

# SAFEGUARDS

SGS CONSUMER TESTING SERVICES

HARDGOODS

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## CPSC ANNOUNCES NOTICE OF PROPOSED RULEMAKING FOR PLAY YARDS

Section 104b of the Consumer Product Safety Improvement Act of 2008 (CPSIA) requires the U.S. Consumer Product Safety Commission (CPSC) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be "substantially the same as" applicable voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product.

Previously under Section 104b, the CPSC has reviewed and issued final rules for Full-Size and Non-Full-Size Cribs, Infant Walkers and Bath Seats. On 17 August 2011, the Commission issued a Notice of Proposed Rulemaking: Safety Standard for Play Yards.<sup>1</sup>

A play yard as defined by, ASTM F 406, *Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play Yards*, is a "framed enclosure that includes a floor and has mesh or fabric sided panels primarily intended to provide a play or sleeping environment for children."

The voluntary standard F 406 was initially approved in 1977. Several revisions have been made to this standard since. During the current stage of the ASTM approval process for revisions to the F 406-11, new issues were recognized by the Commission and the ASTM task group concerning language clarification and certain technical requirements such as the shape and size of the clamp faces used in the Top Rail to Corner Post Attachment Test.

### ACTIONS

Following an extensive review of 2,148 incident reports relating to play yards, the Commission has assessed the current voluntary standard, F 406-11 inadequate in addressing some of the known hazards associated with play yards. The requirements outlined by the CPSC in the NPR are the same as those in F 406-11 with the following three recommended modifications.

<sup>1</sup> <http://www.cpsc.gov/library/foia/foia11/brief/playyardNPR.pdf>

### Proposed Changes:

1. Clarification of the equipment needed to perform the floor strength test (Section 8.12.1)
  - a. The proposed rule clarifies that "2 wood blocks" are needed.
2. Clarification of the floor strength test method (Section 8.12.2.1)
  - a. The proposed rule clarifies that wood blocks should be put into position before the weight is applied.
3. The Shape and area of the clamping for the "Top Rail to Corner Post Attachment Test" (Section 8.30.3 *Load Application Procedure*, sub-section 8.30.3.1)
  - a. The proposed rule would allow



the tester to choose the shape and area of the clamping surface, within a specified range (1-square-inch to 4 square-inches) to accommodate the variety of hinge latching devices in different models of play yards.

The proposed changes apply only to play yards. As publicized by the CPSC, the proposed rule would exclude the provisions of F 406-11 that apply to non-full sized cribs. In addition only the labeling requirement of section 9.4.2.10 of F 406-11 should be used, the remainder of the section would be excluded.

The next ASTM sub-committee discussion regarding F 406-11, play yards, and these proposed changes is scheduled for September 14, 2011.

#### EFFECTIVE DATE

The Administrative Procedure Act requires an effective date of 30 days after publication by the CPSC of the final rule. However, to allow time for manufacturer compliance, the CPSC intends for the standard to become effective 6 months after publication of the final rule in the Federal Register.

SGS will follow up and provide information about developments in the regulations for consumer products as a complimentary service.

Throughout our global network of laboratories, we are able to provide a wide range of services including physical/mechanical testing, analytical testing and consultancy work for technical and non-technical parameters applicable to a comprehensive range of consumer products. Please do not hesitate to contact us for further information.

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