



**U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
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**JOINT STATEMENT OF CHAIRMAN ELLIOT F. KAYE, COMMISSIONER ROBERT S. ADLER,
COMMISSIONER MARIETTA S. ROBINSON AND COMMISSIONER JOSEPH P. MOHOROVIC
RECOMMENDING PARENTS AND CAREGIVERS NOT USE PADDED CRIB BUMPERS**

November 3, 2016

Clutter in America's cribs is a serious public health issue. Dozens of infants and children die each year from soft bedding in their sleeping environments.¹ These deaths are addressable in many cases. We believe we can make a real difference for infants by sharing a specific safety recommendation to protect babies while they sleep.² We strongly advise the public to stop using padded crib bumpers. In our view, they do nothing more than contribute to the deadly clutter in many of our nation's cribs.

I. Background

Crib bumpers are infant bedding accessories intended to line the sides of an infant's crib. Padded crib bumpers are commonly made of fabric and fiber fill or foam panels that are intended to be tied to the crib slats and corner posts. Other types of crib bumpers have been marketed as barriers to prevent limb entrapment, such as mesh crib liners, as well as slat covers that wrap around individual crib slats.

ASTM F1917-12 (Standard Consumer Safety Performance Specification for Infant Bedding and Related Accessories), the ASTM voluntary standard that currently covers crib bumpers among other infant bedding products, requires bumpers that are made of fabric and filled with fibrous material, *i.e.* padded bumpers, to pass a test that entails dropping the bumper through a "bumper thickness test fixture" that is a two-inch wide slot. This requirement limits the thickness of a padded crib bumper to approximately two inches or thinner. It is unclear whether this test method has been validated as a

¹ See Staff Briefing Package on CPSC Staff Response to the Record of Commission Action on Crib Bumpers (September 9, 2016), Tab E, at 28.

² We note that this statement is not a binding or enforceable rule and would not change any person's rights, duties or obligations under the CPSA, CPSIA or any other Act administered by the Commission.

means to mitigate the risk of injury associated with these products. The standard also requires warning labels that address a risk of suffocation, sagging, strangulation on ties and removal of the bumper when a child can sit up unaided or can pull to a standing position.

Although the terms “crib bumper,” “bumper guard” and “bumper pad” are not defined in ASTM F1917-12, we understand those terms as used in ASTM F1917-12 to mean any products made of any material that are intended to cover the sides of a crib. This understanding includes padded crib bumpers, supported and unsupported vinyl bumper guards, mesh crib liners and vertical crib slat covers.

II. Previous Commission Action

In a petition to the Commission dated May 9, 2012, the Juvenile Products Manufacturers Association (JPMA) requested that the Commission initiate rulemaking to regulate crib bumpers by distinguishing between “hazardous pillow-like” crib bumpers and “non-hazardous traditional” crib bumpers.

On June 18, 2012, the Commission voted unanimously to publish a *Federal Register* notice requesting comments on the petition. The notice was published on June 25, 2012, with a closing date of August 24, 2012, for accepting comments on the petition.

On May 15, 2013, CPSC staff provided the Commission with a briefing package on the petition. In that package, CPSC staff concluded that “[s]ome evidence suggests that crib bumpers may increase the risks present in unsafe sleep settings” and recommended that the Commission grant the petition and direct CPSC staff to initiate rulemaking.

On May 24, 2013, the Commission voted to grant the petition and directed CPSC staff to initiate rulemaking to address the risk of injury associated with the use of crib bumpers and to provide the Commission with a second briefing package that:

- Described the possible regulatory options the Commission could take to address the risk of injury associated with crib bumpers.
- Assessed the effectiveness of any related voluntary consumer product safety standard.
- Assessed whether a more stringent standard would further reduce the risk of injury associated with the product.
- Explored and, as possible, developed performance requirements and test

methods to allow the Commission to identify which types of crib bumpers have characteristics that present safety hazards.

- Assessed whether there are any safety benefits provided by crib bumpers.
- Reviewed representative samples of crib bumpers, including, but not limited to, mesh bumpers and bumpers that individually cover crib slats (also called vertical bumpers).

