



May 15, 2024

TRANSMITTED VIA EMAIL

Jessica Doyle and Barbara Himes
Subcommittee Co-Chairs for ASTM Infant Feeding Supports
ASTM International
100 Barr Harbor Dr.
West Conshohocken, PA 19428-2959

RE: ASTM Ballot F15 (24-08), Item 1—Standard Consumer Safety Specification for Nursing Pillows

Dear Ms. Doyle and Ms. Himes:

U.S. Consumer Product Safety Commission (CPSC) staff appreciates the ASTM Infant Feeding Supports subcommittee's continuing efforts to develop a voluntary standard for nursing pillows that incorporates many of the same requirements included in the Commission's notice of proposed rulemaking (NPR) for nursing pillows, which was published on September 26, 2023.¹ Staff also appreciates the opportunity to provide the following comments and feedback on the draft voluntary standard in ballot F15 (24-08), Item 1:

Section 3, Terminology

- The current definition of “conspicuous” in 3.1.4 (*i.e.*, “visible to the caregiver, when the product is being placed in the manufacturer’s use position onto a caregiver who is placing the product on their body”) is potentially confusing by referring two separate times to the product being placed on the caregiver. Staff recommends that the subcommittee consider shortening and simplifying the definition to communicate the intended meaning, which appears to be that a conspicuous warning is visible to the caregiver while placing the product on or against their body.

Section 6, Performance Requirements

- The two sentences of the Infant Containment requirement in 6.3, although worded slightly differently, appear to be redundant. One of the two sentences should be deleted.

¹ 88 Fed. Reg. 65865. See <https://www.federalregister.gov/documents/2023/09/26/2023-20156/safety-standard-for-nursing-pillows> or <https://www.govinfo.gov/content/pkg/FR-2023-09-26/pdf/2023-20156.pdf>.

Section 7, Test Methods

- Section 7.3.1 instructs the tester to perform steps 7.2.2 through 7.2.9 on the inner wall of the nursing pillow; however, there is no step 7.2.9. This section should be revised to refer to steps 7.2.2 through 7.2.8.
- Figure 6 shows the Inner Wall Firmness Test being performed with the probe applied either horizontally or vertically. However, this test is performed immediately after the Infant Support Surface Firmness Test, where the nursing pillow is positioned with the infant support surface facing up. Section 7.3.1 instructs the tester to perform the procedure starting with step 7.2.2, which means the product would still be positioned with the infant support surface facing up. Thus, the inner wall must be tested with the probe applied horizontally. Staff also questions whether testing the inner wall vertically is appropriate given the orientation of the product during normal use, and might yield different, less stringent results than if the probe were applied to the test surface horizontally.
- Section 7.7 describes the test method for the *Removal of Components* requirement (5.5), which is intended to apply to any components that are accessible to an infant while in the product or from any position around the product. However, this section (7.7), and its subsections, mistakenly limit this test to “protective” components. The term “protective” should be removed from this test method.

Section 8, Marking and Labeling

- As you are aware, the product warning in the draft voluntary standard does not match the proposed warning in the NPR for nursing pillows, which staff currently is evaluating based on the public comments received. Without discussing the specific content of the warning in the balloted draft voluntary standard, staff does suggest some minor formatting revisions to the example warning (Fig. 10). For example, the example warning is wider than is necessary to contain the specified warning content, giving the mistaken impression that the product warning must be unusually large or includes a greater amount of content. Staff also believes that a thin border line between the suffocation and fall hazard content would clarify that these portions of the warning are addressing different hazards and reduce the potential for consumers to conclude that they are being required to process too much information about a single hazard. Lastly, staff suggests that “Move your baby to a firm flat sleep surface” be in boldface, like the first sentence of the prior bullet, and that “falls” be printed in all uppercase text, similar to the earlier reference to the suffocation hazard. An example warning reflecting these changes is reproduced below, for your consideration.

WARNING

BABIES HAVE DIED SLEEPING ON NURSING PILLOWS

Babies can move without warning and **CAN SUFFOCATE** within minutes if their airway is blocked.

- **Only use this product for feeding baby.** Never leave or prop baby alone on the product. Never place this product where baby sleeps.
- **Move your baby to a firm flat sleep surface**, such as a crib or bassinet, if they fall asleep during feeding or if you feel drowsy.

Babies have been injured from **FALLS**.

- Do not use to prop up baby on beds, sofas, or other raised surfaces.
- Never use this product to carry a baby.

Staff encourages the subcommittee to publish a voluntary standard for nursing pillows as expeditiously as possible and looks forward to continuing to work with you and the rest of the subcommittee to ensure that the nursing pillow voluntary standard effectively addresses the known hazards associated with these products.

Sincerely,

Timothy P. Smith
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CPSC Project Manager, Nursing Pillows Rulemaking
Division of Human Factors, Directorate for Engineering Sciences

CC: Molly Lynyak, ASTM Committee F15 Staff Manager
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