

The data that does exist on unintentional shooting deaths and injuries comes from the National Center for Injury Prevention and Control (NCIPC) at the Centers for Disease Control and Prevention (CDC). This data does not delineate deaths from defective firearms. According to NCIPC, 802 Americans were unintentionally shot and killed in 2001 alone.⁹ That same year, an additional 17,696 people were treated in emergency rooms for nonfatal, unintentional shooting injuries.¹⁰ Using these statistics, for every one victim that dies in an unintentional shooting, 22 survive with injuries.

This study details what is known about defective firearms, the gun industry's response to the problem, and suggests a comprehensive solution to reducing deaths and injuries from such products. The study also contains three Appendices that list known warnings and/or recalls of 1) Handguns, 2) Rifles, and 3) Shotguns. The appendices are broken out by type of firearm; listed alphabetically by maker and within that chronologically by date of first known public advisory.

Section One: Defective Firearms—Defective Regulation

Regulatory jurisdiction under the CPSC extends to approximately 15,000 different “consumer products.”¹¹ Virtually every product used for household or recreational use falls within CPSC’s jurisdiction, including everything from baby walkers to coffee makers to all-terrain vehicles. The agency even has jurisdiction over pellet and BB guns.¹²

Unfortunately, current federal standards regulating consumer products *do not* apply to firearms or ammunition sold in the United States. In fact, domestically produced firearms and ammunition are specifically *excluded* from any regulation by the CPSC.¹³

⁹ While these numbers are shocking, they actually reflect a decrease in the number of victims killed unintentionally. Overall, from 1993 to 2001, the NCIPC reports that rates of unintentional firearms deaths fell by 46 percent—down to an average rate of .28 per 100,000. Such reductions may not necessarily represent a drop in the number of victims suffering unintentional gunshot wounds, however, but only a reduction in the number of victims who actually *die* from their injuries. For example, among the unacknowledged factors that may be contributing to this current trend are improvements in trauma care, which increases the chances of surviving an unintentional shooting.

¹⁰ Data on nonfatal injuries collected by the National Electronic Surveillance System, Consumer Product Safety Commission from WISQARS Nonfatal, <http://www.cdc.gov/ncipc/wisqars/default.htm>.

¹¹ CPSA §3, 15 USC §2052.

¹² Although some have suggested that CPSC be given jurisdiction over firearms, the agency is not well-suited for the task. At present, CPSC lacks the resources to adequately oversee the products currently within its jurisdiction. In light of the agency's resource deficiencies and the Department of Justice's (DOJ) expertise in the area, CFA recommends that DOJ be empowered with health and safety authority over firearms and ammunition. Additionally, non-powder firearms should be removed from CPSC's jurisdiction and placed with DOJ.

¹³ With the exception of tobacco and firearms, the following products are exempt from CPSC regulation primarily because they fall under the jurisdiction of another agency: motor vehicles or motor vehicle equipment; tobacco and tobacco products; pesticides; firearms and ammunition; aircraft, aircraft engines,