

U.S. Consumer Product Safety Commission

Log of Phone Conversation

SUBJECT: Crib Mattress 104 NPR Package

DATE OF CALL: 2 December 2020

LOG ENTRY SOURCE: Hope Nesteruk

NAME/AFFILIATION OF CONTACT CALLED: Carol Pollack-Nelson, Ph.D. Independent Safety Consulting, LLC

SUMMARY OF CALL:

Dr. Pollack-Nelson requested a short call to address questions she had on the Crib Mattress NPR package. Ms. Nesteruk returned the call, and reminded Dr. Pollack-Nelson that we are in the public comment period, so questions and comments on the NPR should be submitted to the docket. Dr. Pollack-Nelson replied that her questions were needed to form her comments, as there were portions of the package she did not understand.

In particular, Dr. Pollack-Nelson raised questions regarding the numerical incidents counts in Tab C, the Human Factors (ESHF) analysis. Dr. Pollack-Nelson was concerned that the ESHF numbers did not add to the totals seen elsewhere in the package and also did not always total themselves correctly within the memo. Ms. Nesteruk referred Dr. Pollack-Nelson to the following portion of the ESHF memo (Tab C, page 91), which explained ESHF's additional incident data analysis:

To determine the prevalence of hazardous use cases, ESHF staff further examined the incident data for information regarding prone positioning, soft bedding, and gap entrapment. The counts below include staff's observation of factors related to the identified hazards, regardless of the factors' involvement in the specific deaths, injuries, and complaints. Therefore, one incident could be counted in multiple categories. ESHF staff cautions that the counts and percentages below are limited by the lack of sufficient detail in many reports to discern the specific circumstances involved in the incidents.

Dr. Pollack-Nelson questioned why incident data was not provided as an addendum to this package, stating that it is usually done. Ms. Nesteruk reported that attaching incident data is not a common practice with section 104 rulemaking packages, but noted that a group of incident summaries were provided to the ASTM subcommittee on crib mattresses, of which she is a member. Ms. Nesteruk then directed Dr. Pollack-Nelson to submit a FOIA request if she would like to obtain further information on incidents not already provided to ASTM.

Dr. Pollack-Nelson also questioned why soft bedding was not addressed elsewhere in the package. Ms. Nesteruk stated that such comments and questions should be submitted to the docket on Regulations.gov, so they can be addressed through the rulemaking processes.