



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
ROCKVILLE, MD 20850

This document has been electronically  
approved and signed.

DATE: January 20, 2016

MEMORANDUM

TO : The Commission  
Todd A. Stevenson, Secretary

THROUGH: Stephanie Tsacoumis, General Counsel  
Patricia Adkins, Executive Director

FROM : George A. Borlase, Assistant Executive Director  
Office of Hazard Identification and Reduction

Michael Taylor, Project Manager  
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Office of Hazard Identification and Reduction

SUBJECT: Update to Petition CP-13-1 Request for a Ban or Standard for Adult Portable Bed Rails

## Background

Petition CP 13-1 requested that the U.S. Consumer Product Safety Commission (“Commission” or “CPSC”) ban or issue a standard for adult portable bed rails (“APBR”). On April 29, 2014, the Commission voted unanimously (3-0) to defer the petition and directed the staff to provide an update to the Commission in 6 months and again in 12 months on the progress of the ASTM voluntary standards process. On October 14, 2014, CPSC staff provided the 6-month update. On April 17, 2015, staff provided the 12-month update. On April 28, 2015, the Commission voted to defer the decision on the petition to allow the ASTM voluntary standard development process to continue. The Commission further directed the staff to update the Commission by January 2016, on the progress of the ABPR standard. This memorandum provides staff’s update.

## APBR Standard Development

Since the 12-month update, the ASTM F15 Committee continues to move toward the goal of a published standard aimed at reducing entrapment hazards associated with APBRs. Since April 2015, the results of the respective task groups have been incorporated into the draft standard. In September 2015, ASTM named William Hyman the subcommittee chairman. In addition, during fall 2015, the voluntary standard draft was issued and went through an initial ASTM subcommittee ballot. The subcommittee voted to approve the standard in October 2015, with two negative votes, one from a representative of the U.S. Food and Drug Administration (“FDA”) and one from an APBR manufacturer. A total of 21 comments were submitted. On October 29,

2015, CPSC staff hosted an ASTM meeting at CPSC's National Product Test and Evaluation Center ("NPTEC") in Rockville, MD, to discuss and resolve the negative votes. The members of the subcommittee and other stakeholders, including APBR manufacturers, consumer interest groups, FDA, and consumer advocate Gloria Black were active participants. Discussion of the negative votes prompted changes to the draft which will be balloted to the main committee. The group shared a common goal of developing accurate technical requirements and working to gain support for the standard. Currently, the draft voluntary standard is out for ASTM main committee ballot which closes February 24, 2016.

Staff continues to actively engage in the voluntary standard development and continues to offer hosting additional voluntary standards meetings to resolve any negative votes from the main committee ballot to expedite the process. Staff shares the subcommittee's goal of completing development of this standard by the end of September 2016.

Staff will provide the next update to the Commission on the progress of the APBR voluntary standards process by October 2016.