the contractor's suggestions for implementing the results. None of the responses will be specifically attributed to any one identifiable individual. In addition, only demographic information about the individual participants will be made public in the final report.

On a strictly confidential basis, two volunteer manufacturers' customer databases will be used to recruit participants for the focus groups. The databases will not be kept by the Consumer Product Safety Commission, but will be passed on to the contractor who will destroy any records of it after completion of the focus groups.

Based on a review of the proposed information collection activities, staff has found that the Privacy Act does not apply because no electronic information system or records subject to the Privacy Act will be created or maintained by the Commission. No system of records is created. A copy of the staff Privacy Impact Assessment is attached as a supporting document. (to be added once completed)

11. Questions of a sensitive nature

Not applicable. The staff will not pose questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, or other matters commonly considered private.

12. Estimate of hour burden to respondents

The staff's original estimate was that The focus groups will take between 1 ½ to 2 hours. Therefore, including travel time, a maximum of 4 hours of burden will be placed on any one participant. Total burden is 4 hours per person x 48 participants = 192 total hours per year (576 hours budgeted for the three years). Total annual hours 192 x \$26.86 (U.S. Department of Labor, Employer costs for Employee Compensation, 2006) = \$5,517. However, staff needs to increase the burden estimate (additional 105 respondents, additional 329 burden hours, and additional burden cost of \$79,568) to include the following two new focus group initiatives.

Staff anticipates that 3-6 focus groups will be contracted for the CPSRMS project. The total hours of burden to the respondents are 4 hours per respondent x 72 respondents = 288 hours (96 hours budgeted per year for three years). The cost is equal to 288 hours x \$29.40 (U.S. Department of Labor, Employer costs for Employee Compensation, September 2009) = \$8,467 (\$2,822 budgeted per year for three year period).

The Virginia Graeme Baker Pool and Spa Act (VGBPSA) focus groups have already conducted 12 focus groups with a total of 103 participants. In addition, 26 in-depth one-on-one interviews with 26 respondents. These interviews lasted between 20 and 30 minutes each and were conducted either on the phone (so no travel was involved) or in person at a trade show the participants were already attending (so no travel specifically for these interviews was involved). The total hours of burden to the focus group respondents are 4 hours x 103 participants = 412 hours (137 hours budgeted per year for three years). The total costs is equal to 412 x \$29.40 (U.S. Department of Labor Employer costs for Employee Compensation, September 2009) = \$12,113 (\$4,038 per year for three year period). The total hours of burden to the one-on-one respondents are 30 minutes x 26 respondents = 13 hours (4 hours budgeted per year for three years). The total hours cost is equal to 13 hours x \$29.40 (U.S. Department of Labor, Employer costs for Employee Compensation, September 2009) = \$382 (\$127 budgeted per year for three year period).

13. *Estimate of total annual cost burden to respondents*

Not applicable, see 12 above.

14. *Estimate of annualized costs to the Federal government*

The estimated annual cost of the information collection requirements to the Federal government is approximately \$100,000. This sum includes 5 staff months and travel costs expended for meeting with contractors and conducting and/or observing focus groups. This is based on the four focus groups conducted in 2007, the focus groups conducted for the VGBPSA, and 6 focus groups planned for the data systems project.

15. *Program changes or adjustments*

Not applicable.

16. *Plans for tabulation and publication*

The Commission has no plans to publish this information. Because CPSC does not plan to disseminate the data collected, the requirements of the OMB and the CPSC Information Quality Guidelines do not apply.

17. *Rationale for not displaying the expiration date for OMB approval*

Not applicable.

18. *Exception to the certification statement*

Not applicable.

B. Statistical Methods – Collection of information will not employ statistical methods.