



U.S. CONSUMER PRODUCT SAFETY COMMISSION
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**STATEMENT OF CHAIRMAN INEZ M. TENENBAUM ON THE
COMMISSION DECISION REGARDING THE FINAL RULE ON THE
MANDATORY SAFETY STANDARDS FOR FULL-SIZE AND NON-FULL-
SIZE CRIBS**

Today the Commission delivered on my promise to Congress and to parents across the nation to adopt mandatory robust and highly protective standards for full-size and non-full-size cribs in 2010. This was an enormous undertaking and an accomplishment achieved through the incredible work ethic and dedication to the safety of children demonstrated by CPSC staff, my fellow Commissioners and our stakeholders involved in the voluntary standards process.

As a result of the collaborative efforts of everyone involved in developing this rule, our nation has established some of the strongest crib standards in the world. I believe that a safe crib is the safest place for a baby to sleep. Upon the availability of these newly-compliant cribs, these new standards will give parents greater confidence in the safety of cribs for sale, markedly reduce crib-related hazards, and ensure that young children, no matter where they live or what their circumstances are, sleep more safely in their cribs.

Upon taking over as Chairman of the Commission last year, I observed that there was an alarming pattern of failures of crib hardware and component parts, particularly related to drop-side cribs. The situation required meaningful short-term and long-term strategies to address this trend. According to our data, between November 2007 and April of this year, there were thirty-six deaths associated with crib structural problems. Thirty-five of those fatalities occurred when crib components detached, disengaged, or broke, ending in unspeakable tragedy.

To begin addressing this serious concern quickly and comprehensively, I initiated a "Safe Sleep Team," drawn from CPSC staff across areas of legal and technical expertise to review incident and injury data related to cribs and to investigate patterns of specific failures at an expedited pace. I also directed the Safe Sleep Team to clean up the marketplace by recalling unsafe cribs already in consumers' homes. Directly related to today's vote, I also requested the CPSC staff to accelerate significantly the work on a robust mandatory crib standard intended to help ensure that new cribs coming into the marketplace would be as safe as possible. Combined with our

sustained and ongoing efforts to rid the marketplace of older, defective cribs, the development and passage of new mandatory crib standards represents a responsible and holistic approach to giving consumers increased confidence in the safety of their cribs.

The development and passage of these new standards is also consistent with my philosophy as Chairman that recall after recall is not the path to improved safety in the marketplace in the long term. The emphasis on quickly improving the standards became even more important as parents and caregivers became overwhelmed by millions of cribs being recalled over the past four years.

The passage of this rule, however, does not mark the end of our efforts in the area of crib safety. I will continue my commitment to ensure that CPSC remains vigilant and consumers can continue to have confidence that the agency is committed to ensuring that children have a safer sleeping environment.

I deeply appreciate—and am very much concerned about—the impact of this Congressionally-mandated rule on smaller entities, particularly child care facilities and places of public accommodation. Serious concerns have arisen that child care facilities in particular would not be able to obtain cribs that meet the new standard immediately after it becomes effective. Based upon a close examination of the information, CPSC staff anticipates that more than 59,000 child care facilities, 98 percent of which are small businesses, could be affected. Taking into account that the average child care center has between four and forty-five cribs, staff anticipates that about 775,000 cribs will require replacement, with the average cost of replacement per facility ranging from \$2,000 to \$22,000. Together, our staff estimated that child care facilities and places of public accommodation will create a demand of approximately 935,000 cribs, which would amount to nearly \$467 million in replaced crib costs altogether.

These numbers are not inconsequential, and responsible implementation of this rule required that we carefully consider how quickly affected entities may reasonably be able to comply. I believe that sufficient time must be built into the process not only to allow enough crib inventory to reach the market but also to allow affected entities to purchase the new cribs. The entire purpose of the new standard—as well as the statute that required we make the standard mandatory—would be undermined by picking a date for compliance that is too early and results in the unintended consequence of well-intentioned facilities that are unable to comply having no choice but to avoid penalty by switching to potentially less safe sleep environments.

Thus, in order to address this concern and better ensure both widespread availability of compliant cribs and an orderly and successful transition to the use of compliant cribs by child care providers and places of public accommodation, the Commission has adopted a two-step phase in of the rule. First, for all manufacturers, distributors, and retailers of full-size and non-full-size cribs, the final rule will become effective six months from the publication date in the *Federal Register*. Second, child care centers, family child care homes, and places of public accommodation will then have an additional eighteen months to comply.

Full compliance for every child care center in the United States and its territories will be no easy task, and choosing how best to achieve this goal in a reasonable and timely fashion has not been accomplished with ease. I believe we have struck the right balance to ensure that children will benefit from safer cribs while at the same time working to prevent a crippling impact on smaller entities and a crisis in available child care for working families.

Finally, as we strive to ensure that a crib is the safest place for an infant or toddler to sleep, we must not forget that a safe sleeping environment also includes ensuring that the child is not put at risk of suffocation by items placed in a crib by a caregiver. A large part of our public outreach, therefore, is designed to inform caregivers about the serious dangers associated with the use of soft bedding in cribs. According to our research, the number one fatal crib hazard is adding extra bedding, such as pillows or comforters, to a baby's crib. In order to address these deaths we will continue to work to educate parents and caregivers on the suffocation dangers associated with soft bedding placed into cribs.

Our work to ensure that the marketplace, homes, child care centers, and other facilities are free of dangerous and defective cribs is the cornerstone of the safe sleep campaign, and I am very pleased that these new rules will stop the manufacture and sale of dangerous traditional drop-side cribs and will make cribs sturdier. All these changes are intended to usher in a new generation of safer cribs for consumers in 2011. This new standard and the new cribs that will come to the market next year is our way at CPSC to honor Tyler Witte, Liam Johns, Bobby Cirigliano, and all of the other children who have died in crib incidents. We have taken strong action today to ensure that cribs are safer so that all children using cribs can have a safer sleep.