



UNITED STATES  
CONSUMER PRODUCT SAFETY COMMISSION  
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STATEMENT OF  
COMMISSIONER RICH TRUMKA JR.

**COMMISSIONER TRUMKA WARNS THAT FISHER-PRICE'S SNUGA RECALL IS  
NOT GOOD ENOUGH TO KEEP BABIES SAFE; MULTIPLE BABIES DEAD**

**OCTOBER 10, 2024**

I absolutely agree that Fisher-Price Snuga Swings need to be recalled—they are tied to multiple infant sleep deaths. However, I believe that the flawed recall that Fisher-Price is announcing today is doomed to fail and will keep many babies in harm's way.

First, Fisher-Price fails to recall the entire product, instead recalling only a portion of it. Even after a consumer follows through with the recall "remedy," the product remains **unsafe** for infant sleep, yet Fisher-Price encourages "continuing to use the swing." Second, along with choosing to recall only a *portion* of the product, Fisher-Price is offering consumers only a small *portion* of the product's cost—\$25, when consumers originally spent around \$160 for the Snuga Swings. I fear that this dangerous approach will keep babies at risk of death just to save Fisher-Price money—a horrible example of putting profit over people.

My advice: get your \$25 refund and then **throw this product away**; do not keep it in your homes because even after the so-called "repair" this product will still be unsafe for infant sleep.

The Fisher-Price recall announcement concedes that the product is unsafe for sleep even after the recall, stating "**Hazard:** The swing should never be used for sleep" and "never use these products for sleep . . . even after [the specified soft parts] have been removed." Congress banned the sale of inclined sleepers in 2022 under the Safe Sleep for Babies Act because inclined sleepers are hazardous. Only a firm, flat surface is safe for infant sleep.

I have no doubt that if these products remain in homes, many consumers will still use these products for sleep because they have received conflicting instructions over time.<sup>1</sup> Merely warning parents to stop using these products for sleep *now* will not be as effective as removing them from homes and daycares. Fisher-Price cannot un-ring the bell. Dangerous products will remain in homes after this recall.

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<sup>1</sup> E.g., Fisher-Price, *Fisher-Price Cradle 'n Swing User Tips*, YouTube (Nov. 6, 2015), <https://youtu.be/WUecSoOOXnY?si=5V4W3QpU2EGEHfyM&t=62> ("Keep in mind that these swings are designed for soothing or for short naps, but not for overnight sleeping. That's why the motion will stop *after four hours of use.*") (emphasis added).

I believe that the \$25 offer is designed to save Fisher-Price money instead of adequately ending the hazard. A \$25 offer to strip parts off of a product people bought for \$160 is not enough of an incentive to take that action. And if the goal were to truly end this hazard, Fisher-Price could be offering \$160 to consumers to destroy the entire product—*that* would be a reasonable way to end the risk to babies’ lives. That is not the path Fisher-Price takes today, and that is not the approach Fisher-Price has taken with past recalls of its products tied to babies’ deaths.

When Fisher-Price recalled the Rock ‘n Play in 2019, it failed to offer full refunds to all consumers, offering many just vouchers for other Fisher-Price products. Eight babies died after the recall,<sup>2</sup> bringing the total Rock ‘n Play deaths to over 100 babies.

When Fisher-Price recalled the Rock ‘n Glide Soother in 2021, it failed to offer a full refund to all consumers and offered different amounts to consumers who kept a receipt and those that did not.<sup>3</sup>

And in 2022, Fisher-Price acknowledged 13 infant deaths in its Infant-to-Toddler Rockers and Newborn-to-Toddler Rockers, but failed to recall the products, instead just issuing a warning to consumers not to use the products for sleep.<sup>4</sup>

These actions do not show the commitment to ending product-related infant sleep deaths that I would expect to see from a company that claims to place safety as its highest priority.<sup>5</sup> Instead of learning from the failures of the past, Fisher-Price appears indifferent to repeating them. Fisher-Price should know better than to skimp on another recall.

