



**U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814**

CHAIRMAN INEZ M. TENENBAUM

**STATEMENT OF CHAIRMAN INEZ M. TENENBAUM ON THE COMMISSION DECISION TO DEFER
THE PETITION PERTAINING TO CP 10-2 AND HP 10-1, PETITION FOR CHANGE TO THE BUNK BED
STANDARD**

May 31, 2012

I appreciate the work that the ASTM International (ASTM) F15.30 Subcommittee on Bunk Beds (Subcommittee) has completed to date and therefore voted as part of a unanimous Commission to defer for six months the petitions pertaining to CP 10-2 and HP 10-1 for changes regarding the bunk bed standard (collectively the "Bunk Bed Standard"). I do hope, however, that this will be the final delay before the new standard is approved. Just over two years ago, in April 2010, a petitioner requested the Commission initiate rulemaking to revise the current Bunk Bed Standard to incorporate requirements for head and neck entrapment testing in spaces created by side structures, such as ladders, that come with a bunk bed.¹ In April 2011, staff forwarded a briefing package to the Commission for consideration recommending that the Commission defer its decision of the petition for six months to allow the Subcommittee to work with staff to develop requirements in the ASTM F 1427 voluntary standards that would address this safety concern. The Commission unanimously agreed to the six-month deferral.

In May 2011, CPSC staff participated in a meeting with the Subcommittee that proposed entrapment provisions for ladders and other side structures that appeared to meet or exceed the requirements requested by the petitioner. In November 2011, staff provided an update on the Subcommittee's work concluding that the Subcommittee seemed to be making significant progress on these standards. In accord with staff's recommendation, the Commission again voted unanimously to defer the petition for an additional six months to allow the Subcommittee to complete its work.

The Commission's recent unanimous vote on May 22, 2012, to allow a six-month extension of time is the third—and my final—deferral without a new standard. It is my understanding that there were two ballots issued prior to this most-recent extension, one on November 21, 2011, and the second March 9, 2012. The issues raised by the comments in the November ballot have been resolved. It was only after the March ballot that the Subcommittee identified two additional issues that require revisions to Section 4.4.

It appears to me that these standards have been thoroughly vetted and agreed upon. Our staff estimates that a new ballot will issue, and a virtual meeting will be held prior to the next regular

¹ CPSC's Office of General Counsel docketed the request for rulemaking as Petition CP 10-2 under provisions of the Consumer Product Safety Act and Petition HP 10-1 under provisions of the Federal Hazardous Substances Act.

Subcommittee meeting in October. I expect the new ballot to issue quickly, and the virtual meeting be held as early as possible during the six-month deferral period to ensure there are no other subsequent delays that prevent a final vote. I am confident the Subcommittee and our professional staff can work together to establish a new and effective consensus performance standard to address the side entrapment hazard. This collaboration will help children sleep more safely and their parents sleep more soundly.