

Renaë Rauchschwable's e-mail Question 1: Log Transformed Elapsed Time Methodology

As mentioned earlier the estimates of time that the infant was left unattended seemed ~~to~~ to cluster on the low end of the scale and did not distribute in a traditional ~~data set~~ bell-shaped ~~data set~~ curve. In order to achieve a bell-shaped distribution, one approach would be to ~~use~~ log-transform the reports of elapsed time and use a t-test for statistical significance. Readers, however, tend not to understand reports of time when log-transformed, so you used real time reports and submitted the data to a non-parametric test (a Kolmogorov-Smirnov test which is not sensitive to deviations from 'normality') to ~~test~~ test ~~for~~ for statistical significance. Non-parametric test are however, ~~less~~ less "powerful" than traditional parametric tests such as a ~~t~~-t-test.

Wilson, Dennis B.

From: Clay Mann [Clay Mann@hsc utah edu]
Sent: Tuesday, January 23, 2001 12:57 PM
To: CKiss@cpssc.gov, DWilson@cpssc.gov, PWeller@cpssc.gov, RRauch@cpssc.gov, Clay Mann@hsc Utah edu
Subject: Re RE. Follow-Up to January 18, 2001

PLEASE SEE COMMENTS BELOW.

>>> "Weller, Pamela L." <PWeller@cpssc.gov> 01/23 10:28 AM >>>

Dennis, just a few comments:

1. Median Elapsed Time Unattended: you don't specifically say it as you do in the next section, but my notes show that Dr. Mann indicated that the differences were not reliable and you may want to make that clearer for the public record; I WOULD BE CAREFUL USING THE TERM "NOT RELIABLE". PLEASE NOTE THAT THE WORD "RELIABLE" DEALS WITH HOW OFTEN THE SAME RESPONSE IS GIVEN AT DIFFERENT TIMES AFTER THE EVENT FOR EXAMPLE, A CAR IS RELIABLE IF IT STARTS EVERY TIME YOU TURN THE KEY (PERFORMS THAT SAME EVERY TIME YOU TRY TO START IT). THE DATA WAS NOT RELIABLE...IN THAT DIFFERENT ESTIMATES OF ELAPSED TIME WERE RECORDED IN THE SAME REPORT. BUT BY CHOOSING A STANDARD REPORTING TIME (FIRST ESTIMATE AFTER THE EVENT) AND BY COMPARING MEAN (OR MEDIAN VALUES), YOU REMOVE MOST OF THE RANDOM VARIANCE INCLUDED IN THE REPORTS. UNLESS THERE IS A REASON FOR A "SYSTEMATIC" REPORTING BIAS...THE FINDINGS SHOULD BE THE BEST TEST OF THE SIGNIFICANCE OF THE FINDINGS.

2. Median Bath Water Depth: I also got the impression there were problems with the water depth because in some instances the water continued to run after the child was removed resulting in a much fuller tub than when the child drowned. I'd be curious to know how often a measurement was made (assuming the water had been turned off before the child drowned) and in how many instances we are dealing with memory recall of water depth. BECAUSE THE DISTANCE BETWEEN THE BOTTOM OF THE TUB AND THE EMERGENCY DRAIN IS FAIRLY STANDARDIZED, WE ESTIMATED THE DEPTH OF WATER FOR REPORTS THAT INDICATED THE TUB WAS "FULL", "HALF-FULL", OR "OVERFLOWING". I CAN PROVIDE INFORMATION REGARDING HOW OFTEN WATER DEPTH WAS ESTIMATED. I DO NOT KNOW OF A WAY TO DETERMINE HOW OFTEN THE DATA WAS AFFECTED BY RECALL BIAS.

5. Re Renae's comment, I recall the word "dirty" being used by Dr. Mann, too. AGAIN, THE WORD "DIRTY" IS NOT VERY DESCRIPTIVE AND MAY MEAN DIFFERENT THINGS TO DIFFERENT PEOPLE. I ADDED A CLARIFICATION OF THIS ITEM IN MY REVISION.

