

U.S. Consumer Product Safety Commission Log of Meeting

SUBJECT: WCMA Representatives Meeting
DATE OF MEETING: October 7, 2019
LOCATION: Bethesda Towers
LOG ENTRY SOURCE: Rana Balci-Sinha
DATE OF LOG ENTRY: October 23, 2019
CPSC ATTENDEES: Rana Balci-Sinha, Howard Tarnoff, Mark Kumagai, Joel Recht
NON-CPSC ATTENDEES: Ralph Vasami, Joe Jankowski, John Lee, Paul Nathanson, Jeff Sendlak (phone)

SUMMARY OF MEETING:

Ralph Vasami explained that before the end of the month, they plan to issue a ballot on the rigid cord shroud. He said that they have contacted almost all online sellers to remind them of the warning requirements associated with corded custom window coverings that ANSI/WCMA standard specifies. They have engaged RILA (Retail Industry Leaders Association) and NRF (National Retail Federation) to convey the same message to their members. They began digital ads on social media that will continue beyond the October window coverings safety month. They have completed a website refresh and opened an Instagram account. They also have online toolkits such as infographics for members to communicate the message more effectively. They are targeting new parents as an audience and participated in “Best Baby Ever” campaign to distribute packages to new parents. They are also reaching out to Inns, B&Bs, and hospitality groups. They engaged a satellite media tour that will be broadcasted in 24 markets. They have observed excellent compliance in retail stores and began to see a paradigm shift among manufacturers. In ads, consumers do not see corded products anymore. Anecdotally, bigger portion of custom sales is now cordless compared to previous years. He will ask members to get more information on their custom sales. He indicated that the ratio of stock vs custom is about 80/20 but he will ask for data on what portion of custom sales are cordless.

Ralph Vasami stated that firms are spending substantial amount of resources to understand the testing requirements in the new Canadian rule and trying to clarify the requirements and testing. WCMA shared their letter to Deputy Minister of Health, which is attached to this meeting log. Because a large number of technical experts in the firms are attending to this issue, they do not have the bandwidth to focus on the ANSI/WCMA standard improvements at this time. CPSC staff expressed their disappointment about the delays in addressing the Custom portion of the Standard.

Joel Recht noted that we all have limited staff resources, but also need to find ways to work on priority issues and asked that they find a way to do so.

Ralph Vasami indicated that they needed to wait for the Canadian government which they could not engage in the weeks before the Canadian election (due to Canadian rules related to elections).

Joel Recht noted that the election would be on 10/21/2019 and suggested they aim to have meetings in November with Health Canada and asked if they could then open the standard by the end of the calendar year, but WCMA did not commit to that.



September 13, 2019

Dr. Stephen Lucas
Deputy Minister of Health
Brooke Claxton Building, Tunney's Pasture
Postal Locator: 0906C
Ottawa, Ontario K1A 0K9

Dear Deputy Minister,

On behalf of the Window Covering Manufacturers Association and its Canadian Window Covering Manufacturers Council, I wish to congratulate you on your recent appointment as Deputy Minister of Health. We look forward to meeting you and establishing a proactive and productive working relationship on the issues and areas of importance to our sector and the department including child safety and the concrete innovations Canada's window covering manufacturers have advanced.

I am writing to request a meeting with you and your senior officials to clarify a number of terms and requirements prescribed in the Corded Window Coverings Regulations (SOR/2019-97). Our sector is seeking clarification on the items cited below in order to determine whether compliance with this new law will be technically and financially feasible when it comes into effect on May 1, 2021.

To date, we have received serious expressions of concern from members who continue to find the regulation confusing and unworkable. Based on a survey of over 50 manufacturers across Canada, if the regulations as currently proposed remain unchanged, more than 88% of the custom window blinds manufactured and sold in Canada would not comply with Health Canada's regulation. Additional concerns are also being shared by companies who supply Canada's retail sector with cordless stock window coverings because of the equally confusing pull force requirements in the regulation. Despite assurances from your predecessor that Health Canada was not looking to regulate the window covering sector out of business, that is exactly what we foresee taking place without serious amendments to the regulation.

The following is presented for consideration and formal discussion with the sector:

Paragraph 4: *"A cord that is not reachable must remain so, whether the corded window covering is fully opened, fully closed or in any position in between, throughout the useful life of the corded window covering."*

1. Please clarify what is meant by "not reachable".

355 Lexington Avenue, 17th Floor
New York, NY 10017-6603
Phone: (212) 297-2122
Fax: (212) 370-9047

2. Please define "useful life"
3. We believe this Paragraph only refers to products in the static condition, i.e. when the blind is not being operated, but seeking confirmation.

