



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814
COMMISSIONER PETER A. FELDMAN

**STATEMENT OF COMMISSIONER PETER A. FELDMAN
ON STURDY ACT DETERMINATION**

April 19, 2023

The U.S. Consumer Product Safety Commission (CPSC) has taken an important step toward implementing the Stop Tip-overs of Unstable, Risky Dressers on Youth (STURDY) Act. By a 3-1 vote finding that ASTM standard F2057-23 meets the requirements of STURDY, the Commission has cleared the way for adoption of the consensus standard as the new mandatory standard for clothing storage units (CSUs). It has been a long time coming.

First, I want to recognize the families who lost children to furniture tip-overs, including those involved with Parents Against Tip-overs (PAT). The Commission's action is a direct result of their tireless advocacy over the years. Of course, nothing we do will ease the loss these families have endured. I am nevertheless hopeful today's action will help others avoid such tragedies and that the families of PAT may find solace in that.

The ASTM consensus standard sets clear guidelines to protect children from unreasonable risk of tip-over related death or injury and to establish new obligations for furniture makers. I have long supported a mandatory standard, including my 2019 [effort](#) to proceed with a notice of proposed rulemaking, which resulted in meaningful reengagement by industry in the ASTM process. That is why we are where we are today.

Last October, I [opposed](#) the Commission's decision to adopt its own CSU rule, which lacked the broad consensus that the ASTM standard now enjoys. By then it was clear that Congress was prepared to speak on the subject, as the Senate had already passed STURDY unanimously. I argued that we should pause to see the outcome of that effort and to address other legal vulnerabilities that could subject a final rule to challenge. At the time, I cautioned against the significant litigation risk. My colleagues disagreed, [arguing](#) the litigation risk was minimal. The Commission did not wait, and we were sued almost immediately. Shortly thereafter, STURDY was enacted into law. This led to significant confusion, costly litigation, and wasted Commission resources, all of which we could have avoided.

Nevertheless, now that the Commission has heard from the parents of children who died in tip-over accidents, safety advocates, furniture makers, and members of Congress who all support adoption of the ASTM consensus standard, we have begun the final steps to do that. This means an end to the uncertainty of litigation, a strong and durable safety standard, and fewer tragedies. While I wish we had chosen this course last year, I am pleased that we are here now.