

U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, D.C. 20207

NOTIFIED  
 No comments made  
 Comments attached  
 Excisions/Revisions  
 Firm has not requested  
further notice

2/5/98 JLB

LOG OF MEETING

SUBJECT: CHILDREN'S SLEEPWEAR FLAMMABILITY STANDARDS  
DATE OF MEETING: DECEMBER 17, 1997  
PLACE OF MEETING: CPSC HEADQUARTERS/ROOM 725  
LOG ENTRY SOURCE: PAMELA L. WELLER  
DATE OF ENTRY: DECEMBER 24, 1997  
COMMISSION ATTENDEES:

COMMISSIONER THOMAS MOORE  
PAMELA L. WELLER, COUNSELOR TO COMMISSIONER MOORE  
MARGARET NEILY, CPSC/ENGINEERING

NON-COMMISSION ATTENDEES:

LARRY MARTIN, AAMA; MARY HOWELL, AAMA; PATRICIA ADAIR,  
NATIONAL COTTON COUNCIL; TONY O'NEILL, NFPA; BRIAN AXELL,  
INTERNATIONAL MASS RETAIL ASSOCIATION; BRUCE NAVARRO, NAVARRO  
LEGISLATIVE & REGULATORY AFFAIRS; CHRISTINE EAMES, PRODUCT SAFETY  
LETTER

SUMMARY OF MEETING:

The AAMA requested the meeting to show Commissioner Moore several children's sleepwear garments that have been returned to the manufacturers from retailers who claim the garments are not marketable. Mr. Martin also gave the Commissioner copies of their letter to Margaret Neily in which they discussed the technical changes to the sleepwear standard which staff is reviewing and copies of letters from manufacturers indicating they might not sell the garments made to CPSC specs. as they are too small (copies attached).

The Commissioner indicated that staff was looking at some limited technical corrections to the sleepwear standards, but that the Commission's main concern is safety, not marketability. He said that staff is convinced that cotton sleepwear garments must be tight-fitting to be safe and the consumer needs to understand why these garments are on the market. The Commissioner also said he understood that there were manufacturers who were making the garments and that they were not experiencing the difficulties in selling them that AAMA has presented.

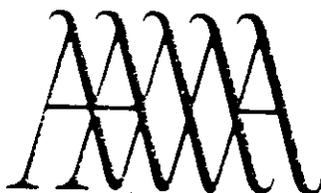
The Commissioner said he had seen some misrepresentations in print about the industry's commitment to the information and education campaign and those misrepresentations were coming from outside sources, not CPSC. He said he understood why industry

had, with Commission acquiescence, put the i&e campaign on hold while the staff looked at the necessity for the technical changes. He also said, however, that once it was decided if there would be any changes and what they would be that the i&e campaign needed to go forward. Mr. Martin responded that the AAMA was prepared to do that, but they couldn't go forward until they knew if their members would actually be marketing the garments.

The Commissioner said he understood that, but that if garments were out there being marketed, there would be an i&e campaign one way or the other. He didn't want to see a situation where manufacturers began to slip into the market without there being an i&e campaign to educate the buying public.

Ms. Neily indicated that the package recommending options with regard to possible technical amendments would probably be to the Commission in February of 1998.

The Commissioner thanked the AAMA for coming in to present their views.



AMERICAN APPAREL MANUFACTURERS ASSOCIATION

October 6, 1997

Ms. Margaret Neily  
CPSC  
Fax" 301-504-0121

Dear Margaret:

I apologize for the tardiness in responding to your fax of September 23. Allison Wolf's departure left us somewhat disorganized. I believe, however, that we now have our house in order and future CPSC work will be the responsibility of Mary Howell and myself.

In regard to the September 8 paper titled "For Discussion", we have the following thoughts:

- 1. Measurement of upper arm:** You suggest the measurement should be made halfway between the shoulder and the elbow. We suggested the measurement should be made 2" down from the sleeve seam on infant and toddler sizes up to 4T, and 3" down from the sleeve seam on larger sizes. Your indication that different measuring points could be selected for each size group would appear to allow for incorporation of our recommendation.  
  
