

Amendment to Window Coverings ANPR to Add Request for Comment

On page 47 of the Federal Register notice, strike the subsection entitled “*D. Voluntary Standard*” and insert the following.

“*D. Reliance on Voluntary Standard*”

If the Commission determines that a voluntary standard is adequate to address the risk of injury associated with corded window covering products, and that substantial compliance with the standard exists in the industry, we must rely on the voluntary standard, in lieu of issuing a mandatory rule. 15 U.S.C. § 2058(b)(2).

If the Commission announces in the Federal Register its intention to rely on the voluntary standard, this would obligate manufacturers, distributors, and retailers to report any product that does not comply with the standard, even a product with no incidents. 15 U.S.C. § 2064(b)(1). Failure to report could result in penalties. 15 U.S.C. § 2068(a)(4).

As explained in the Petition Briefing Package, CPSC engineering staff believes the current version of the ANSI/WCMA voluntary standard would fail to eliminate or adequately reduce the strangulation hazard to children because at least 57 percent of the incidents that occurred could still occur with pull cords and continuous loops on window coverings that meet the current version of the ANSI/WCMA standard.”

On page 54 of the Federal Register notice, in the subsection entitled “Information on Compliance with the Voluntary Standard,” insert the following and renumber subsequent questions accordingly.

“35. As described in section VIII, one regulatory alternative is reliance on the voluntary standard issued by ANSI/WCMA.

- a. Is the ANSI/WCMA standard likely to result in the elimination or adequate reduction of the risk of injury associated with window covering cords?
- b. What effect, if any, would the obligation to report non-compliant products under 15 U.S.C. § 2064(b)(1) have on compliance with the standard?”

On page 54 of the Federal Register notice, in the subsection entitled “Information on Compliance with the Voluntary Standard,” after the question mark in renumbered question 36, insert the following.

“Should the Commission consider this percentage to be ‘substantial compliance’ within the meaning of the CPSA?”