8. I think he ended up using the 2-sample Kolmogorov-Smirnov test.

THANK YOU!

Wilson, Dennis B.

From: Rauchschalbe, Renae
Sent: Wednesday, January 24, 2001 1 48 PM
To: Wilson, Dennis B.
Subject: FW RE Revised Risk Factor Analysis on Bath Seats (only)

Dennis - I think you should see the response to Pamela's question too.

-----Original Message-----

From: Clay Mann [mailto:Clay.Mann@hsc.utah.edu]
Sent: Wednesday, January 24, 2001 1:05 PM
To: Pweller@cpsc.gov
Cc: rrauch@cpsc.gov
Subject: Re: RE: Revised Risk Factor Analysis on Bath Seats (only)

Very good question Pam. The significance of a test is very sensitive to sample size. That is, the smaller the sample size, the bigger the effect must be to find it statistically significant. The fact that the finding for "care giver" activity remains significant (odds ratio 4.56, 95% CI = 1.31 to 15.87) points to the fact that the effect is so large (4.56 times more likely to leave the child alone based on a willful decision when a bath seat is in use compared to when one is not in use) that the finding to remains significant (meaning the findings probably are real and did not happen by chance) even though the sample size has been reduced.

>>> "Weller, Pamela L." <Pweller@cpsc.gov> 01/24 9:44 AM >>>
Renae, now that we are down to only 24 bath seats, is that sample size too small from which to draw valid statistical conclusions? We were right at the bare minimum, I thought with 32.

> -----Original Message-----

> **From:** Rauchschalbe, Renae
> **Sent:** Wednesday, January 24, 2001 11:01 AM
> **To:** Wilson, Dennis B.; Weller, Pamela L
> **Cc:** Kiss, Celestine T.; 'Clay.Mann@hsc.Utah.edu'
> **Subject:** Revised Risk Factor Analysis on Bath Seats (only)

> Pamela and Dennis - Here is the revised risk factor analysis on bath seats
> (rather than bath aids).

> Reported reason left alone (%)

Variable	Seat	No Seat	Odds
Ratio	95%CI		
Willful decision	75%	45%	4.56
1.31-15.87			
Impulsive decision	25%	54%	

> Mean Water Depth:
> with seat: 8.2 + - 3.9
> ithout seat: 6.4 + - 4.8 (no significant difference)

Wilson, Dennis B.

From: Weller, Pamela L
Sent: Friday, January 26, 2001 10:29 AM
To: Wilson, Dennis B
Subject: FW RE RE Revised Risk Factor Analysis on Bath Seats (only)

FYI, Dennis. I've been having a little back and forth with Clay.

-----Original Message-----

From: Clay Mann [mailto:Clay.Mann@hsc.utah.edu]
Sent: Thursday, January 25, 2001 7:18 PM
To: PWeller@cpsc.gov
Cc: rrauch@cpsc.gov
Subject: Re: RE: RE: Revised Risk Factor Analysis on Bath Seats (only)

No problem..... This is a really a good question and worth describing to ensure that others understand it as well. Also, after reviewing this data, I have found two errors I had made. First, I think when I shipped the revised data to Renae, I neglected to revise the percentages on the table describing the alleged reason for leaving the victim alone. You are right, the "no seat" percentages should not change. Also, my estimation of the revised odds ratio (removing the 7 cases) was slightly off (a very small difference).

The odds ratio increases even though the sample size drops because the percentage of parents leaving bathing victims in a bath seat for a "willful" reason increased compared to the number leaving for an impulsive reason. Here is the data:

Old Data

	Seat	No Seat	OR = 3.54, 95% CI = 1.13 to 11.05
Willful	75%	45%	
Impulsive	25%	55%	

New Data

	Seat	No Seat	OR = 4.49, 95% CI = 1.31 to 15.29
Willful	79%	45%	
Impulsive	21%	55%	

The increased percentage in the overall sample that left the child for a willful decision (once the 7 cases were dropped) increased the odds ratio....but as you can see, increase the width of the confidence interval.....as one might expect as the sample size decreases.