We also recommended that the arm measurement should be at least 2" larger than currently permitted. We see no reference to this measure in the September 8 document, and we would like to renew our recommendation.
- 2. Measurement of seat:** You leave open the question of how far above the crotch the measurement should be made. We renew our recommendation that it be made 4" above the crotch in all sizes.
- 3. Measurement of thigh:** Again, you leave open the question of how far below the crotch seam the thigh should be measured. We suggest the proper place would be 1 1/2" below the crotch seam for all sizes.
- 4. Sweep measurement on the top of a 2-piece garment:** We would like to renew our suggestion that sweep should be defined as the bottom of the top

piece of the garment, that its measurement should be equivalent to the chest. Further, we recommend that waist should be identified as the top of the bottom piece of the garment and should not be considered in measurements of the top.

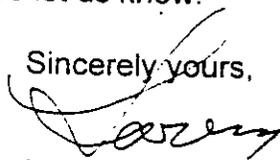
We cannot agree that the shirt of tight-fitting underwear be constructed in an hour glass shape. It is our position that if any dimension of the shirt body is less than the chest measurement, the child is going to have a very difficult time getting the garment on and off. Therefore, we feel that the minimum width on the shirt body should be no less than the chest measurement. We would like to have the sweep to be equal to the seat dimensions. However, we will agree for it to be equal to the chest dimension.

5. **Chest measurement:** The September 8 document does not refer to chest Measurements. We renew our suggestion that the chest should be measured 1" below the armhole on all sizes.

Our members are concerned that the provisions outlined in the September 8 document are inadequate to satisfy consumer needs. Many of them have told us that unless the specifications can be changed to meet those needs, they will have no alternative but to exit that market.

We appreciate the opportunity we have had to work with you and your colleagues on the project. We hope our suggestions are helpful and, if you have any questions, please let us know.

Sincerely yours,



Larry K. Martin  
President

**AMERICAN MARKETING ENTERPRISES INC.  
10 WEST 33RD STREET  
NEW YORK CITY, NEW YORK 10001  
SUITE 516  
TEL 212-279-3600 FAX. 212-279-3643  
EMAIL - AMEJILL1@AOL.COM**

TO:AAMA

FAX:1 703 522 6741

ATT:MARY HOWELL

DATE:12/3/97

RE:YOUR LETTER REGARDING THE CPSC

DEAR MS. HOWELL,

PURSUANT TO YOUR LETTER OF NOV. 14TH, 1997, I AM WRITING AS REQUESTED WITH THE FOLLOWING INFORMATION:

OUR CUSTOMERS, KIDS R US AND TARGET, HAVE EXPLAINED THAT THEY HAVE GRAVE MISGIVINGS ABOUT THIS ITEM UNDER THE NEW SPECS.

JOAN RUMFORD OF TARGET STORES TOLD US TODAY, THAT SHE WILL NOT BUY THE CATEGORY IF THE SPECS STAY AS THE CPSC DICTATES.

BETH ANN LITTMAN OF KIDS R US TOLD ME THAT THEY HAVE REALIZED A GREAT NUMBER OF RETURNS OF THE ITEM BEARING THE CPSC SPECS.

BOTH OF THE RETAILERS MENTIONS ABOVE ARE RESPECTED IN THE INDUSTRY FOR SELLING QUALITY MERCHANDISE. THE CONSUMER WILL FEEL THAT THE GOODS BEARING THE NEW SPECS ARE UNDERCUT AND UNDERSIZED. THIS COULD LEAD TO THE ABOVE MENTIONED RETAILERS AS BEING VIEWED TO SELL UNDERSIZED MERCHANDISE.

THIS IS THE FEED BACK FROM TWO OF OUR MAJOR CUSTOMERS. THIS WILL LEAD TO MORE OF OUR CUSTOMERS EXPRESSING THE SAME FEELINGS. THE LOSS OF SALES TO OUR COMPANY WILL HAVE AN IMPACT OF EPIC PROPORTIONS . THE CPSC FAILS TO REALIZE THAT THE CONSUMER WANTS THE CHILD TO SLEEP IN COTTON GARMENTS WITH A REASONABLE FIT. FURTHERMORE, AT THE MEETING IN WASHINGTON, THE CPSC STATED THAT DURING THE YEARS THE ORIGINAL STAY OF ENFORCEMENT SPECS WERE IN FORCE, THERE WERE NO REPORTED INCIDENTS ATTRIBUTING BURN INJURIES TO THIS ITEM.

SINCERELY,



DENNIS M. SARGENT  
VICE PRESIDENT, AMERICAN MARKETING ENTERPRISES, INC.