On September 12, 2016, CPSC staff provided the Commission with a briefing package responding to the May 24, 2013 Record of Commission Action. In the 2016 package, CPSC staff identified 107 fatal and 282 non-fatal incidents that were reported to CPSC from January 1, 1990 to March 31, 2016, in which a crib bumper was present in the sleep environment. Of the fatal incidents, CPSC staff concluded that: in 31 cases, the crib bumper was “incidental” to the fatality because there was “no evidence of bumper contact or involvement”; in five cases, the bumper contact occurred outside a crib; and in 41 cases, entrapment or wedging occurred between the bumper and another object inside the crib. Based on these classifications, CPSC staff concluded: 72 of the reported fatalities were “unlikely to be addressable by Commission action”; nine of the reported fatalities were “likely to be addressable to some degree”; and 26 of the reported fatalities “lacked sufficient details to determine whether the crib bumper contributed to the fatality.”

On October 19, 2016, the Commission voted to add to its Fiscal Year 2017 Operating Plan a direction to CPSC staff to initiate rulemaking under section 104 of the Consumer Product Safety Improvement Act (CPSIA) to address the risk of injury or death associated with the use of crib bumpers.³

III. Hazards Associated with Padded Crib Bumpers

After a thorough review of the underlying incident data and consideration of the information presented in the 2013 and 2016 CPSC staff packages, we disagree with the approach and conclusions in the 2016 briefing package regarding both the risk of injury and death associated with padded crib bumpers and the addressability of those risks.

³ Chairman Kaye, Commissioner Adler and Commissioner Robinson voted in favor of Chairman Kaye’s amendment to add to the Fiscal Year 2017 Operating Plan a direction to CPSC staff to initiate rulemaking under section 104 of the CPSIA. Commissioner Mohorovic did not support Chairman Kaye’s amendment because Commissioner Mohorovic believes that the rulemaking procedures outlined in sections 7 and 9 of the Consumer Product Safety Act (CPSA) would be the most appropriate path for any potential crib bumper regulation to take. Commissioner Buerkle also opposed the amendment.

We believe that there is a clear risk of injury or death associated with padded crib bumpers. We believe that some of the reported fatalities that CPSC staff classified as “incidental” in the 2016 briefing package were, in fact, associated with the presence of a padded crib bumper. Further, we believe that there are multiple hazard patterns associated with padded crib bumpers that are addressable.⁴

IV. Our Recommendation: Stop Using Padded Crib Bumpers

One of the stated purposes of the Consumer Product Safety Act (CPSA), which established our agency, is to “assist consumers in evaluating the comparative safety of consumer products.”⁵ Consistent with this purpose, we are providing notice of our position on padded crib bumpers to consumers, parents and caregivers through this joint statement. We believe that there is a clear risk of injury or death associated with padded crib bumpers.

Accordingly, we strongly warn all parents and caregivers not to use padded crib bumpers. Some caregivers may think that padded bumpers assist in protecting against head injury or limb entrapment. We strongly believe that the risk of death from padded crib bumpers far outweighs any purported benefits. We advise parents and caregivers that the best practice for a safe sleep environment for children is a properly assembled crib with only an appropriately sized mattress and a snugly fitted sheet, and that parents should never place soft bedding or other padded objects such as padded bumpers, pillows, sleep positioners, stuffed animals, or cushions in a child’s crib, bassinet or play yard. When it comes to any child’s sleep environment, bare really is best.⁶

⁴ Examples of addressable hazard patterns associated with padded crib bumpers present in the incident data include: limited space on the mattress inside of the crib; crib bumpers that cover or otherwise conceal key failure points on the crib; incorrectly installed crib bumpers; the use of crib bumpers with children who are past the recommended age; the use of crib bumpers outside of the crib; and mixed messages about padded objects in a crib. These hazard patterns create, at a minimum, a risk of suffocation, wedging, entrapment or falls.

⁵ 15 U.S.C. § 2051(b)(2).

⁶ For more information on safe sleep practices or to learn more about common household dangers to children from consumer products, please visit cpsc.gov.