

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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<http://oversight.house.gov>

February 12, 2020

Jon Chamberlain
Chief Executive Officer
Evenflo Company, Inc.
225 Byers Road
Miamisburg, OH 45342

Dear Mr. Chamberlain:

The Subcommittee on Economic and Consumer Policy requests documents and information on Evenflo's "Big Kid" belt-positioning booster seat.

ProPublica recently reported that Evenflo's "Big Kid" seats are not safe for children under 40 pounds. Videos of Evenflo's side-impact tests for the "Big Kid" seat show child-sized test dummies bending violently at the hip, torsos, and neck, as well as test dummy heads being thrown to the side. This video evidence appears to present a high risk of serious injuries to the head, neck, and spine.¹

Evenflo has marketed the "Big Kid" seat as safe and "Side Impact Tested." That safety representation appears to be inconsistent with the video evidence of side impact testing. In fact, your company's internal tests appear to show that side impacts could put children sitting in the "Big Kid" seat in grave danger.

In order to assist the Subcommittee in its review of this matter, please provide the following information by February 24, 2020, regarding "Big Kid" and other belt-positioning booster seats marketed or sold by Evenflo:

1. All impact test videos, including side-impact test videos; and
2. All documents referring or relating to the following:
 - a. Labeling concerning the age, weight, and height of children for whom the seat is intended, including on marketing materials, packaging, instructional materials, or the seat itself;

¹ *Evenflo, Maker of the 'Big Kid' Booster Seat, Put Profits Over Child Safety*, ProPublica (Feb. 6, 2020) (online at www.propublica.org/article/evenflo-maker-of-the-big-kid-booster-seat-put-profits-over-child-safety).

- b. Labeling of safety-related terms, including “Side Impact Tested,” on marketing materials, packaging, instructional materials, or the seat itself;
 - c. Labeling of potential risks, including “Serious Injury or Death,” on marketing materials, packaging, instructional materials, or the seat itself;
 - d. Safety and risk standards used by Evenflo in connection with side-impact testing, including what constituted a “passing” result; and
 - e. Actual results and records of impact and other safety testing; and
3. All communications with the U.S. federal agencies referring or relating to safety standards; and
 4. All communications with Canadian regulators relating to any recall.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. An attachment to this letter provides additional instructions for responding to the Committee’s request. If you have any questions regarding this request, please contact Subcommittee staff at (202) 225-5051.

Sincerely,



Raja Krishnamoorthi
Chairman
Subcommittee on Economic and Consumer Policy



Katie Porter
Member of Congress

Enclosure

cc: The Honorable Michael Cloud, Ranking Member,
Subcommittee on Economic and Consumer Policy