## Mary Howell

To: 'JOAN@OUTSIDE <Joan.Rumford@DHCMAIL.COM>'  
Subject: RE: CPSC NEW RULING

Thank you so much for this information. We will most definitely relay this information to the CPSC. I look forward to working with you on this. Thanks again.

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From: 'JOAN@OUTSIDE <Joan.Rumford@DHCMAIL.COM>'  
To: Mary Howell  
Cc: 'TRISH@OUTSIDE <Trish.Perry@DHCMAIL.COM>'; 'GENE@OUTSIDE <Gene.Link@DHCMAIL.COM>'; 'PEGGY@OUTSIDE <Peggy.Lord@DHCMAIL.COM>'; 'TAMMY@OUTSIDE <Tammy.Nadzieja@DHCMAIL.COM>'; 'TRISH@OUTSIDE <Trish.Adams@DHCMAIL.COM>'  
Subject: CPSC NEW RULING  
Date: Monday, December 01, 1997 10:54AM

Hi Mary

I'm the buyer for all girls and boys 4-16 sleepwear and underwear at Target. I have been in contact with Margaret Neely at the CPSC on two separate occasions - both conversations lasting at least 20 minutes. Margaret is quite sure of my concerns and opinions regarding the new rulings. Just to state my position clearly :

**\*\*I am definitely opposed to the new spec. The armhole is the most serious problem, but so are the other measurements. The garment is JUST TOO TIGHT.**

I have conducted live fit sessions here at Target on all of my manufactures garments that were made to the CPSC new spec. In almost 100% of the cases - the garment is too tight on the kid. Mothers are in attendance at these fit sessions and unanimously they have said they WOULD NOT buy this size for their child.

I believe that if I buy this category made to these new specs - the guest will do one of two things - 1) she will return the garment and buy a bigger size (therefore defeating the CPSC intentions) or 2) not buy the garment. I am considering NOT BUYING this category in these specs. This would be a huge loss of volume for us.

ALL of my current vendors know my position. Some of them are being creative and trying to use rib fabrics - but the fact remains that the arms and cuffs etc. are still too tight.

I am also sure that all the other retailers that were in the meeting in Washington a year ago - also agree with this. I think it's ludicrous for the CPSC to say that the retailers are not opposed to these specs. Sears did a huge fit test that was documented on video tape which was given to the CPSC. They did this test together with representatives from all of the major retailers fit specialists in attendance.

Please convey my position to the CPSC and hopefully we can get this straightened out before we put on the sales floor garments that don't fit. If you need any more information from me please feel free to call me at 612-304-6216 or e-mail me at joan.rumford@dhcmail.com. Thank you Mary

Joan

P.S. Please put me on the AAMA mailing list. I did not receive this memo dated 1/14/97 from you - I received it from one of my vendors. It should be addressed to Target Stores

33 So. 6th Street  
Mpls, Mn 55402  
Attention Joan Rumford cc-11o

Also - Peggy Lord would like to be on the AAMA mailing list. She is the  
Infant/Toddler sleepwear and underwear buyer.  
Attention Peggy Lord cc-11a

December 15, 1997

Mary Howell  
American Apparel Manufacturers Association  
2500 Wilson Blvd., Suite 301  
Arlington, VA 22201

**Carter's**

RE: CPSC 16CFR1615/1616 Exemption of tight fitting garments.

Dear Mary:

As we discussed, enclosed please find a sample long underwear top. It is a girl's size 12 year made from knit interlock fabric to the measurement specifications now set to take effect when the stay of enforcement expires in June, 1998.

In Carter's opinion, this product is not marketable and has therefore canceled it's 4-14 boys and girls long underwear program for the 1998 Fall and Holiday seasons. As you can imagine, this decision was not made lightly as it involves a mullet-million dollar market segment.

Sincerely,



Steve Loftin  
Director, Quality Assurance

December 5, 1997

AAMA  
Mary Howell  
2500 Wilson Blvd.  
Suite 301  
Arlington, Va 22201

Re: Enclosed are return garments for tight arms.

Dear Mary:

Enclosed please find two garments returned to us for tight arms. With this is a spec sheet that has the CPSC standard, and our measurements on sample number four (4) and five (5). Notice that the sweep is smaller than the standard, but the complaint is not about the sweep, rather the small arm.

The sample number is in the back of the neck label.

