



U.S. CONSUMER PRODUCT SAFETY COMMISSION
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July 14, 2010

**STATEMENT OF CHAIRMAN INEZ M. TENENBAUM ON THE COMMISSION
DECISION REGARDING THE PROPOSED RULE ON THE MANDATORY SAFETY
STANDARD FOR FULL-SIZE AND NONFULL-SIZE CRIBS**

A crib should be the safest place for an infant or toddler to sleep. For too long, and for too many young children, this has not been the case. Between November 2007 and April of this year, CPSC is aware of thirty-six deaths associated with crib structural problems. Thirty-five of those fatalities occurred when crib components detached, disengaged, or broke, ending in an entirely avoidable tragedy. The fatal and near fatal incidents resulting from crib failures made it abundantly clear to me and to CPSC that now is the time for new mandatory standards to address these risks.

Today, I am pleased to vote for the proposed rule to create what I believe are vastly improved standards for cribs. The standards' new requirements are mandatory and will provide much needed protection to children from the harms and dangers associated with crib failures. Far too many of these failures have brought pain and suffering that no parent should ever experience.

Section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) requires the Commission to evaluate voluntary consumer product safety standards for certain durable infant and toddler products. If the voluntary standards are inadequate, we must improve them in order to ensure that all mandatory durable nursery product safety standards "provide the highest level of safety for such products that is feasible." The more robust and protective a standard adopted by the voluntary standard body, the easier it is for CPSC to create an effective mandatory standard.

Congress recognized the critical importance of a safe sleeping environment. The CPSIA requires the new mandatory rule to apply broadly and retroactively. Indeed, once the rule becomes effective, no crib may be manufactured, distributed in commerce, resold, leased, sublet, offered, or provided for use that is not in compliance with the mandatory standard. This standard, therefore, will impact entire industries, from manufacturers to retailers, and from distributors to resellers and thrift stores. Also impacted will be businesses and service providers that either use or make cribs available to patrons, such as commercial and home child care facilities, hotels, and other places of public accommodation. I realize that the impact on some smaller entities may be great; however, Congress spoke clearly, and in a way that ensures children's safety through comprehensive and swift action.

Early in my tenure as Chairman, it became apparent that a pattern of risk was emerging due to failures of the hardware and component parts of drop-side cribs. As I spoke with our expert staff about these risks, I quickly learned there were other hazards that also posed serious dangers to babies. To better understand our data and the patterns of risk, I initiated a "Safe Sleep Team,"

drawing from staff across areas of technical expertise. This team reviewed incident and injury data related to cribs and verified patterns of specific failures at an expedited pace. In addition to drop-side failures, the team focused on detachment and breakage of crib slats, the failure of hardware and mattress supports, and the loosening of wood screws and other fasteners.

For the proposed standards approved today, the Commission considered the voluntary ASTM F 1169-10 standard for full-size cribs and ASTM F 406-10 for nonfull-size cribs. Thanks to the outstanding efforts of CPSC staff, working in collaboration with ASTM, consumer groups, the industry, and juvenile product experts, the new voluntary standards approved by ASTM on June 1, 2010, represent serious improvements to their predecessor standards. The new voluntary standards include numerous safety requirements recommended by CPSC, as well as elements from the Health Canada standard (SOR/86-962) and European standard (EN 716). Although the 2010 ASTM crib standards address many known risks and hazards, the proposed rule incorporates additional requirements designed to ensure that the mandatory standards provide the highest level of protection. Generally, the improvement to the ASTM standard for full-size cribs disallows the tightening of screws between stages of durability testing. Changes for nonfull-size cribs are more extensive and include the addition of several elements of more rigorous testing.

We currently are working to ensure that the marketplace, homes, child care centers, and other facilities are free of dangerous and defective cribs. To address the remaining cribs that pose serious risks to young children, the Safe Sleep Team worked with seven manufacturers to, on June 24, recall more than two million cribs to address drop-side and other hazards. Earlier today, CPSC and Pottery Barns Kids jointly announced another recall of drop-side cribs.

The development of this proposed rule reflects success on many levels. I commend the outstanding work of the Safe Sleep Team and technical experts who, at my direction, have worked tirelessly with ASTM committee members to create a standard that I believe will markedly reduce risks to children. I look forward to ASTM's continued dedication and cooperation with us as we move forward to develop future durable nursery product standards. Most importantly, I look forward to finalizing this rule and helping to ensure that parents and caregivers can rest easily while their babies and toddlers sleep safely in their cribs.