

## MEETING LOG

**SUBJECT:** ASTM F15.21 Infant Loungers Subcommittee Meeting

**FY 24 OP PLAN ENTRY:** Infant Support Cushions

**DATE OF MEETING:** 5/22/2024

**LOCATION OF MEETING:** Virtual and In-Person at ASTM Headquarters (West Conshohocken, PA)

**CPSC STAFF FILING MEETING LOG:** Ashley Johnson (HSPP)

**FILING DATE:** 6/4/2024

**CPSC ATTENDEE(S):** *In person:* Daniel Taxier (ESMC), Jacqueline Campbell (EXHR); *virtual:* Ashley Johnson (HSPP), Suad Wanna-Nakamura (HSPP), Celestine Kish (ESHF), Tim Smith (ESHF), Kathryn OConnor (EPA), Susan Proper (EC), Stefanie Marques (HSPP)

**NON-CPSC ATTENDEE(S):** Contact ASTM for the full attendee list

### Summary of Meeting:

This meeting of the Infant Loungers Subcommittee was led by the Subcommittee chair, Rachael Shagott. The purpose of this meeting was to discuss the negative votes and other comments on ballot F15.21 (24-01), which included the latest draft of the infant loungers voluntary standard. The ballot closed on April 29<sup>th</sup> and received eight negative votes. All were found persuasive and will move to the task groups for review.

The subcommittee then reviewed the negative votes and other comments, which were presented to the subcommittee in excel spreadsheet form. Most of the substantive comments and subcommittee discussion focused on the following issues: scope, definitions, and side wall height.

1. *Scope and Definitions.* A subcommittee member wanted more specific exemptions stated, such as an exemption for products with rigid components. Another subcommittee member commented that the definition of a lounger does not include products without a sidewall, and testing of those products may be unclear. Subcommittee members also asked to clarify the definition of an occupant support surface, the testing of products that do not have an occupant support surface, and to specifically state that products should be assembled and tested with all accessories included, including slip covers. The subcommittee then discussed the ages specified in the scope of the draft voluntary standard. CPSC staff recommended changing the scope age from “approximately 0 to 6 months of age” to “infants up to 12 months of age” (i.e., 365 days) to reflect the incident data and to discourage misleading remarketing to attempt to remove products from scope. Some subcommittee members wanted to change the scope age from 0-6 months to 0-4 months to reflect a product with very low side walls that may be used with very young infants. CPSC staff responded that the scope should reflect the incident data, and that caregivers have used these products with infants up to 12 months of age, so the scope age should reflect that to be most protective. A subcommittee member asked if age and developmental stage should be included on packaging and instructional literature. The subcommittee agreed to move these topics to the Scope and Warnings Task Groups for further discussion.
2. *Side wall height.* The subcommittee then discussed the sidewall height requirements of 2 inches or less in the draft voluntary standard. Some subcommittee members stated that a sidewall height of 2 inches or less may allow infants to roll from the product into potentially hazardous settings. CPSC staff responded that incident data shows that infants already roll from current infant loungers, which vary in height but are typically higher than 2 inches. Staff noted that caregivers have the impression that these products will contain their infants, and these incidents have resulted in suffocation and falls when the infant rolls from the product. Subcommittee members discussed a higher side height requirement, but staff additionally stated that the purpose of a side height of less than 2 inches was to avoid giving the caregiver the impression that this product could contain their child. CPSC staff was asked for a rationale for the maximum incline angle test included in CPSC’s Infant Support Cushions Notice of Public Rulemaking (NPR), and staff responded that this test was recommended over a side height test because of the broad scope of the rulemaking effort, which includes infant support cushion products other than loungers. Some products in scope of the

NPR do not contain occupant support surfaces, so the infant may be placed in various locations on the product, and some products do not have sidewalls. Instead, infant support cushions should have an incline angle of 10 degrees or less, consistent with the Boise State University report recommendations to CPSC, to reduce the hazard if an infant inadvertently falls asleep in the product. This incline angle also effectively limits the height of the product to about 1.9 inches which reduces the hazard from falls and suffocation when the product could otherwise give the impression of containment to a caregiver. The subcommittee agreed to move the topic of containment to task group level.

Lastly, the subcommittee asked CPSC staff for an update on the current CPSC Infant Support Cushions rulemaking effort, which includes loungers. Staff responded that the Infant Support Cushions NPR comment period closed on March 18, 2024, and staff is currently reviewing submitted comments. The data that was relied on for the NPR was made available to the public through a Notice of Availability in the Federal Register on April 23, 2024. That comment period lasted 30 days and closed on May 23, 2024. Staff also stated that the rulemaking effort is listed in the FY24 Operating Plan, so staff expects to deliver a draft final rule to the commission by the end of the fiscal year (September 30, 2024).

**Next Steps:**

The next meeting of the Infant Loungers Subcommittee has not yet been scheduled. The Scope, Warnings, and Performance Requirements Task Groups intend to meet in the coming weeks to address negative votes and comments to continue work on the draft Infant Loungers voluntary standard.