

**\*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 Toddler Beds”  
16 C.F.R. 1217**

**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 Toddler Beds. The proposed standard is “largely the same as” the voluntary standard ASTM F 1821-09, “Standard Consumer Safety Specification for Toddler Beds,” but with some modifications that strengthen the standard.<sup>2</sup>

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<sup>1</sup> “Safety Standard for Toddler Beds,” Federal Register, Vol. 75, No. 81, 22291 (April 28, 2010).

<sup>2</sup> Id.

## **Recommendations**

We agree with the CPSC staff's recommendations regarding adoption, with modification, of ASTM's F1821-09 standard. We support CPSC's efforts to establish safety standards more stringent than the voluntary ASTM standard where needed. We believe the additional proposed testing for guardrail stability and slat integrity are vital to keeping children safe in toddler beds. Further, we want to ensure that the scope of the standard includes all toddler beds on the market, including all types of guardrails.

In addition, we support the recommendation for a minimum height requirement for guardrails. As CPSC staff mentions, parents who buy a product with guardrails are most likely assuming that the rails will help retain their child in the product and avoid falls. With a guardrail of an inadequate height, parents have a false sense of security about the effectiveness of the product.

We also support the rewritten warning labels that more accurately reflect the hazards associated with toddler bed use. Warnings are often an inadequate solution to preventing hazards, thus, at a minimum, making them as clear and simple as possible to encourage caregivers to read them is vital. However, the use of the warning, "Always follow assembly instructions," is not useful in the location described. Presumably, the caregiver is reading the warning on a fully assembled product unit and is unlikely to refer to the assembly instructions at that time, or to know if the product was or was not assembled according to directions. A more appropriate place for this warning is on the packaging and the top of the assembly instructions.

## **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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