

# SAFEGUARDS

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SOFTLINES

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## POSITION LETTER FROM US CPSC ON CHILDREN'S SLEEPWEAR AND LOUNGEWEAR

On 22 December, 2011, the U.S. Consumer Product Safety Commission (CPSC) issued a letter to manufacturers, distributors, importers and retailers reminding the apparel industry of the enforcement policy and their obligations associated with children's sleepwear and loungewear.<sup>1</sup>

The highlights in the letter reiterated that all Children's Sleepwear and Loungewear sold in the US are required to comply with the Flammable Fabrics Act (FFA) using the standards for Flammability of Children's Sleepwear 16 C.F.R. Parts 1615 and 1616. In the letter, the Commission also reviewed the fact that the definition of children sleepwear includes loungewear as a type of children's sleepwear. Loungewear garments for children are worn primarily for sleep-related activities. The Commission's regulations define the term "children's sleepwear" to include any product of wearing apparel (in sizes 0-14), such as nightgowns, pajamas, or similar or related items, such as robes, intended to be worn primarily for sleeping or activities related to sleeping, except: (1) diapers and underwear; (2) "infant garments", sized for a child nine months of age or younger; and (3) "tight-fitting garments" that meet specific maximum dimensions.

In addition to the flammability requirements of 16 C.F.R. 1615 and 1616 for children's sleepwear, all children's products (including children's sleepwear) are required to comply with the Consumer Product Safety Improvement Act of 2008 (CPSIA) requirements including tracking labels, a certificate of compliance, meeting requirements for lead content and surface coatings (e.g. painted snaps or zipper pulls), and meeting requirements for phthalates (sleepwear is considered to be a childcare article).

The CPSC staff intends to take enforcement action against firms that market loungewear items that do not comply with the children's sleepwear standards (16 C.F.R. Parts 1615 and 1616). Any violation of compliance with the requirements could be subject to fines and imprisonment, or both.



<sup>1</sup> [US CPSC – Sleepwear Policy and Loungewear Position Letter](#)

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