Also, I am enclosing a copy of the return authorization, which gives the name of the customer returning the garments.

I am saving all garments for further use, if needed. Call with any questions. Thanks.

Sincerely,

*David L. Buse*

David L. Buse  
Salant Corporation

SALANT CHILDREN'S APPAREL SPECIFICATIONS

DATE: DECEMBER 19, 1996 SEASON: FALL 97  
 SIZES: 4 - 7 10/23 CPSC SPECS  
 STYLES: DENTON = 276526  
 DESCRIPTION: IN LONG PANT UNDERWEAR WITH HENLEY FLK  
 COST REQUEST # 276-230

CODE: 508 OBS31  
 CPSC STANDARD

GARMENT SIZES	SAMPLE #4	5	SAMPLE #5	+ -
CHEST (BELOW ARMHOLE)	22 1/2	23	23	1
SLEEVE LENGTH (CBN)	19 7/8	20 1/2	19 3/8	1/2
ACROSS SHOULDERS	10 3/4	11 1/8	11	1/2
ARMHOLE	12	11 3/4	12	1/2
FRONT LENGTH (HPS)	17 7/8	17 3/4	17 3/4	3/4
UPPER ARM	7	6 7/8	7	1/2
SWEEP	20	21 1/2	20	1
NECK RELAXED	15 1/4	15	15 1/2	1/2
NECK STRETCHED	22	22	22	MIN
WAIST RELAXED	18 3/4	18 1/2	18 1/2	3/4
WAIST STRETCHED	26	26	26	MIN
SEAT (2 1/2" UP)	24	24	24 1/2	1
THIGH	12 1/2	13 5/8	13 1/4	1/2
FRONT RISE	10 5/8	10 1/4	10 5/8	1/2
BACK RISE	11 1/8	11 1/4	11 1/8	1/2
OUTSEAM	27 1/4	27	27 1/2	3/4
SLV & ANKLE CUFF LENGTH	2	2 1/4	2	1/4
EEVE CUFF OPENING RELAXED	4 3/4	4 7/8	4 3/4	1/4
ANKLE CUFF OPENING RELAXED	5 1/2	6 5/8	5	1/4
PLACKET LENGTH	1 1/2	2	1 1/2	1/4



CHARGEBACK

SHIPPED FROM AT STORE ST. CLOUD, MN

CHARGE TO TOE BOXER

STATE St 302

DATE 11/17/97

668 APPAREL CENTER

DE CODE

MERCHANDISE SHIPPED TO SALANT CHILDRENS APPAREL

REASON FOR RETURN

CHANGED, IT LOOKS

1114 AVENUE OF THE AMERICANS - SHELTON, NY 10036

NEW YORK, NY 10036

ATTN: ROGER HENDERZ

RETURNED FROM OUR PURCHASE ORDER NO. 640378.3

TERMS 636575.5

RETURN AUTHORIZATION NO. 210567

METHOD OF RETURN OR

STYLE NO.	QTY	UNIT COST	EXT. COST	VENDOR NUMBER
299630	11	6.56	71.50	07882
299631	5	6.50	32.50	07882
299631	5	6.50	32.50	07882
297023	5	7.50	37.50	07882
296173	11	9.00	99.00	07882
296154	11	9.00	99.00	07882
296175	11	9.00	99.00	07882
SUBTOTAL			480.46	
FREIGHT IN			11.16	
FREIGHT OUT				
TOTAL			491.62	

RETURN AUTHORIZATION REQUEST NUMBER

LOCATION CONTROL

010 1520

FOR INQUIRY, CONTACT: G.R. HERBERGER'S, INC.

Attn: Clair P.O. BOX ST. CLOUD, MN 56302-0120 320-251-5351

Prepared by Brenda Steiger

Approved by [Signature]





December 15, 1997

AAMA  
Mary Howell  
2500 Wilson Blvd.  
Suite 301  
Arlington, Va 22201

Re: Enclosed are more return garments for tight arms.

Dear Mary:

Enclosed please find two more garments returned to us for tight arms. With this is a spec sheet that has the CPSC standard, and our measurements on sample number one (1) and two(2).

The sample number is in the back of the neck label, and each is a size 18 month.

Also, I am enclosing a copy of the return authorization, which gives the name of the customer returning the garments.

Please note that we have had basically, two (2) styles returned. I can get more garments of other sizes to you, but not today. I hope this is enough for your meeting tomorrow.

