



Consumer Federation of America

Section 104 of the CPSIA— Improved Safety Standards for Infant and Toddler Products

The Consumer Product Safety Improvement Act, signed into law in August of 2008, strengthened the authority of the Consumer Product Safety Commission (CPSC), the federal agency that oversees the safety of consumer products. The law includes many vital improvements to our safety net including lowering lead limits, and the creation of a database—Saferproducts.gov where consumers can report and research safety hazards experienced with a wide variety of consumer products. The law also directed the CPSC to issue strong mandatory standards for infant and durable products, requires third party testing of children’s products; requires product registration for infant and durable products and requires that cribs being used in the marketplace will be compliant with the latest robust safety standards.

Before the CPSIA passed:

- On May 12, 1998, Danny Keysar, a 16 month-old toddler, died at his licensed childcare facility in Chicago neighborhood.
- Danny was killed by a defective children’s product -- a mesh portable crib or play yard -- the Playskool Travel-Lite—where he napped in the afternoons at his childcare home.
- After Danny’s death, his family learned that 1.5 million portable cribs of similar collapsing, top-rail design by five manufacturers were sold and then recalled, but most remain unaccounted for today. As of today, the official death count from these play yards stands at 19 children.
- Since 2007, CPSC has recalled more than 11 million dangerous cribs. These recalls follow 3,584 reports of crib incidents, which resulted in 1,703 injuries and 153 deaths.
- CPSC has recalled about 20 different play yards involving millions of units since 1985.
- According to CPSC’s most recent data, released in December of 2012, 74,100 children under 5 years of age were treated in emergency rooms as a result of a nursery product injury.
- Based on CPSC data, between 2007 and 2009, there were 341 infants and children deaths under age 5 died associated with nursery products.¹
- Too many consumers were not finding out about recalls of children’s products that they bought and/or owned.

CPSIA’s creation of “Danny’s Law:”

- Section 104 of the CPSIA, known as the Danny Keysar Child Product Safety Notification Act, or “Danny’s Law,” is named after Danny Keysar.

¹ <http://www.cpsc.gov/PageFiles/136143/nursery11.pdf>

- Danny’s Law requires the Commission to study and develop safety standards for infant and toddler products.
- New mandatory standards have been promulgated for:
 - full-size cribs and non full-size cribs, play yards, bath seats, portable bed rails, infant walkers, toddler beds and infant swings.
- Mandatory standards will be promulgated for:
 - high chairs, booster chairs, hook on chairs, gates and other enclosures, stationary activity centers, infant carriers, strollers, walkers, bassinets and cradles, changing tables, infant bath tubs, and infant slings.
- Danny’s Law applies the scope of the mandatory crib standard to cribs, portable cribs and offered for use in hotels, child care facilities, family child care homes and other places where cribs are offered for use or lease.
- Danny’s Law also requires many durable infant and toddler products, including cribs, play yards, strollers and high chairs to contain a product registration card allowing consumers to easily register their product with the manufacturer through sending in the card or registering online.
 - This will give manufacturers crucial information necessary to directly contact consumers in the event of a recall or other product safety issue.
 - In Congressional testimony in 2004, Danny’s mother, Linda Ginzel, testified, “after Danny died, many people asked why the original owner hadn’t sent in the registration card. If she had done so, they reasoned, the company would have been able to notify her. The only problem is that there was no registration card included with this product. Why aren’t manufacturers required to include registration cards, especially for durable children’s products like cribs? If they had done so, my son would be alive today.”

Section 104 has already proven to be effective:

- The United States now has the strongest crib safety standards in the world.
 - the standard requires stronger mattress supports, more durable hardware and rigorous safety testing.
- The play yard standard which was finalized in June of 2012 now requires that new play yards will have to meet a new protective safety standard and will have to be tested to ensure compliance with the standard
- Cribs in daycare centers and hotels have to meet the robust mandatory crib standard.
- Consumers are now able to register infant and durable products online and through sending in cards included in products.

Available resources:

Product Registration Brochure from Consumer Federation of America, Kids In Danger, and Consumers Union:

http://www.consumerfed.org/elements/www.consumerfed.org/file/Product_Registration_Brochure.pdf

Directory of Manufacturer Online Product Registration Pages:

http://www.consumerfed.org/pdfs/Manufacturer_Directory.pdf