

Congress of the United States
Washington, DC 20515

May 2, 2019

Elliot F. Kaye
Chairman, U.S. Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20814

Dear Chairman Kaye,

We write regarding concerns about the safety of beach umbrellas. Recently, we heard from constituents impacted by flying beach umbrellas, which have caused injury, and in at least one recent case, death. As you know, beach umbrellas provide beachgoers the benefits of shade on hot and sunny days at the shore. Yet, a burst of wind can make these summer accessories harmful to those around them. According to a query on the Consumer Product Safety Commission's own website, from 2008-2017 over 31,000 people sought treatment at a hospital due to an umbrella-related injury.¹ Unfortunately, the CPSC does not parse out the data to differentiate between types of umbrellas. Nonetheless, we request information regarding how the CPSC plans to address this issue.

Over the last several years, reports of horrific injuries resulting from beach umbrellas have splashed across the media. In 2015, a Virginian man lost the use of his eye after a seven-foot-long beach umbrella struck him at Bethany Beach, Delaware.² Last year, a beach umbrella came loose from the sand in Seaside Heights, New Jersey impaling a British tourist through the ankle.³ That same summer a woman sitting on the beach in Ocean City, Maryland was pierced below the collarbone by a beach umbrella.⁴ Most tragically, in June 2016, a Virginia resident lost her life after a gust of wind launched an umbrella into the air, striking her in the torso while she was on vacation in Virginia Beach.⁵ The scourge of beach umbrellas is not a new phenomenon. In 2006, a woman in New York received \$200,000 from New York State because of injuries she

¹<https://www.cpsc.gov/cgibin/NEISSQuery/CaseDetail.aspx?JobId=pznqTQO19AxuwgvDBfsOcw%3d%3d&Title=9OYR9kUytIsLilKZieD5xg%3d%3d&OutputFormat=9OYR9kUytIsLilKZieD5xg%3d%3d&Type=v0Dpcp2JcG93HTGffrGMT6V6GBbmxC9Tf%2fm5FmggZlM%3d&UserAff=XNTlUuA3gVTx5UjCJb8RMA%3d%3d&UserAffOther=q2Lg9NPVMhu98FY2a8SHCCy3Gxna5Ux5msw9XGAgxx4%3d>; <https://www.today.com/home/best-way-secure-your-beach-umbrella-so-it-won-t-t134327>

² https://www.vice.com/en_us/article/j5ngjg/how-to-not-get-killed-by-beach-umbrellas-according-to-a-guy-who-would-know

³ <https://www.foxnews.com/us/woman-impaled-by-beach-umbrella-on-new-jersey-shore>

⁴ <https://abcnews.go.com/US/woman-impaled-chest-umbrella-maryland-beach/story?id=56752260>

⁵ https://www.washingtonpost.com/local/woman-56-killed-by-wind-driven-umbrella-at-virginia-beach/2016/06/09/9de2a770-2e3d-11e6-b5db-e9bc84a2c8e4_story.html?utm_term=.fe84c6ff7548

sustained from an airborne beach umbrella in 1999;⁶ the umbrella struck her forehead resulting in 13 stitches and permanent nerve damage.⁷

To ensure the public is equipped with the most updated information, we request responses to the following questions:

1. What if any safety standards does the CPSC have in place to adequately prevent beach umbrella-related injuries?
2. Does CPSC believe any particular safety standard could prevent injuries?
3. What is the CPSC doing to educate the public regarding the dangers of beach umbrellas?
4. Has the CPSC received complaints regarding beach umbrellas? If so, what do those reports indicate about injuries related to beach umbrellas?
5. Is the CPSC aware of problems with specific beach umbrellas that have not been made public?
6. Can the CPSC provide a detailed breakdown of data on umbrella injuries? Specifically, how many injuries are specifically caused by beach umbrellas?

We appreciate CPSC's willingness to take a direct look at the concerns raised by our constituents, and look forward hearing back from you by June 3, 2019. Should you have further questions please contact Shelby Boxenbaum in Senator Menendez's office at 202-224-4744 or Rafi Martina in Senator Warner's office at 202-224-2023.

Sincerely,



Robert Menendez

United States Senator



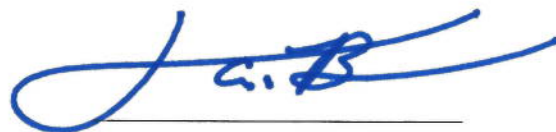
Mark R. Warner

United States Senator



Tim Kaine

United States Senator



Cory A. Booker

United States Senator

⁶ <https://www.nytimes.com/2006/05/18/nyregion/18umbrella.html>

⁷ *Id.*