I hope this helps.....I am sorry for not mailing the right percentages the first time.....I cant believe I was so careless! I am sorry.

>>> "Weller, Pamela L." <PWeller@cpsc.gov> 01/24 11:33 AM >>>
I'll show my statistical dumbness here, Clay. Why does the odds ratio increase when the number of cases with bath seats goes down? And why did the percentage deemed making an impulsive decision with no seat change when the seven being excluded should have all been in the "seat" category? I promise not to belabor this!

-----Original Message-----

From: Clay Mann [mailto:Clay.Mann@hsc.utah.edu]
Sent: Wednesday, January 24, 2001 1:05 PM
To: PWeller@cpsc.gov
Cc: rrauch@cpsc.gov
Subject: Re: RE: RE: Revised Risk Factor Analysis on Bath Seats (only)

Wilson, Dennis B.

From: Clay Mann [Clay Mann@hsc.utah.edu]
Sent: Wednesday, February 14, 2001 7:22 PM
To: DWilson@cpsc.gov
Cc: rrauch@cpsc.gov
Subject: Re: Baby Bath Seat Study

Mr. Wilson:

Thank you for your continued questions and comments. Hopefully the detail with which you are approaching this topic will educate some folks and strengthen the review process.

With regards to differences in age: our initial presentation to the 2000 National Congress on Childhood Emergencies did indicate that children drowning in the presence of a bathing aid were significantly younger than those drowning without the presence of a bathing aid. This finding was statistically significant. One comment here: please remember that the presentation to the National Congress included incidents that occurred in the presence of other types of bathing aids (not just "bath seats"). To my knowledge, this analysis has not been reproduced using the more "focused" sample that has been developed since this initial presentation.

The a priori hypothesis that generated the age analysis was this: Parents gain more and more confidence that a child can bath alone as the child grows older. That is, I would presume that most 5 year old children bath alone with parents confident that the child has the necessary skills and strength to protect himself (or herself) against drowning. The opposite of this idea formed our working hypothesis. That is, the younger the child is, parents are assumed to consider the child more susceptible to a drowning incident and, therefore, require additional (or more intense) supervision. With this hypothesis in mind, our findings may suggest that parents may feel more comfortable leaving younger children with less than adequate supervision in the presence of a bathing aid. If our results are interpreted in this manner, the findings suggest that the presence of a bathing aid may be instilling a sense of "safety" among parents.....some much so, that "bathing aid drownings" are more prevalent among younger children. If the two samples of children were found to be the same age (or there was no statistical difference in ages) then we would have rejected this idea (or hypothesis).....but this was not what we found.

Your second question: What human factors training did my research assistants have the assigned cases as "willful" or "impulsive" decisions to leave the victim alone in the tub. Interesting question. I am not sure what is meant by "human factors training" or where one would gain such training. I can tell you this, my research assistants were graduate students seeking a Master of Science degree in Public Health with an emphasis on injury control. Course work in this program teaches students to understand the mechanisms of injury and what causal factors (i.e., behavioral, environmental, etc) are associated with an increased risk of injury. I am not sure if this answers your question. However, at the least, you could consider my students informed consumers.

>>> "Wilson, Dennis B." <DWilson@cpsc.gov> 02/14 8:56 AM >>>
Dr. Mann:

I have two follow-up questions on the baby bath seat study that was the subject of our earlier telephone conference call and e-mail correspondence.

1. Did you claim that the statistically significant difference in the ages of infant tub drowning victims in the presence of, or without bath seats, is an indication of parents or caregivers increased willingness to engage in risk-taking behavior in the presence of a bath seat? If so, what is the basis for the assertion?

2. What human factors training, education or experience did the research assistants who entered decisions as "willful" or "impulsive" have?

Reply at your convenience. I appreciate your assistance.

Dennis Wilson

Special Assistant (Legal) to Commissioner Gall

TAB F



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date: January 25, 2001

TO : Bath Seat Briefing Package

THROUGH : Robert B. Roehsman, Ph.D., Human Factors Division
Director *RR*

FROM : Celestine T. Kiss, Division of Human Factors *CK*

SUBJECT : Human Factors Response to Bath Rings/Seats Petition
(HP-00-04)

This memorandum presents Human Factor's staff response to issues related to petition HP-00-4, Request to Ban Baby Bath Seats.

