



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

ACTING CHAIRMAN ANN MARIE BUERKLE

June 7, 2019

The Honorable Robert Menendez
United States Senate
528 Hart Senate Office Building
Washington, DC 20510

The Honorable Mark R. Warner
United States Senate
703 Hart Senate Office Building
Washington, DC 20510

The Honorable Tim Kaine
United States Senate
231 Russell Senate Office Building
Washington, DC 20510

The Honorable Cory A. Booker
United States Senate
717 Hart Senate Office Building
Washington, DC 20510

Dear Senators Menendez, Warner, Kaine and Booker:

Thank you for your May 2, 2019, letter regarding the safety of beach umbrellas. I directed our technical staff to examine this issue and provide responses to your questions.

Your questions are repeated below in bold, followed by our responses.

1. What if any safety standards does the CPSC have in place to adequately prevent beach umbrella-related injuries?

CPSC does not have any mandatory regulations for any type of beach umbrella and staff is not aware of the existence of any voluntary standards specifically for beach umbrellas.

2. Does CPSC believe any particular safety standard could prevent injuries?

Technical staff does not believe a safety standard would have a substantial effect on injuries from beach umbrella incidents. The majority of incidents are the result of wind loading from improper or insufficient staking in the ground. Additionally, the potential wind loads, especially on open beaches, to which a

beach umbrella may be subjected to can be substantial and vary greatly and rapidly. In considering how to address this hazard technical staff considered the following approaches:

A performance standard could be developed to require increased durability to reduce the risk of structural failure, but this would not likely address wind load related incidents. In fact, it could increase the number of incidents of "blow away." As staking is considered the primary cause of "blow away" type incidents, requiring an increase in structural integrity of beach umbrellas could increase the risk of injury as products could become heavier resulting in more serious injuries from any impact.

Requiring umbrellas to contain venting may reduce the risk of "blow away" incidents under certain conditions. Some beach umbrellas do contain venting features but it is unclear how effective this feature is and how much wind load these designs manage, as open beaches can have very substantial wind loads that are unlikely to manage high wind gusts successfully.

Development of a staking requirement similar to tents and inflatables is possible, but staking is dependent on multiple variables including the installation by a consumer. This would require a consumer to have more than a basic understanding of sand conditions or other factors that may require specific installation procedures. The elimination of certain types of components, such as a straight tip in favor of a "screw type" helical end, could be considered but would require further evaluation by staff.

A labeling requirement to have warning labels on beach umbrellas could be developed; however, warning labels are not considered to be as effective as eliminating the hazard by design.

3. What is the CPSC doing to educate the public regarding the dangers of beach umbrellas?

There is currently no CPSC-led public education campaign regarding beach umbrellas. CPSC technical staff believes that an information sheet on the potential hazards could be developed. Proper set-up, staking, and/or anchoring is the most important factor, but it may be difficult to provide specific recommendations as beach conditions can vary widely.

4. Has the CPSC received complaints regarding the dangers of beach umbrellas?

CPSC has received reports of beach umbrella incidents. Please see the response to question 6 for specific information on the number and types of incidents.

5. Is the CPSC aware of problems with specific beach umbrellas that have not been made public?

CPSC technical staff is not aware of any problems specific to a particular product.

6. Can the CPSC provide a detailed breakdown of data on umbrella injuries? Specifically, how many injuries are specifically caused by beach umbrellas?

CPSC is aware of 15 beach umbrella-related incidents that were reported to have occurred since 2010 through May 19, 2019. Among the 15 incidents:

- One resulted in a fatality when an umbrella blew away in the wind and stabbed the victim in the chest.
- Three more incidents required emergency department visits due to 1) victim's shin getting pierced by an umbrella; 2) victim suffering severe laceration of the thumb when umbrella broke; and 3) victim getting impaled in the chest by umbrella.
- Most of the incidents reported structural integrity issues with the umbrella or the failure of the umbrella to withstand winds by the ocean.

Over the nine year period 2010-2018, an estimated 2,800 beach umbrella-related injuries were treated in emergency departments nationwide. A majority of the injuries were caused by a wind-blown umbrella.

- Nearly half the injuries sustained were lacerations.
- About half the victims were females, between the ages of 18 and 64 years.
- Most of the victims were treated and released from the emergency departments.

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Thank you again for your letter and interest in addressing this safety hazard. Should you or your staff have any questions, please do not hesitate to contact me or Chris Hudgins, Director of Legislative Affairs, at chudgins@cpsc.gov or (301) 504-7853.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Ann Marie Buerkle". The signature is written in a cursive style with a large initial "A".

Ann Marie Buerkle

Acting Chairman