



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814
COMMISSIONER MARY T. BOYLE

**Statement of Commissioner Mary T. Boyle on Vote to Advance Proposed Rulemaking on
Infant Support Cushions
November 29, 2023**

Along with my colleagues, I voted today to issue a notice of proposed rulemaking aimed at addressing the serious risks of death and injury associated with infant support cushions, a category that includes infant positioners, infant loungers, and props or cushions used to support an infant, among other products. I am pleased that this package has finally come to the Commission for consideration and that it is moving forward.

In addition to providing information about the suffocation and asphyxiation risks associated with these products, the staff package also demonstrates that the youngest infants are at heightened risk. In this instance, the data revealed that more than 80% of the fatalities associated with the products involved infants three months and younger. In the same vein, the recently approved notice of proposed rulemaking on Infant Rockers showed a similarly concerning pattern in the youngest age cohort.

As our Health Sciences staff clearly states in its memorandum on Infant Cushions:

While all infants younger than 12 months of age are considered at risk of positional asphyxia, infants 2-6 months of age, premature infants, and infants who are born as a set of multiples are particularly vulnerable and are at the highest risk primarily due to physical inability and an immature physiological system that regulates breathing and arousal in the first few months of life.

This is especially concerning given that the Center for Disease Control (CDC) reports a rate of approximately 1 in 10 infants born pre-term in the United States in 2022. In other words, a notable percentage of infants born in the United States fall into the category of highest risk category for positional asphyxia.

As we continue our work on infant products in general, including those for which we already have rules in place, I urge staff and other stakeholders to focus on the youngest age group and those infants with immature physiological systems, so that we can reduce the heightened risk for this most vulnerable population.

I also encourage ongoing efforts to integrate findings from medical research in our safety work. Where the risks are well understood, we should not have to wait for harm to occur, or for incidents to accumulate, before we act on product hazards.

I thank the CPSC staff for their work on this package and look forward to reviewing comments from the public.