I. Focus Groups

In preparation for the 1994 Commission briefing on bath rings/seats, Human Factors staff (HF) worked with a contractor to conduct consumer focus groups¹ to learn more about how consumers use bath rings/seats. The groups solicited a variety of information regarding bathing children, bath time supervision habits, and use of bath rings/seats. The following points summarize the participants' responses regarding leaving children in the bathtub for a short period of time:

- (1) Despite an intellectual knowledge of the hazard of drowning, and agreement that children should never be left alone in the bath, some participants acknowledged having done so, albeit infrequently, and typically for only a few moments.
- (2) Responses suggested that, although emergency situations occur, they are not the primary reason that caregivers turn away from a child in the bath. Participants reported that practical, non-emergency reasons, such as needing a towel, pajamas, or a diaper distracted their attention.

¹ "A Focus Group Study to Evaluate Consumer Use and Perceptions of Baby Bath Rings/Seats CPSC-R-93-5839" by Shugoll Research

- (3) Participants' responses indicated that uneventful experiences with leaving a child unattended in the bath tend to encourage repetition of this behavior.
- (4) In general, participants perceived bath rings/seats as convenience items rather than as safety devices. However, responses suggest that some users gain a sense of security from the rings, and believe the child is safer in a bath ring/seat. These included comments that they believe their child is less likely to stand up or slip around if they are restrained in a bath ring/seat.
- (5) The sturdier, more luxurious-looking bath rings/seats were preferred by most participants, and were perceived to be safer than more basic models.

II. Human Factors Issues

A. Warning Labels

Research shows that warning labels have limited effectiveness on user behavior when the product is familiar and perceived to be benign. In addition, the more frequently consumers use a product, the less likely they are to read the product labels, since they are no longer looking for guidance on how to use the product. Consumers who have used bath seats over time and have not had any indications that the seat could tip over or that the child could come out or slide under are led to believe the child is secure in the seat. Therefore, they are less likely to look for and read labels. The warning to keep baby within arm's reach required in the voluntary standard becomes less effective with each successful use of the product.

B. Sense of Security and Foreseeable Use

Based on information from Human Factor's focus group study, CPSC In-depth Investigations (IDIs) of incidents, and consumers, who provide their opinions about baby products on an Internet opinion site, it appears that consumers have a perception of safety and security when using this product. As consumers use the product and the child sits in the bath seat without tipping over, coming out of or slipping under it, the consumer becomes more relaxed and less vigilant about using the product. When the caregiver makes the decision to leave the child alone in the bath seat/ring and returns to find the child "safe" in the bath seat, security has been reinforced. The next time the caregiver "has" to leave the child for a "second" they are more likely to

do so because they were successful the first time and the child was "safe" in the seat. The more frequently the consumer successfully leaves the infant alone without incident the more probable it is that they will engage in this behavior again. Therefore, the perception by consumers that this is a safe product is continuously reinforced with each use until an incident occurs.

III. Response to Public Comments (Numbers in parenthesis after comment refer to the number assigned by the Office of the Secretary to the commenter.)

A. Labeling - Slip resistant surfaces

Comment: A few commenters stated that the label warning against the use of the bath seat on non-skid tubs should be on the product, not just the box. Due to the short useful life of the product, the bath seat is likely to be passed on to other family members or friends without the box. This makes the label ineffective for these other users. (#2, 59)

Response: The current voluntary standard requires a label only on the product packaging warning against the use of the bath seat on non-skid tubs. However, a warning label only on the packaging and not on the product is likely to be ineffective.

In addition, even with the label on the product and package, the message has limited effectiveness and is only important to first-time users. The effectiveness of the label is limited for two reasons. First, it fails to explain to the user the hazards of using the product on a slip-resistant surface (i.e., suction cup failure). The user may not know if the bathtub surface is slip-resistant and may purchase the product anyway. The consumer may try the product to determine if the tub has a slip-resistant surface and if it appears to stick, then s/he will likely continue to use it. Second, the product's packaging is not likely to remain with the product; therefore, the message is lost to anyone who does not see the packaging. This is the type of product that will likely be handed down to family and friends with young children or sold at garage sales and if the label is not on the product, the second-time owner will not get the message.

