



IMPROVING
CHILDREN'S
PRODUCT
SAFETY



August 5, 2013

Office of the Secretary
Consumer Product Safety Commission
Room 502
4330 East-West Highway
Bethesda, Maryland 20814
Via: www.regulations.gov

**Comments of Kids In Danger and Consumer Federation of America to the U.S. Consumer Product Safety Commission on
to the U.S. Consumer Product Safety Commission
on “Safety Standard for Carriages and Strollers,”
16 CFR Parts 1112 and 1227, Docket No. CPSC–2013–0019**

I. Introduction

Kids In Danger (KID) and the Consumer Federation of America (CFA) submit the following comments to the U.S. Consumer Product Safety Commission (“CPSC” or “Commission”) in the above-referenced matter.¹

Section 104(b) of the Consumer Product Safety Improvement Act of 2008 (“CPSIA”) requires the Commission to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be “substantially the same as” applicable voluntary standards or more stringent than the voluntary standards if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product.

In the Notice of Proposed Rulemaking, the Commission proposes safety standards for carriages and strollers which are based on the voluntary standard developed by ASTM International, but with additions and modifications that strengthen the standard. Our comments support the strengthening additions and modifications and also include other changes to include in the standard.

II. Background

Strollers and carriages are almost a universal infant and toddler product, used by the vast majority of parents and caregivers, often on a daily basis. Infants and toddlers spend many hours in strollers while in transit, as a seat in parks, restaurants and other locales and even as a place to nap while out and about. Parents rely on this product to safely contain a squirming toddler as well as a resting infant. In addition to the multiple uses for the product, the array of strollers available in the market is perhaps as wide as any other infant product. From low-cost, simple

¹ Safety Standard for Carriages and Strollers, Notice of Proposed Rulemaking. Federal Register, Vol. 78, No. 97, 29279 (May 20, 2013).

umbrella strollers, to luxury carriages, to jogging strollers meant to be used on rugged terrain and while moving quickly, this standard must address all hazards in all types of strollers and carriages in all use scenarios. Often, it is also one of the more expensive pieces of baby gear and parents expect it to hold up to continued use for more than one child.

III. Discussion & Recommendations

Our organizations support the Commission's adoption of ASTM F833-13 with the proposed addition of a requirement and testing method to test 2-D strollers for scissoring, pinching or shearing hazards at the hinge link. In addition, we also urge the Commission to address additional issues in the final rule. This rule, with the additions we suggest, will be effective in reducing the risk of injury and death in strollers and carriages.

A. CPSC Proposed Additions and Modifications

KID and CFA support the addition of additional requirements and testing for 2D model stroller hinges. As CPSC notes in the NPR, hinges accounted for the largest group of injuries (72). These injuries happen on both 3D and 2D folding strollers and both should be addressed in the standard. It is foreseeable that a standing toddler will be in close proximity to the stroller while it is being opened. Strollers are often opened or closed in parking lots, on sidewalks next to busy streets or walking paths or in crowded locales, such as while disembarking from public transportation. The hinges of strollers must not pose hazards to children whether they are sitting in the stroller or standing next to the stroller. The solution to preventing hazards posed by hinges is not to rely on parents to keep children 'away from' the stroller. Adding a requirement for 2D strollers similar to that for 3D strollers, that the ASTM committee already adopted, will assure safety for all types of strollers.

B. Additional Issues to Address

The CPSC's incident data illustrates that additional safety issues are not being adequately addressed by the current standard or by the CPSC's proposed modification. We encourage the CPSC to add language to address the hazards outlined below:

- The Irregular Surface Test is a durability test in the European Union Standard, EN1888:2012. A similar test is in the voluntary Australian stroller standard AS/NZS 2088:2013. This test confirms that strollers are durable enough for expected use over the expected lifetime of the product. It checks that all connections, locking mechanisms, moving parts, handlebar locks, brakes and stability maintain over rough use. We recommend that CPSC add this test to the stroller and carriage standard.

In the NPR, CPSC quotes a study that shows at least one quarter of strollers in use are second-hand or hand-me-downs. This number probably doesn't include strollers that stay in one family but are used for multiple children. Given the cost of most strollers, it is very likely that many are used for a long period of time. In addition, the variety of terrain that strollers traverse is extreme – from bumpy city sidewalks and curb, to walking paths and parks, it is very rare to find a completely level and smooth area to continually use the stroller.

In addition, strollers are often opened and closed numerous times in a day, to get in and out of a car or bus or apartment or garage. It is our view that adding this test will give more assurance that latching mechanisms, brakes and hardware will hold up throughout the expected use of a stroller. Also, given that many manufacturers sell globally, many strollers are already tested to this to pass other stroller standards.

- There may be additional tests that would strengthen the standard. We urge CPSC to carefully consider the tests suggested by Consumers Union based on their stroller testing procedures.
- Another hazard associated with strollers as well as with other infant products not intended for overnight sleep, but in which a child often falls asleep, is the risk of suffocation or entrapment. While the standard warns “Do not leave child unattended,” we believe a more specific warning on the dangers of leaving a sleeping baby in the product is needed. We recommend adding language to address the following, “Children have become entrapped or suffocated while sleeping in strollers. Never leave a sleeping child unattended. Move to a crib or safe sleep surface.”
- In addition, we recommend that the CPSC add a marking on products that are manufactured after the effective date so that consumers can clearly identify new products that meet the new mandatory standard.

C. Effective Date

The CPSC proposed an eighteen month effective date after publishing the rule in the Federal Register based on requests from manufacturers. Our organizations cannot support that effective date. Given the length of time both the voluntary ASTM standard and the proposed rule have taken to reach this point, consumers should not have to wait until sometime in late 2015 to see products that meet the standard. If a six month period is not enough given the 2D test addition, then a one year period would be sufficient. This is the date for manufacturing, not sale, so we believe 12 months is sufficient.

IV. Conclusion

Our organizations strongly support the adoption of the Commission’s proposed mandatory standards for strollers and carriages. Strollers are a major purchase for almost all parents and those on the market should be safe. This standard, strengthened by our additional recommendations, and coupled with rigorous and independent third party testing, will provide safe transport for infants and toddlers.

Respectfully submitted,

Nancy A. Cowles
Executive Director
Kids In Danger
nancy@kidsindanger.org
312.595-0649

Rachel Weintraub
Legislative Director and Senior Counsel
Consumer Federation of America
rweintraub@consumerfed.org
202-387-6121