

**\*Consumers Union \***  
**\* Consumer Federation of America\***  
**\* Kids in Danger \***

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Office of the Secretary  
Consumer Product Safety Commission  
Room 502  
4330 East-West Highway  
Bethesda, Maryland 20814  
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**Comments of Consumers Union, Consumer Federation of America, and  
Kids in Danger to the U.S. Consumer Product Safety Commission  
on  
“Safety Standard for Infant Walkers”  
16 C.F.R. 1216**

**Introduction**

Consumers Union of U.S., Inc. (CU), Consumer Federation of America (CFA), and Kids in Danger (jointly “We”) submit the following comments in response to the U.S. Consumer Product Safety Commission (“CPSC” or “Commission”) in the above-referenced matter.<sup>1</sup>

**Background**

Section 104(b) of the Consumer Product Safety Improvement Act of 2008, Public Law 110-314, 122 Stat. 3018 (“CPSIA”), requires the CPSC to promulgate consumer product safety standards for certain durable infant and toddler products. In this Notice of Proposed Rulemaking (“NPR”) the CPSC is seeking comment on its proposed safety standard for infant walkers. The proposed standard is “substantially the same” as voluntary standard ASTM F 977 -07,

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<sup>1</sup> “Safety Standard for Infant Bath Seats,” 74 Fed. Reg. 45704 (September 3, 2009).

“Standard Consumer Safety Specification for Infant Walkers,” but includes some modifications.<sup>2</sup>

### **Recommendations**

We agree with the majority of the CPSC staff’s recommendations regarding adoption, with modification, of ASTM’s F977-07 standard. The standard has proven to be effective in reducing death and injury associated with infant walkers. However, we recommend additional changes to make the standard even more effective in reducing incidents associated with these juvenile products.

In particular, we recommend adding three provisions to the existing standard: the European requirement for a 30-degree incline plane test; a test for parking brakes; and a requirement that all infant walkers include “parking brakes” so they can be rendered immobile at the discretion of the caregiver. Requiring parking brakes will prevent an infant from scooting out of a caregiver’s view and encountering hazards such as hot stoves, which have accounted for numerous serious injuries. The CPSC should make the inclusion of parking brakes a requirement of the standard. Without that feature, walkers remain too dangerous for use in many environments, which has led to their banning in Canada and prohibition of use in child care settings in some states and municipalities.

We agree with the CPSC’s engineering approach to adjust the runway length or launching distance to standardize the final velocity in the stair fall test. We also agree that other hardware used in the test setup should be specified and standardized to prevent lab-to-lab variability. However, although ASTM has attempted to look at variability in test setups, we believe they have overlooked an important factor that could impact test reproducibility, *i.e.*, the position and flexibility of the CAMI dummy. In Consumers Union’s experience in testing infant walkers and other juvenile products, it has been noted that the flexibility of CAMI

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<sup>2</sup> Id.

dummies can have an affect on dynamic test results. As the CAMI dummies age, they become more flexible. Unless the exact position of the CAMI dummy is specified and maintained during the dynamic portion of the stair fall test, results could vary. Additionally, we are aware that some laboratories tape up the legs of the dummy to prevent the feet from dragging during launch. However, this practice has an effect on the center of gravity, a critical factor in determining if an infant walker will fall over a stair edge. CPSC should specify how the dummy is to be positioned and restrained in the walkers during testing so that the center of gravity will be consistent from lab to lab.

We also ask the CPSC to consider the affect of wear and tear as well as dirt and dust on the walkers' compliance with the stair fall test. The friction pads used to prevent a walker from tumbling down stairs are apt to become less effective as they are used. As a result, testing a new walker may not indicate real world performance. Therefore, we recommend that a stair fall test be conducted on new walkers as well as one that has simulated wear and tear characteristics.

### **Conclusion**

For the foregoing reasons, we urge the Commission to adopt these recommendations in its implementation of Section 104(b) of the CPSIA.

Respectfully submitted,

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