



January 3, 2023

Mr. Brian Grochal
Director of Product Safety and Quality
BARK
5742 Yank St
Arvada, CO 80002

Dear Mr. Grochal:

On August 22, 2022, ASTM notified the U.S. Consumer Product Safety Commission (CPSC) of the publication of a revised standard, ASTM F2613-22, *Standard Consumer Safety Specification for Children's Chairs and Stools*.¹

On November 8, 2022, the Commission voted unanimously (4-0) to reject the update incorporating ASTM F2613-22, in accordance with staff's recommendation.² The Commission determined that ASTM F2613-22 does not improve the safety of children's folding chairs and children's folding stools compared to the previous standard, ASTM F2613-21.³ Chairman Hoehn-Saric and Commissioner Trumka issued statements that are included in the Record of Commission Action (cited in footnote 2 below).

As ASTM was notified on November 9, the Commission is retaining the existing standard for children's folding chairs and folding stools at 16 CFR part 1232, which incorporates by reference ASTM F2613-21, Standard Consumer Safety Specification for Children's Chairs and Stools, with no modifications (86 FR 26654).⁴

Consistent with the Commission's action, CPSC staff requests that ASTM remove "children's

¹ This letter was prepared by the CPSC staff. It has not been reviewed or approved by, and may not necessarily reflect the views of, the Commission.

² Record of Commission Action (RCA) retrieved at: https://cpsc.gov/s3fs-public/RCAASTMsNoticeofaRevisedVoluntaryStandardsforChildrensChairsandStools.pdf?VersionId=fAzCosdCx6BdKjYyjmiG4_XTYOys3ko.

³ Staff Briefing Package: ASTM's Notice of a Revised Voluntary Standard for Children's Folding Chairs and Children's Folding Stools (16 CFR part 1232) Retrieved at: <https://cpsc.gov/s3fs-public/ASTMsNoticeofaRevisedVoluntaryStandardforChildrensFoldingChairsandStools.pdf?VersionId=BnIN0ySCzYUgLnknczapiT0sScDYEONi>.

⁴ Staff notified ASTM of the Commission decision via email dated November 9, 2022, from Jacqueline Campbell, CPSC Voluntary Standards Coordinator, to Molly Lynyak, Brian Grochal, and Jailynn McGhee.



step stools” from the exemptions and publish a new standard maintaining the rest of the provisions in ASTM F2613-22, including the new requirement and test method for head entrapment (in sections 5.14 Head Entrapment and 6.9 Head Entrapment Test) that are intended to prevent a child’s head from entering hazardous openings bounded by cords, straps, and other elasticized components that are too small for the child to remove their head, and notify CPSC of the new standard. Staff looks forward to working with the subcommittee to address the Commission’s concerns as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Lee".

Kevin Lee
Voluntary Standards Specialist

Enclosure(s): Jacqueline Campbell – CPSC Voluntary Standards Coordinator
Don Mays – Chairman, ASTM Committee F15 on Consumer Products
Molly Lynyak – Manager, Technical Committee Operations