

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

CPSA 6 (b)(1) Cleared
4/13/96
No Mfrs/Prvils/Blts
Products Identified
Excepted by
Firms Notified
Comments Processed

LOG OF MEETING

SUBJECT: MEETING WITH REPRESENTATIVES OF THE WILLIAM CARTER
COMPANY AND COMMISSIONER MOORE
DATE OF MEETING: APRIL 2, 1996
PLACE OF MEETING: CPSC HEADQUARTERS/ROOM 725
LOG ENTRY SOURCE: PAMELA L. WELLER
DATE OF ENTRY: APRIL 2, 1996
COMMISSION ATTENDEES:

COMMISSIONER THOMAS H. MOORE
PAMELA L. WELLER, COUNSELOR TO COMMISSIONER MOORE

NON-COMMISSION ATTENDEES:

JOE PACIFICO, EXECUTIVE VICE PRESIDENT OF MARKETING,
CARTER'S
STEVE LOFTIN, DIRECTOR OF QUALITY ASSURANCE, CARTER'S
MICHAEL R. GALE, DIRECTOR OF GOVERNMENT RELATIONS, AMERICAN
APPAREL MANUFACTURERS ASSOCIATION, INC.
JAMES V. RYAN, HOME SAFETY VOLUNTEER, AARP
JOHN F. KRASNY, TEXTILE TECHNOLOGIST
MAUREEN CISLO, PRODUCT SAFETY LETTER

SUMMARY OF MEETING:

The Carter representatives met with Commissioner Moore, at their request, to express Carter's views on the proposed changes in the infants' and children's sleepwear regulations. ✓

Mr. Loftin stated that Carter's was not a part of any group or coalition, that they were only representing the position of Carter's.

Mr. Pacifico told the Commissioner that Carter's was the largest manufacturer of children's clothes, by unit sales, in the United States and that about 30% of their product line was sleepwear. He also noted that Carter's had retail stores.

Mr. Loftin stated that the continuation of the stay of enforcement would lead to a reduction in safety. He also stated that Carter's had originally objected to the proposed changes in the sleepwear regulation, but had ceased their opposition. Carter's was concerned that cotton products would be continued to

be misused as sleepwear without Commission action.

Mr. Pacifico stated that the six-month size break would lead to confusion in the market and that a 9 or 12 month size break would be better. He indicated that consumers tend to buy size 9 or 12 for 6 month old children and that children are bigger now than they used to be.

Commissioner Moore stated there was a rationale tied to the mobility of children older than six months of age that had led to the staff recommendation. Mr. Loftin noted that CPSC data showed no burn data for infants under one year of age.

Mr. Loftin then stated that whatever the CPSC does, educating the consumer is necessary. He said he gets at least one call a week from a consumer wondering why they can't find children's sleepwear made out of cotton. He said consumers don't know why the sleepwear regulations were put in place and they don't understand the need for tight-fitting cotton garments; he also said that retailers do not under the floor separation rules. He went on to say the CPSC documentation in this area is at least fifteen years old and we need to update our information.

Mr. Pacifico stated that Carter's would like to be part of a consumer education program so that consumers understood the basis of the sleepwear regulations. Commissioner Moore asked if Carter's was willing to label. Mr. Loftin said there have been some past problems with labeling but that it could be part of the educational program.

Commissioner Moore asked Mr. Loftin to explain his earlier point--that not removing the stay would lead to a reduction in safety. Mr. Loftin replied that they were in limbo now. He said that if the stay has merit, then why not go ahead and adopt the staff proposal; and if the stay does not have merit, then get rid of it. He said there was a need to define the ground rules.

Commissioner Moore then asked if the CPSC allows the tight-fitting sleepwear into the market, do they foresee any problem with it. Mr. Loftin stated that tight-fitting cotton garments would not present a problem.

Mr. Gale stated that information and education campaigns were necessary and his association would be willing to participate, although they had not taken a position on the stay of enforcement. Mr. Gale indicated that point of sale information would be critical.

Commissioner Moore then asked if there were any voluntary standards or voluntary enforcement regarding separation of complying sleepwear garments from underwear or playwear. Mr. Gale said there were voluntary standards but no voluntary enforcement, that was left to CPSC. It was also indicated that the retailers were where the enforcement focus should be.

Commissioner Moore asked if it was expected that there would be any serious changes in the industry if the staff proposal were adopted. Mr. Loftin stated that there was one school of thought that the exemption for infants' sleepwear from the tight-fitting requirements would lead to more imports because importers did not like to have to comply with our regulations.

Commissioner Moore stated that what Carter's had to say on sizing seemed to make sense. He pointed out that the sleepwear regulations have been on the books for a long time and the CPSC has to deal with the "if it's not broke, don't fix it" argument. He also indicated that we had no hard data on what certain cotton garments were actually used for and we can only speculate as to their usage for sleepwear.

Commissioner Moore indicated that changing the sleepwear regulation was a very important issue and that he had already given it a great deal of thought and would give consideration to the points made by the Carter representatives. The meeting concluded with Commissioner Moore thanking the Carter representatives for their input in this proceeding.