



October 16, 2024

TRANSMITTED VIA EMAIL

Rachael Shagott
Subcommittee Chair for ASTM Infant Loungers
ASTM International
100 Barr Harbor Dr.
West Conshohocken, PA 19428-2959

RE: Negative vote for ASTM Ballot F15 (24-18), Item 1

Dear Ms. Shagott:

U.S. Consumer Product Safety Commission (CPSC) staff¹ appreciates the ASTM Infant Loungers Subcommittee's efforts to develop a new voluntary standard for infant loungers. However, staff is casting a negative vote on this ballot.

On September 25, 2024, staff sent a draft final rule for a safety standard for infant support cushions to the Commission for consideration.² On October 16, 2024, the Commission voted 5-0 to publish a final rule establishing a safety standard for infant support cushions (final rule). The final rule will go into effect 180 days after publication of the final rule in the *Federal Register* and will require all infant support cushions manufactured for sale after the effective date of the final rule to meet the new requirements. Consistent with the Commission's decision, staff asserts that the performance and warning requirements in the Commission's final rule are necessary to address the hazards to infants from all infant support cushions, including infant loungers.

Staff is concerned that because of the narrower scope of the infant lounge ballot compared to the final rule, as well as misalignments in the performance and warning requirements between those two documents as discussed below, the infant lounge ballot does not sufficiently address the suffocation, fall, and entrapment hazards to infants posed by infant support cushions. Staff urges ASTM to reassess the scope of products subject to the draft infant lounge standard. Specifically, staff notes that other types of infant support cushions, such as infant head positioner pillows, infant sleep positioners and anti-rollover pillows, crib pillows, wedge pillows for infants, stuffed toys or pads and mats marketed for use as infant support cushions, multi-purpose pillows marketed for both nursing and lounging, and

¹ The views expressed in this letter are those of CPSC staff, and they have not been reviewed or approved by, and may not reflect the views of, the Commission.

² See Draft Final Rule - Safety Standard for Infant Support Cushions, available at: <https://www.cpsc.gov/content/Draft-Final-Rule-Safety-Standard-for-Infant-Support-Cushions>.

tummy time pillows, are included in the scope of the final rule but are not included in the scope of the draft voluntary standard for infant loungers. Staff notes these products pose similar risks to infants as infant loungers.

Additionally, staff urges ASTM to align the performance requirements and test methods in the infant lounger ballot to conform to the requirements in the final rule for infant support cushions, including requirements for firmness testing, side angle testing, and maximum incline testing. Staff also urges ASTM to align the warning statement in the infant lounger ballot with the warning statement in the final rule, particularly by retaining the statement “using this product for sleep or naps can kill.” Thus, staff urges ASTM to adopt the final rule requirements in the draft voluntary standard.

Staff looks forward to continuing to work with you and the rest of the subcommittee.

Sincerely,

Ashley Johnson, Ph.D.
Physiologist
Directorate for Health Sciences

cc: Molly Lynyak, ASTM F15 Staff Manager
Don Mays, ASTM F15 Chair
Jailynn McGhee, JPMA Government Affairs Standards and Certification Associate
Daniel Taxier, CPSC Children’s Program Manager
Jacqueline Campbell, CPSC Voluntary Standards Coordinator