



The NCAA News  
**News & Features**

SENATE STATE ADMIN.

EXHIBIT NO. 44DATE 3.21.05SERIAL NO. HT19

The NCAA News — May 13, 2002

## Federal agency denies request for ruling on bats

The U.S. Consumer Product Safety Commission has denied a petition from I.W. McKay Jr. asking the commission to issue a rule requiring that all non-wood baseball bats perform like wood bats.

In an April 5 letter, CPSC Secretary Todd Stevenson advised McKay, a long-time critic of many non-wood bats, that he had failed to demonstrate that non-wood bats posed an increasing risk of injury to pitchers. Quoting National Injury Surveillance System data, Stevenson wrote: "Of 51 deaths due to ball impact from January 1991 to January 2001, 17 were identified as being due to impact with a batted ball. Of those 17, eight were reported to have involved non-wood bats. But deaths also occurred involving wood bats (two) and thrown balls (18)."

The CPSC letter noted that NCAA data for the 1990s are incomplete, but the information that is available does not reveal a significant increase to injuries to pitchers.

The CPSC also examined the possibility that non-wood bats propel the ball at a speed that exceeds a pitcher's ability to react. Acknowledging that non-wood bats "in some test conditions may produce speeds near a pitcher's limit to react," the CPSC said that "factors other than reaction time may also determine whether a pitcher is injured. As for the severity of injury, being struck by any batted ball can produce serious injury. You (McKay) have provided no information, nor is the commission aware of any, that injuries produced by balls batted with non-wood bats are more severe than those involving wood bats."

As for whether a rule is reasonably necessary to address an unreasonable risk of injury, the CPSC letter stated: "Developing requirements for non-wood bats would be a complex matter. Essentially, the commission would need to determine what is an unsafe level of play and what performance requirements for bats are necessary to bring them to a safe level. Current data and information are not sufficient for this task."

[Open in new window](#)

[NCAA Online Home Page](#)

© 2002 National Collegiate Athletic Association