B. Labeling - Keep child within arm's reach

Comment: In regard to the labeling related to keeping the child within arm's reach, a commenter who is against the petition, referenced information from focus groups that the CPSC had conducted. The commenter states "Almost all of the parents surveyed recalled the warnings on the product, packaging or instructions and view it as an important reminder that the consequences of leaving an infant alone in the bathtub could be drowning. This fact undercuts the Petitioners' argument that the warnings are not noticed and are ineffective." (#63)

Response: One commenter stated that the information obtained from the Human Factors' focus groups about warning labels indicates that labels are noticed and effective because most participants recalled the labels. However, HF staff disagrees with this conclusion. According to the focus groups, consumers were able to recall the warning not to leave a child unattended. However, the focus group members also reported situational variables that make them comfortable leaving a child unattended. Those variables include using a bath ring/seat, having an older sibling in the bath, and being able to see and hear the child even though they have physically left the bathroom.² Judging from the focus groups comments and the actions of the 93 caregivers in the fatal and non-fatal incident data who left the child alone in bath rings/seats, the warnings are ineffective.

C. Water Depth

Comment: A couple of commenters expressed the belief that if parents are not given proper guidance they will fill the tub with more water than is necessary. They stated that the bath seats should be marked with a "water line" so caregivers don't fill the water higher than the "safe level", since too much water increases chances of drowning. (#2, 64)

One comment from a consumer against the petition states, "The marker should be set at a point where in case the baby fell out of the seat, he or she would not be in danger of drowning." (#53)

² 'A Focus Group Study to Evaluate Consumer Use and Perceptions of Baby Bath Rings/Seats CPSC-R-93-5839' by Shugoll Research

Response: Staff disagrees with the comments that express the need for a "waterline" on the product. A waterline suggests that there is a "safe" water level. Infants have drowned in as little as 2 inches of water. Providing a water depth marking would convey the message that infants in bath rings/seats used in water up to that level are safe and that is not true

TAB G



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date. March 2, 2001

TO Celestine Kiss, Project Manager for Bath Seat Petition HP00-4
Division of Human Factors

THROUGH H McLaurin, Associate Executive Director for Engineering Sciences
N. Marchica, Director, Division of Mechanical Engineering (ESME) *HM*
NVM

FROM M Kumagai, ESME *MK 3/2/01*

SUBJECT Review of BATH SEAT ASTM STANDARD F1967 and Response to
Comments to Petition HP 00-4

The ASTM voluntary standard, Consumer Safety Specification for Infant Bath Seats, F1967 was first published in June 1999. A committee of manufacturers, consumer interest groups, consumers and the U.S. Consumer Product Safety Commission (CPSC) staff participated in the development of this standard. The ASTM bath seat standard was initiated on October 5, 1994. During August and September 1999, additional requirements for suction cups and latching/locking mechanisms were balloted. Currently, the ballot has been approved by the Main Committee and is now being reviewed by the ASTM Committee on Standards. ASTM estimates that the revised standard will be published by July 2001. Appendix A shows the chronology of ASTM subcommittee meetings with summaries of the significant accomplishments and decisions that occurred during each meeting. This memo describes the requirements and rationale in the current ASTM F1967 Bath Seat standard, approved revisions, Engineering Sciences (ES) opinion of the adequacy of the standard to address the hazards identified in the Petition HP 00-4, and ES's response to comments to the petition.

Review of ASTM F1967 Bath Seat Standard

Introduction Section

The Introduction section of ASTM F1967 states that the intent of this standard is to address incidents associated with the use of bath seats, bath rings or similar products. The CPSC staff identified drowning incidents which involved infants either tipping over, climbing out of, or sliding through the product after being left unattended by their caregiver. The Introduction also states that the standard does not address incidents where the caregiver leaves the infant unattended in the product. It is Engineering Science's opinion that the intent of the standard is conflicting. It identifies incidents of the infant drowning after being left unattended by their caregiver, but later states that the intent of the standard is not to address these incidents where the caregiver left the infant.

