



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
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Remarks of Chair Alexander D. Hoehn-Saric

Safe Kids Worldwide's Childhood Injury Prevention Convention

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1:30 PM Eastern Time**

Thank you for inviting me to speak with you today about infant sleep safety and CPSC's work in this important area.

Even though my kids are now teenagers, I remember how taking care of them as infants could be an exhausting and sometimes frustrating task. Some of the most difficult times were navigating infant sleep. My son was colicky and the minutes or hours he slept meant that I or my wife could get a blessed rest.

It's no wonder that parents and caregivers are always looking for that one product or set of products that will help their baby fall asleep and stay asleep. And if they find it, and it works for them, it is hard to listen to anyone who raises concerns – even over safety – whether it's a pediatrician, an advocacy group, or a federal safety agency.

But there is a grim toll from unsafe sleep practices. The CDC reports that more than 3400 sleep-related infant deaths occur each year. CPSC's most recent report on deaths in nursery products found that about three quarters of all deaths involving cribs and mattresses were associated with a cluttered sleep environment (things like pillows, blankets, and comforters) that led to asphyxiation of the infant. And researchers at Lurie Children's Hospital found that 58% of Chicago parents still engage in one or more unsafe sleep practices.

Those of us who have been working in this space know that behind each of these infant death statistics is a family dealing with profound tragedy. We also know that these deaths are largely preventable, but our own research at CPSC highlights the challenges we all face when trying to change human behavior.

Safety warnings are too easy to ignore. We conducted focus groups last year to evaluate the effectiveness of safe sleep messages, and what we found was not at all surprising. The report concluded that “. . . even though caregivers are aware of the risk of injury or suffocation and consider these to be scary. . . they consider these risks to be rare and the benefits to be frequent and tangible.”

The belief that the risks are rare coupled with the desperate hunt for 'tangible' improvements in sleep has opened the door for inventors and marketers to step in and peddle their latest innovations, too often with little to no evidence or research to back up their claims or product safety. When it is your child who is having trouble sleeping, products like inclined sleepers, loungers, and weighted sleep sacks suddenly look very appealing.

The truth is there is no panacea for parents' and caregivers' infant sleep woes. And over the years, there has been a constant stream of products that make big promises and too often end in tragedy. I have made it my mission to do what I can to keep these tragedies from happening.

At CPSC, we are approaching this mission to keep infants safe when they sleep in three primary ways:

1. Product safety standards;
2. Product specific warnings and recalls; and
3. Public outreach and education.

Product Safety Standards

On infant product safety, our goal is simple: products sold for use by babies should be as safe as possible for babies. If a product is intended for sleep, it must be safe for sleep. If it isn't intended for sleep, it should not be conducive to sleep.

In this effort, CPSC has implemented mandatory safety standards for cribs, bassinets, play yards, and bedside sleepers. Any company that wants to sell a product in those categories in the United States must meet basic safety standards.

In 2021, the Commission took an additional step with the Infant Sleep Products Rule. The rule dealt with a gap in safety standards and made it clear that if a product is sold for infant sleep, then it must meet an existing safety standard for infant sleep products. This was an enormous step forward. CPSC's work was reinforced by the passage of the Safe Sleep for Babies Act last year, which banned inclined sleepers along with crib bumpers.

But now we find ourselves in a murky situation, where there are products that aren't explicitly sold for infant sleep, but which are cozy and conducive to sleep. Such products can be a wink and nod to tired parents that seduces them to use a product unsafe for sleep and effectively enters them into a game of Russian Roulette.

This includes some baby loungers – many of which are advertised for awake time but are used by caregivers as in-bed sleepers or for naps – as well as some nursing pillows that, when not used for nursing, are conducive to putting a baby to sleep or prop up a sleeping baby. Also, some rockers and other inclined seats contain cushiony pillows and other features that may encourage parents to use them as sleep environments.

I read reports almost daily of how the use of these and similar products can go terribly wrong. How a parent puts a baby down in a product they believe to be safe, only to return to an unspeakable tragedy.

In the coming weeks, CPSC staff will present for the Commission's consideration draft notices of proposed rulemaking in three areas, aimed at addressing these hazards.

First, we will be considering a Notice of Proposed Rulemaking to strengthen the safety of nursing pillows. To be clear – despite disinformation being spread about our aims – staff is preparing a safety standard. I would not support a ban on nursing pillows.

And there is a need for a safety standard. Over a ten-year period, CPSC identified over 130 deaths associated with nursing pillows; primarily related to infant sleep with the pillows. Our effort will be to ensure that nursing pillows don't pose a suffocation hazard while still meeting the needs of breastfeeding parents.

Second will be a Notice of Proposed Rulemaking on infant support cushions. There is a longstanding CPSC ban on infant pillows with granular fill. But the market is now rife with new pillows made of different materials that still can pose a suffocation risk.

