



**U.S. CONSUMER PRODUCT SAFETY COMMISSION
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**STATEMENT OF COMMISSIONER ELLIOT F. KAYE
ON THE ONGOING URGENT NEED TO ENSURE SAFE INFANT SLEEP**

March 17, 2021

Babies are unnecessarily dying in the United States and have been doing so for years. Suffocation remains the leading cause of fatal injuries for infants younger than one year old, resulting in more than 1,000 deaths per year and accounting for more than 85 percent of total unintentional injury infant deaths in 2019.¹ These deaths are devastating families all across the country and are unacceptable. No parent or caregiver should ever have to suffer the unspeakable loss of a child because of an unsafe sleeping environment.

The good news is that the U.S. Consumer Product Safety Commission (CPSC) has made some promising advancements with its safe sleep work in recent years and is working on a number of additional rulemakings this year. But much remains to be done to address this persistent hazard in our space.

The federal government has been recalling infant sleep products on a case-by-case basis and coordinating messaging on safe sleep for years, including campaigns such as Back to Sleep and Bare is Best.² Yet, we continue to see dozens of infants and children die each year from soft bedding in their sleeping environments and in numerous types of cribs, play yards and infant sleep products. I firmly believe that many of these incidents could have been prevented with better safety design on the front end, as well as quicker and improved safety requirements, for certain types of children's durable nursery products. We also need more proven-effective, targeted messaging to communicate safe infant sleep practices to parents and caregivers.

¹ https://webappa.cdc.gov/cgi-bin/broker.exe?_service=v8prod&_server=aspv-wisq-1.cdc.gov&_port=5098&_sessionid=IBSJckyQ52&_program=wisqars.dd_details10.sas&_service=&_type=U&_prtfmt=STANDARD&_age1=0&_age2=0&_agegp=%3C1&_deaths=1266&_debug=0&_lcdfmt=lcd1age&_ethncty=0&_ranking=10&_deathtle=Death

² <https://www1.nichd.nih.gov/sts/Pages/default.aspx>

Safety really does begin with design. In recent years, we have learned many painful safety lessons regarding infant sleep that should serve to guide manufacturers. Manufacturers must always include in their design process a rigorous assessment of how the product might foreseeably be used and the dangers to children that foreseeable use might present. Including engineers and safety experts early in the development process, and providing them with clear authority to act to improve the safety of designs, saves lives. Keeping a close eye on manufacturing to strict specifications does as well.

While we look for more safety built into design, there still remain a number of durable nursery products lacking sufficient safety standards. The CPSC must complete its statutorily required rulemaking efforts under Section 104 of the Consumer Product Safety Improvement Act (CPSIA) to promulgate meaningful federal safety standards that reduce the hazards associated with durable nursery products including, but not limited to, crib bumpers, crib mattresses (including supplemental and aftermarket mattresses for play yards) and infant sleep products. I am pleased that, in Fiscal Year 2021, the Commission is scheduled to issue Final Rules on crib bumpers and crib mattresses, as well as infant sleep products.

In the meantime, there are also many other steps the agency has taken and can continue to take to address unsafe infant sleep products and practices. Section 6(b) of the Consumer Product Safety Act (CPSA) is a dangerous, anti-safety and anti-transparency law that is unique among safety agencies. Even working within the confines of this law, however, the CPSC must increase its efforts to be transparent and provide the public with timely information regarding dangerous products. Parents and caregivers deserve access to timely, accurate and complete information so they can make fully informed choices.

And once the CPSC is aware of fatalities and injuries associated with a durable nursery product – even if it is not expressly marketed for infant sleep – the CPSC must continue to work cooperatively as necessary with medical, biomechanical and human factor experts and federal regulatory partners to quickly evaluate a product’s safety and push for its removal from the market or its adherence to strict safety requirements, as appropriate. Parents and caregivers should be able to trust that their infant’s products are safe and not have to wait for deaths and serious injuries to reach a crisis point before the agency acts.

In addition, we need more evaluation of safe sleep messaging and information and education campaigns to ensure that the messaging is both effective and reaching the intended audience. The reality is that most new parents and caregivers are overwhelmed and desperate for a good night’s sleep. The CPSC must be equipped to anticipate and respond to the changing market and parenting trends, including the rising popularity of co-sleeping, social media influencers and the increasing variety of durable nursery products available to consumers.

Finally, we must acknowledge that there are very real systemic racial and socioeconomic disparities that form barriers to many parents and caregivers getting the safe sleep information they need, as well as access to safe infant sleep products that meet

federal safety standards. Our efforts and our messaging should be tailored to high-risk groups, and we must do more research into the effective components of public education and outreach that will aid consumers in making safer choices. Our Fiscal Year 2021 Operating Plan includes an amendment that I introduced to enhance the agency's data collection and response with respect to existing safety disparities among vulnerable populations. I am hopeful that this work will be a good starting point for the agency when it comes to ensuring that every parent and caregiver has equitable access to safe infant sleep products and practices. A safe sleep environment is a must for every child. The entire safe sleep community can and should do even more to help make this a reality.