Definition of a Bath Seat

The definition for a bath seat in the standard is:

3.1.1 *bath seat* – a bath seat, bath ring, or other similar product intended to be placed into a bath tub, sink, or similar bathing enclosure to provide support to a seated infant during bathing by an adult caregiver. The product is intended for use only with an infant who is capable of sitting upright unassisted.

The bath seat is intended for infants who can sit up unassisted. This generally occurs at about 6 months of age. At the start of the development of this standard (1994), ES was aware of several manufacturers that produced bath seats by the above definition. Presently, ES is aware of two U.S. bath seat manufacturers, producing 3 types of bath seats as shown in figures 1 and 2. Figure 1 shows traditional bath seats that are placed in a bathtub. Recently, the leading manufacturer of bath seats introduced a third bath seat into the U.S. market, shown in figure 2. This product converts from an infant bathinette to a bath seat. The product is filled with water and can be used inside or out of the bathtub. This standard does not include products such as infant baths for newborns that can be used outside of the bathtub. It also does not include bath aids that support a newborn in the reclined position while in the bathtub, as shown in figure 3.

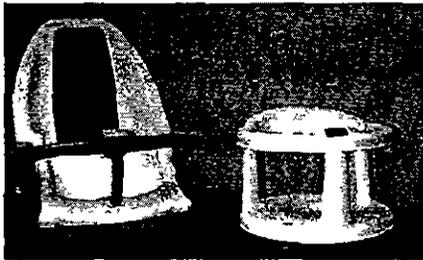


Figure 1. Traditional bath seats.

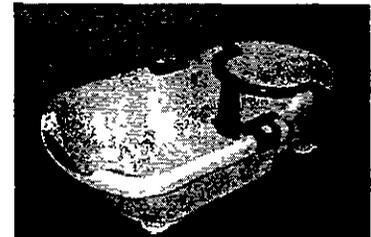
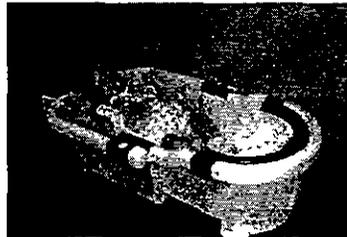


Figure 2 New Bathinette – Bath Seat Convertible



Figure 3. Newborn bath aid.

General Performance Requirements

The performance requirements in ASTM F1967 include general requirements such as: 1) 16 CFR 1303 Ban on Lead-Containing Paint and Certain Consumer Products Bearing Lead Containing Paint, 2) 16 CFR 1500.48 requirements for hazardous sharp point; 3) 16 CFR 1500.49 requirements for hazardous sharp edges, 4) 16 CFR 1501 requirements for hazardous small parts; and 5) 16 CFR 1500.18 requirements for finger entrapment, scissoring, shearing and pinching. The hazards identified in the general requirements were not present in the incident data.

However, these general requirements are found in most juvenile product standards and are required by Federal Regulations

Stability

The stability requirement in the standard addresses the bath seat's resistance to tipping over during normal use. The test method simulates a 95th percentile 12-15 month old occupant in a bath seat leaning over the top surface. The resistance to the tip-over torque is the measure of the bath seat's stability and attachment to the tub. The ASTM standard, F1967 section 5.8, simulates this tip-over torque by applying a 17 lb force on the forward rail as shown in figure 4. This test is performed under ideal conditions. The bath seat is new and is attached to a clean and smooth plastic surface. If a bath seat remains upright during this test, it meets the ASTM stability requirement.