Paragraph 5: "A reachable cord with one free end must not exceed 22 cm in length when it is pulled in any direction by the gradual application of force attaining 35 N."

4. Please define "free end".
5. We believe this paragraph does not refer to ladder cords that are longer than 22 cm as they can not be pulled out to form a loop, but please confirm. Please define "gradual application of force".
 - Over what period of time?

Paragraph 6: "A reachable cord with no free end must not exceed 22 cm in length between two consecutive contact points when it is pulled in any direction by the gradual application of force attaining 35 N."

6. Does Paragraph 6 apply to inner cords on cordless products- pleated, horizontals, Roman, and any cordless bottom up/top-down window coverings?
7. Does Paragraph 6 apply to continuous cord loop (CCL) systems?
8. We believe Paragraph 6 does not apply to retractable operating systems as they cannot form a loop when they are "pulled" (i.e. under tension), but please confirm.
9. Please define "consecutive contact points". Further, we believe that Paragraph 6 does not apply to products where a cord is connected to bottom rail and to the lift spool in the head rail as that would effectively eliminate the majority of all horizontal and pleated products - any products that exceed 22 cm in overall length, but seeking confirmation.
10. Is the 22 cm referred to in Paragraph 6 a straight length only, or could it refer to a loop?

Paragraph 7: "If a reachable cord is pulled in any direction by the gradual application of force attaining 35 N, the perimeter of any loop, whether it is existing, created or enlarged, must not exceed 44 cm."

11. We believe Paragraph 7 only applies to continuous cord loop (CCL) systems, but please confirm.
12. Does loop include combination of cord (more than 50%) and fabric (less than 50%)?

Paragraph 8: "If two reachable cords with one free end each can be connected to one another, end to end, after each has been pulled in any direction by the gradual application of force attaining 35 N, the following criteria must be met:

- (a) the length of the resulting cord must not exceed 22 cm; and
- (b) the perimeter of the loop that is created must not exceed 44 cm."

13. Please describe how this connected state is created. How would the cords connect to one another if they are pulled in any direction? End to end?

Paragraphs 5 through 8: "35 N force"

14. Our members are having difficulty re-creating any child strangulation risk scenario under this section. To ensure we understand how to test our products to attain compliance with the regulation, can Health Canada officials please physically demonstrate how they envision the risk scenario and how it is to be tested. The US ANSI standard requires inner cords to be tested for accessibility, and if accessible, then to be tested for the possibility of creating a hazardous loop. These test procedures have been in place for 10 years and have worked very well to combat the risk scenario involving inner cords. However, this type of test seems to be missing from the Canadian regulation and the manufacturers don't understand how the proposed regulation addresses this scenario.

Paragraph 10: *"The information required by these Regulations must*

(a) appear in both English and French;

(b) be legible and prominently and clearly displayed and, in particular, the characters must be in a colour that contrasts sharply with the background;

(c) remain legible and visible throughout the useful life of the corded window covering under normal conditions of transportation, storage, sale and use; and

(d) in the case of information that is required on the corded window covering, be indelibly printed on the corded window covering itself or on a label that is permanently affixed to it."

15. For clarity, can Health Canada provide a pictograph example of these requirements?

Paragraph 15: *"The following warning or its equivalent must appear on every corded window covering, the packaging of the corded window covering, any accompanying instructions and all of the advertisements for the corded window covering:*

WARNING

STRANGULATION HAZARD — Young children can be strangled by cords. Immediately remove this product if a cord longer than 22 cm or a loop exceeding 44 cm around becomes accessible."

16. How is the warning about 22 cm or 44 cm consistent with the regulatory requirements stipulated in sections 4 through 8? What does the term "becomes accessible" mean?

17. For clarity, can Health Canada provide a pictograph example of the warning?

We look forward to discussing these and other issues with you and senior Health Canada officials at your earliest convenience.

Regards,



Ralph Vasami
Executive Director
355 Lexington Ave, 15th Floor, New York, NY 10017
Email: rvasami@kellencorpany.com / Tel. 212-297-2125

c.c.

Robert Ianiro, Assistant Deputy Minister, HECS, Health Canada

Tina Green, Assistant Secretary, Regulatory Affairs, Treasury Board of Canada Secretariat