And finally, we will be looking at a Notice of Proposed Rulemaking to establish a safety standard for infant and toddler rockers – a category that, to date, has been unregulated. We will be relying on new research into safe infant seating as we develop that standard.

The idea behind all of these rules is to ensure that these infant products are as safe as possible and reduce the likelihood of a death or injury.

Specific Product Warnings and Recalls

In addition to establishing these new safety standards, we are backing up our existing rules with a strong enforcement strategy. We are surveilling the marketplace for products that violate our rules and using all of the data available to us to identify defective products. When companies are open to a recall, we move quickly to agree to terms and to get the information out to as many consumers as possible.

But we have made clear that CPSC will not hesitate to move forward on our own when we believe it is in the best interest of consumers. We will always try to negotiate voluntary recalls with companies. But if those companies are not willing to take the steps needed to protect consumers, we will use our authority to warn consumers directly.

Unilateral press releases were a rarity in the past. But they are now a regular part of the tool kit we rely on to keep consumers informed. Just last month, we issued three warnings to consumers regarding products that violated the infant sleep products rule: two loungers and a baby tent. The companies that sold those products were based overseas and did not agree to recall the products. Left in an untenable situation, we took our own steps to warn the public.

Parents and caregivers deserve to know all relevant safety information so they can make informed decisions about what to buy and whether to use a product.

Public Outreach and Education

Public outreach and education is our third major focus to address infant sleep safety. It is not easy to counter cultural and historical norms, as well as years of product marketing, or to tell caregivers that they should go “Back to Basics” with respect to infant sleep.

Telling parents and caregivers that their babies will be safest on a firm, flat, empty surface can feel cold and impersonal. And it is counter to our experience as adults of what helps us to get a good night's rest. It just seems far less cozy than grandma's knitted blanket or a space on the

bed next to a parent. And it is these perceptions that we have been seeking to change for many years.

On the theory that what you see is what you do, one of my predecessors at the Commission worked aggressively with manufacturers and retailers to remove pictures of blankets and pillows from their marketing of cribs and other sleep products. If parents-to-be see cribs advertised with “comfortable” add-ons, they will think that this is how a crib should be furnished. But when leading brands advertising a bare crib, they give caregivers the life-saving permission to have a safer nursery.

We have also been grappling with the reality that there are deep racial disparities in infant deaths; and that rates of infant death are disproportionately high in the African American and Native American/Alaska Native and Native Hawaiian communities. For many of these communities, we recognized that our safety messages can often conflict with care-giving practices that have been in place for generations – resulting in a situation where safety and traditions are at odds.

We have been taking steps to work directly with impacted communities and working with other federal agencies to reach people where they are. I want to take a few minutes to showcase some of those efforts over the years.

More than a decade ago, CPSC collaborated with Black Entertainment Television to produce a public service announcement aimed at Black men preparing for parenthood. You’ll see the strong safety message that is now a bit outdated. Since this video was produced, crib bumpers have been banned and should not be used in cribs. [Video]

Our staff has also traveled the country, and worked with trusted community members to spread the safety message. In 2017, we worked with National Institute of Child Health and Human Development (NICHD) and Kappa Alpha Psi, the historically African American fraternity, on a program called, “Changing a Tradition, Changing a Position: Creating a Safe Space for Babies to Sleep,” where attendees – including parents-to-be and grandparents – could take home a safe portable crib. [Photo]

Just last year, we developed a new PSA targeting grandmothers that is now airing in more than 500 maternity hospitals around the country, thanks to a collaboration with WebMD Health Network. [Video]

We’re also collaborating across the federal government to bring infant safety information to diverse communities through the Baby2Baby initiative and HHS’s Maternal Outcomes Matter tour. [Photo]

And starting this month, we have posted billboards in Native American communities sharing this same message. [Photo]

What gives me hope is that recently I have been hearing the “bare is best” message that pediatricians, advocacy groups and the CPSC have been touting for years repeated back to me and others. Young parents and caregivers on social media and in person have started passing this advice to each other. In some ways it reminds me of the push to wear seat belts that was being made in my childhood. I heard the message and badgered my parents to put on their seatbelts.

We must encourage this trend and build allies in getting out the message. This includes not only the participants in this room but also companies and trusted community voices. When you go online or into a store, the safe sleep message should be front and center before consumers. When you go to community events and family get togethers, folks should be sharing safe sleep tips. And when you go online, influencers should lead the way urging safe sleep practices.

I recognize that despite our best efforts, the government is not always the most trusted messenger. And even the most influential spokespeople will never be as trusted as those who share our daily lives – our doctors, nurses, clergy, neighbors, and of course – our family.

The earlier and more often caregivers receive the message that “bare is best”, the more ingrained safe sleep practices will become. And the more likely they will equate “cozy” with potentially “deadly” when the next untested product comes along with promises to help their baby sleep through the night.

We have a long way to go, and a lot of work ahead of us. I look forward to working with all of you to bring about a world in which there are fewer tragedies because we have safer infant products and more families following safe sleep practices.