Instead of fretting about its sales and reputation, Fisher-Price should be placing safety first and considering the science on infant safety. Let’s look at that science. After concluding that inclined sleep products were hazardous in 2019, a group of researchers studied so-called infant seated products like bouncers, swings, and rockers to figure out whether they posed the same risks. They issued stark advice in 2023, noting that many “seated products” had substantially similar designs to banned inclined sleepers, including the hazardous incline angle:

*[T]he higher the incline angle, the more biomechanical impacts are subjected to the infants. . . . Many of the seated products in this study feature substantially similar designs to the now-banned inclined sleep products, while other seated products feature more upright designs. Much if not all of the research we conducted as part of our*

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<sup>2</sup> CPSC, *Fisher-Price Reannounces Recall of 4.7 Million Rock ‘n Play Sleepers; At Least Eight Deaths Occurred After Recall*, <https://www.cpsc.gov/Recalls/2023/Fisher-Price-Reannounces-Recall-of-4-7-Million-Rock-n-Play-Sleepers-At-Least-Eight-Deaths-Occurred-After-Recall> (Jan. 9, 2023).

<sup>3</sup> CPSC, *Fisher-Price Recalls 4-in-1 Rock ‘n Glide Soother After Four Infant Deaths; 2-in-1 Soothe ‘n Play Gliders Also Recalled*, <https://www.cpsc.gov/Recalls/2021/Fisher-Price-Recalls-4-in-1-Rock-n-Glide-Soothers-After-Four-Infant-Deaths-2-in-1-Soothe-n-Play-Gliders-Also-Recalled> (June 3, 2021). See also Mattel, *Recall & Safety Alerts*, [https://service.mattel.com/us/recall.aspx?\\_ga=2.79950231.1631940247.1711955769-349098388.1709135742](https://service.mattel.com/us/recall.aspx?_ga=2.79950231.1631940247.1711955769-349098388.1709135742) (last visited Sept. 25, 2024).

<sup>4</sup> CPSC, *CPSC and Fisher-Price Warn Consumers About 13 Deaths in Fisher-Price Infant-to-Toddler and Newborn-to-Toddler Rockers: Advise Rockers Should Never Be Used for Sleep*, <https://www.cpsc.gov/Newsroom/News-Releases/2022/CPSC-and-Fisher-Price-Warn-Consumers-About-13-Deaths-in-Fisher-Price-Infant-to-Toddler-and-Newborn-to-Toddler-Rockers-Advise-Rockers-Should-Never-Be-Used-for-Sleep> (June 14, 2022).

<sup>5</sup> Fisher Price, *Safe Start*, [www.shop.mattel.com/pages/safe-start](http://www.shop.mattel.com/pages/safe-start) (last visited Sept. 25, 2024).

*previous inclined sleeper study [in 2019] can be applied to many of the products in this current [2023] study on infant seated products.*<sup>6</sup>

This Agency adopted a rule banning inclined infant sleepers in 2021 and Congress enacted a law banning inclined infant sleepers in 2022 because the incline creates a hazard. According to these scientists, the same hazard exists with seated products like swings and rockers when they are used for sleep:

*Our in vivo human subjects testing showed significantly different body positions and muscle activity of infants in seated products compared to a firm flat surface. An infant may be able to achieve movements in seated product mechanical environments before they could do so on a firm flat surface, which could introduce additional hazards.*<sup>7</sup>

Specifically, in these inclined products, “muscles are working overtime and would fatigue more quickly. If an infant cannot self-correct or a caregiver is not alerted, the hazards can result in death as evidenced in the IDIs [in-depth investigations] we reviewed.”<sup>8</sup> In laymen’s terms, as we have seen with several Fisher-Price inclined products, sleep in an inclined product may result in an infant’s death.

Fisher-Price can do more to save babies lives—I think it needs to. And I firmly believe that consumers should demand more from this company

Yours in Safety,

Commissioner Richard L. Trumka Jr.

\*The views expressed in this statement are solely the views of Commissioner Trumka and do not reflect the views of the Commission.

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<sup>6</sup> Mannen, et al., Seated Products Characterization and Testing 57 (2023), available at <https://www.cpsc.gov/content/Report-Boise-State-Universitys-Seated-Products-Characterization-and-Testing> (citing Mannen, et al., Biomechanical Analysis of Inclined Sleep Products (2019), available at [https://www.cpsc.gov/s3fs-public/Dr-Mannen-Study-FINAL-Report-09-18-2019\\_Redacted.corrected\\_0.pdf?g.Jao0IN\\_zU.TjiX4FeSUM3SPc3Zt\\_25](https://www.cpsc.gov/s3fs-public/Dr-Mannen-Study-FINAL-Report-09-18-2019_Redacted.corrected_0.pdf?g.Jao0IN_zU.TjiX4FeSUM3SPc3Zt_25)).

<sup>7</sup> Mannen, et al., Seated Products Characterization and Testing at 201.

<sup>8</sup> *Id.*