



Consumer Federation of America

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

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**Comments of Consumer Federation of America to the U.S. Consumer Product Safety Commission on
“Petition Requesting Rulemaking Eliminating Accessible Cords on Window Covering Products,” Docket No. CPSC-2013-0028**

I. Introduction

Consumer Federation of America (CFA) submits the following comments to the U.S. Consumer Product Safety Commission (“CPSC” or “Commission”) in the above-referenced matter¹.

II. Background

On May 23, 2013, Consumer Federation of America, Parents for Window Blind Safety, Consumers Union, Kids in Danger, U.S. PIRG, Public Citizen, Independent Safety Consulting, Safety Behavior Analysis, Inc, and others filed a [petition](#) with the U.S. Consumer Product Safety Commission (CPSC) requesting that the CPSC promulgate mandatory standards to make operating cords for window coverings inaccessible.

The groups request that CPSC promulgate a mandatory standard due to the repeated failure of the voluntary standard to adequately protect consumers from the strangulation hazards posed by corded window coverings and due to the continuing incidents that occur as a result of the hazard. The petition asks the CPSC to prohibit accessible window covering cords when feasible, and require that all cords be made inaccessible through passive guarding devices when prohibiting them is not possible.

III. Discussion & Recommendations

A. Hidden Hazard and History of Death and Injuries

¹ **Petition for Rulemaking to Eliminate Accessible Codes on Window Covering Products**, Vol. 78, No.135, (July 15, 2013).

The CPSC has long recognized window covering cords as a hidden strangulation and asphyxiation hazard to children and continues to identify it on its website as one of the “top five hidden hazards in the home.”

CFA and the other petitioners urge CPSC to promulgate a strong mandatory standard to address the hazards posed by corded window coverings because according to data from the CPSC, 293 children have been killed or seriously injured by accessible window covering cords between 1996 and 2012, and the rate of injuries and deaths has not been significantly reduced since 1983², despite six industry attempts at developing adequate voluntary standards.

Some who oppose a stronger standard have stated that 80 percent of reported fatalities on window coverings involve older products that do not meet current safety standards. However, CPSC data does not support this statement and we are unaware of any evidence that support this statement. Importantly, the weaknesses of the current voluntary standard continue to fail to address the significant strangulation hazard posed by corded window coverings.

B. Ineffective Voluntary Standards Process

The voluntary standards process, beginning from the first standard in 1996, and including the most recent standard in 2012, has failed to eliminate or even significantly reduce the risk of strangulation and asphyxiation by window covering cords to children. Every voluntary standards process for window coverings has resulted in a standard that has failed to address approximately 40% of the injuries and deaths caused by window covering cords. Feasible and cost-effective designs that eliminate the risk of window cord strangulations already exist, but the voluntary standard does not require their use.

In addition, the voluntary standards process was not adequate: consumer groups had limited participation and the process was not transparent. Consumer groups were allowed only limited involvement in the voluntary standards process. They were not permitted to participate in technical committees; technical committees are entirely comprised of industry members. Consumer groups were allowed to serve on a “steering committee.” However, concerns and comments raised in “steering committee” meetings were ignored and suggestions made by Consumer group members were not incorporated into any aspect of the voluntary standard. Recognizing that their limited participation was for show, Consumer groups withdrew from the process rather than continue to lend legitimacy to a highly flawed process.

As for transparency of the voluntary standard process, this was also lacking. WCMA withheld test data from the steering committee; WCMA removed a performance requirement for operational cords from a draft version of the standard; and consumer and industry members wanting to serve on technical committees and steering committees were denied inclusion by WCMA.

C. Designs that Eliminate the Hazard Posed by Cords in Window Coverings Exist

It is possible for a standard to be developed that eliminates the strangulation hazards posed by window coverings. This is evidenced by the fact that manufacturers have been selling products for several years that eliminate the strangulation hazard.

Window covering deaths and injuries can be eliminated by designs that already exist. For example, cordless technology is included in some window coverings which eliminate pull cords, thereby addressing both outer and inner cord hazards. Products with cordless technology are available, add minimum costs to the manufacture of these products, and can be used on the vast majority of blinds and shades. In addition, cord cover designs rendering the pull cords of window coverings inaccessible have been available since the 1990's but were never sold in the marketplace because the CPSC allowed separated cord tassels to serve as a compliant design. Thus, the technology already exists to address the hazard.

While arguments have been raised that claim that there is no universal technologic fix for all window coverings, so strangulation issues cannot be addressed by the voluntary standard, in fact, different solutions can be applied to different products. The technology to eliminate cords on window coverings already exists. Fixes for stock products exist and custom products are being sold in large retail stores today. Several manufacturers offer cordless window coverings.

D. Educational Campaigns have been Inadequate

Educational campaigns attempt to spread the word about dangerous corded window coverings; however, many people miss the message. Educational campaigns are a "safety net," but a net has holes. Educational campaigns do not capture consumers who do not read magazine ads and those who do not happen to be listening to the news during the 1-2 minute segment when window blind strangulation is discussed.

Furthermore, WCMA's educational campaign fails to tell consumers that corded window coverings cannot be installed and safely used in homes with children since even blinds that meet their standard – in particular, those with long cords – can and have killed children. The core message – corded blinds are not safe for homes with children – is not found on product packaging, which is the place a consumer may look for information at the time of purchase. The fact that children continue to die at the same rate they died 20 years ago proves that educational campaigns are not working effectively.

IV. Conclusion

CFA strongly urges the Commission to take immediate action to protect consumers from the hazards posed by corded window coverings by promulgating mandatory standards that effectively address the hazard.

Respectfully submitted,

A handwritten signature in black ink that reads "Rachel Weintraub". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Rachel Weintraub
Legislative Director and Senior Counsel
Consumer Federation of America