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Cause of Action Demands Investigation of CPSC for Waste, Abuse and Mismanagement Relating to Buckyballs Matter

WASHINGTON – [Cause of Action](#) (CoA), a government accountability organization, sent a letter Wednesday to the Consumer Product Safety Commission (CPSC)'s Inspector General (IG) seeking an investigation of CPSC for improprieties related to its investigation of Mr. Craig Zucker, the former CEO of the company that sold Buckyballs. The CPSC's investigation led to waste of taxpayer dollars and forced Mr. Zucker to expend considerable resources to defend himself.

"The CPSC's actions regarding Craig Zucker were never about consumer safety, they're about punishing an entrepreneur who spoke out against the agency's overzealous, overreaching activity," said CoA Executive Director Dan Epstein. "The IG's role is to prevent and root out fraud, waste, abuse and mismanagement. Therefore, it must investigate the CPSC's behavior concerning Mr. Zucker."

CoA's request ([hyperlink here](#)) centers on 3 primary allegations:

- **CPSC Made Material Misrepresentations in its Amended Complaints** - Former CPSC Executive Director Kenneth Hinson and CPSC Assistant General Counsel Mary B. Murphy claimed that they obtained Commission authorization to amend CPSC's original Complaint against Mr. Zucker's company and to potentially hold Mr. Zucker personally responsible for conducting a recall. But they never obtained such authorization, in violation of CPSC regulations and Mr. Zucker's due process rights.
- **CPSC Retaliated Against Mr. Zucker for his Exercise of First Amendment Rights.** Mr. Zucker aggressively defended his actions in numerous forums, and CPSC responded by pursuing the complaint against Mr. Zucker personally in an attempt to deter him and other corporate officers from exercising their rights to free speech. Never before in the history of CPSC had an action been filed to require an officer or former officer of a company to personally conduct a recall.
- **CPSC Failed to Comply with the IQA and FOIA.** In connection with this matter, CPSC's actions demonstrated its failure to comply with its information collection, dissemination and quality requirements under the Information Quality Act (IQA) and the Freedom of Information Act (FOIA). CPSC made public statements that failed to include information required by the IQA and/or were inconsistent with the facts. CPSC also failed for months to respond to a FOIA request for records relating to the Buckyballs investigation and the prosecution of Mr. Zucker. As a result, CoA was forced to file an IQA petition (on Mr. Zucker's behalf) and a FOIA lawsuit.

About Cause of Action:

Cause of Action is a non-profit, nonpartisan government accountability organization that fights to protect economic opportunity when federal regulations, spending and cronyism threaten it. For more information, visit www.causeofaction.org.

To schedule an interview with Cause of Action's Executive Director Dan Epstein, contact Mary Beth Hutchins, mary.beth.hutchins@causeofaction.org

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