



U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

May 19, 2010

**STATEMENT OF CHAIRMAN INEZ M. TENENBAUM ON THE COMMISSION
DECISION REGARDING THE FINAL RULE ON THE MANDATORY SAFETY
STANDARD FOR INFANT BATH SEATS**

Today, I am pleased to vote for a final rule establishing mandatory safety standards for infant bath seats. This new mandatory standard is the first of many federal juvenile product rules to come. Under Section 104 of the Consumer Product Safety Improvement Act (CPSIA) of 2008, the Commission has been empowered to assess and develop safety standards for certain durable infant products. Where existing voluntary standards are sufficiently protective we can make them mandatory. Where, however, existing voluntary standards fall short, we are charged with improving on those standards before making them mandatory.

The use of infant bath seat and rings, designed to assist in bathing a child from around 5 months old to around 10 months, has presented a challenge for this agency. There have been cases of injury in the presence of a caregiver. Too often, however, caregivers have stepped away from the child briefly to answer the phone or to retrieve a towel, only to return to find an infant has nearly lost, or lost, his or her life. As Chairman, I believe that a public education campaign warning parents and other caregivers about the high degree of danger associated with leaving children unattended in a bathtub, with or without a bath seat, is an initiative that the agency and especially the juvenile products industry leaders should initiate to help prevent such incidents from occurring in the future.

Between 1983 and November of 2009, bath seats have been associated with 174 fatalities, and 300 nonfatal incidents. Over the years, ASTM, the voluntary industry standard setting organization, has tried to address hazards relating to the use of bath seats and rings. Despite these efforts, the number of deaths and injuries associated with the use of these products has continued to increase, and new and unforeseen hazards have been discovered, such as the breaking of arms designed to secure a seat to a tub. Further, despite the 2004 revisions to the ASTM voluntary standard, between 2004 and November of 2009, 119 incidents (47 fatal and 72 nonfatal incidents) were associated with bath seats or bath rings. Of these incidents, 77 were associated with seats that met the stability requirements added in 2004 voluntary standard. Although no deaths have been reported for bath seats certified to the 2007 standard, 4 nonfatal incidents have been associated with these newer products.

For the Final Rule, the Commission considered the ASTM F1967-08a voluntary standard. The standard created by the Final Rule improves upon the voluntary standard to create one that we believe will be more protective of infants when a caregiver uses these products. At this time, we are not aware of any products on the market that could be certified to this mandatory standard. Under

Section 104 of the CPSIA, however, we are tasked with ensuring that mandatory durable product standards “provide the highest level of safety for such products that is feasible,” and that is what we have achieved today.