Call with any questions.

Sincerely,

*David L. Buse*

David L. Buse  
Salant Corporation

SALANT CHILDREN'S APPAREL SPECIFICATIONS					
DATE:		APRIL 23, 1997		SEASON: FALL97	
SIZES:		6MO-18MO			
STYLES:		299020		299021 299022 299023	
DESCRIPTION: CPSC COTTON UNDERWEAR					
L/S LONG PANT WELT COLLAR AND CUFFS					
CODE:		#347			
CUT # 5841		CUT # 5841 TOLERANCE			
GARMENT SIZES	SAMPLE #1	18MO	SAMPLE #2	+ -	
CHEST (BELOW ARMHOLE)	20	19 1/2	20 1/2	1"	
SWEEP	20	19 1/2	20	1"	
ACROSS SHOULDER	8 7/8	8 3/4	9 3/8	1/2	
BACK LENGTH (HPS)	12 3/4	13	12 5/8	3/4	
SLEEVE LENGTH (CBN)	17 1/2	17 1/2	18 1/4	1/2	
ARMHOLE	10 1/8	10	10	1/2	
MEASURE DOWN SLV AT SHLDR FOR UPPERARM		2 5/8		NONE	
UPPERARM (SEE ATTACHED HOW TO MEAS.)	6 1/4	5 7/8	6 1/4	1/2	
K WIDTH (SEAM TO SEAM)	5 3/4	5 1/4	6	1/2	
BACK NECK DROP	1 1/8	1 1/8	1	1/4	
FRONT NECK DROP	2	2 1/4	2 1/8	1/4	
NECK RELAXED		12 3/4		1/2	
NECK STRETCHED	20 1/2	20 1/2	20 1/2	MIN	
SLEEVE CUFF OPENING RELAXED	4 1/8	4 1/8	4 1/4	1/4	
WAIST RELAXED	17	16 1/2	18	1/2	
WAIST STRETCHED	21 1/2	21 1/2	22	MIN	
SEAT (2 1/2" UP FROM THIGH)	20 1/2	20	20 1/2	1"	
THIGH	11 5/8	11 1/8	11 1/2	1/2	
FRONT RISE	9 1/2	8 3/4	9	1/2	
BACK RISE	9 3/4	9 3/4	9 7/8	1/2	
OUTSEAM	18	17	17 3/4	3/4	
ANKLE CUFF OPENING	5 1/2	5 1/8	5 1/2	1/4	
SLEEVE & ANKLE CUFF LENGTH	1 3/4	1 1/2	1 3/4	1/4	
PLACKET LENGTH		2		1/4	



**CHARGEBACK**

SHIPPED FROM AT ST. CLOUD, MN STATE 56302 DATE 11/12/77 479329  
 CHARGE TO TOE BOX LTD MERCHANDISE SHIPPED TO SABANT CHILDRENS APPAREL  
668 APPAREL CENTER 1114 AVENUE OF THE AMERICANS - ST. PAUL  
CHICAGO, IL 60654 NEW YORK, NY 10036  
 REASON FOR RETURN ARM SLEEVES TOO NARROW ATTN: ROGER MENDEZ

STYLE NO.	QTY	DESCRIPTION OF ITEM	UNIT COST	EXT. COST	RETURN AUTHORIZATION NO.	METHOD OF RETURN	VENDOR NUMBER
299020	11	2R. PJ SET	6.50	71.50	110567	UPS	07882
299021	5	2R. PJ SET	6.50	32.50			07882
299022	5	2R. PJ SET	6.50	32.50			07882
299023	5	2R. PJ SET	7.50	37.50			07882
296173	11	2R. PJ SET	9.00	99.00			07882
296174	11	2R. PJ SET	9.00	99.00			07882
296175	11	2R. PJ SET	9.00	99.00			07882
SUBTOTAL							
FREIGHT IN				11.16			
FREIGHT OUT							
TOTAL			59	442.46			

RETURN AUTHORIZATION REQUEST NUMBER 1520  
 LOCATION CONTROL  
 010 1520  
 FOR INQUIRY, CONTACT:  
 G.R. HERBERGER'S, INC.  
 Attn: Claims Dept.  
 P.O. BOX H 120  
 ST. CLOUD, MN 56302-0120  
 320 - 251-5351  
 Prepared by Brenda Higgins  
 Approved by CA  
 Shipped by