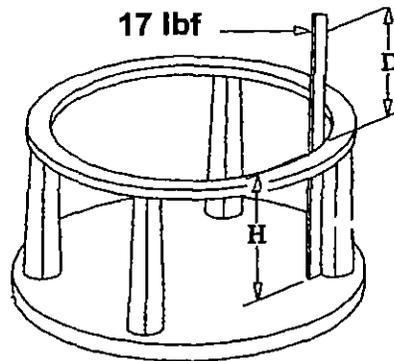


Figure 4 ASTM Stability Test

This test does not address suction cup performance over time nor does it address suction cup performance on non-smooth or dirty surfaces. Traditional bath seats like those shown in figure 1 are not designed to be used on slip resistant or textured bath surfaces because the suction cups will not adhere. For this reason, ES does not believe that this requirement can effectively address the tip-over incidents. ES believes that a product can be made to function properly on a textured surface and not rely on suction cups. Figure 2 shows an example of a bath seat that is more stable due to its length and the weight of the water in the product.

Recent revisions to the standard that could improve suction cup performance have been approved by the ASTM Main Committee and are in the final stages of approval. These revisions include a new test method for suction cups. The test consists of a 25 lbf pull on the suction cups away from the base. It also requires that the suction cups adhere properly after 2000 cycles of removing and installing the bath seat onto the bathtub test surface. This revision should be more effective in addressing tip-over incidents than the stability requirements alone. The requirements do not address degraded or dirty suction cups or bath surfaces. These are conditions that are difficult to simulate, but do occur.

Restraint System

The standard requires that bath seats have a passive crotch restraint to prevent the occupant from sliding out through the product. For a bath seat on the market, a passive crotch

restraint is a fixed vertical bar between the infant's leg as shown in figures 1 and 2. There are no other requirements in the standard that address incidents where the child slipped through a single leg hole. Requiring the leg holes to be reduced to the torso size of the smallest user would address this hazard.

The standard does not permit additional restraints that require action by the user. The subcommittee did not permit additional restraints, such as a waist and crotch strap, because they felt that a redundant system would give the caregiver a false sense of security.

Resistance to Folding

If the bath seat folds, the standard requires it to have a latch or locking mechanism to prevent the unit from unintentionally folding during use. After the bath seat is unfolded and assembled, the locking mechanism must withstand a 45-lb. force in the direction associated with folding. ES is aware of one product that uses a latching/locking mechanism to convert from a bath used for a newborn to a bath seat.

Recent revisions to the standard include additional durability requirements for latching and locking mechanisms to identify any adverse wear effects. These requirements include preconditioning the unit by opening and closing the latching/locking mechanism 2000 times and then applying the 45-lb. force in the direction associated with folding. These performance requirements have been approved by the ASTM Main Committee and are in the final stages of approval.

Release Mechanism

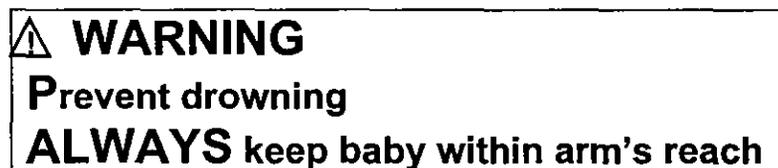
For bath seats that have a release mechanism to place or remove the infant from the product, the latch must be a double action type or require a minimum 10-lb. force to release the latch. ES is not aware of a bath seat currently on the market with such a release mechanism. One bath seat that was marketed in the past had a front bar that hinged down to move the occupant in and out of the product. This product was involved in two fatal incidents where the front bar was found open and the victim was out of the bath seat. The manufacturer has since discontinued this model.

Static Load

The bath seat is required to support a 30-lb. mass placed on the seat surface. ES does not know the rationale for the 30-lb load. ES is not aware of any incidents that were related to the structural load capabilities of the bath seat.

Labeling

The standard requires a warning label on the product, instructions and packaging, consisting of the safety alert symbol and the following exact wording:



The size of the type must not be less than 0.2 inches for upper case and 0.1 for lower case. Note that the above warning label is the minimum specified size. The warning must be located on the product so that it is visible to the adult caregiver when the product is in the manufacturer's recommended position and the occupant is in the product, and it must be a contrasting color to the background. Typically this warning is located on the back of the bath seat.

Foreign Standards

ES performed a standards search for bath seats and did not find any published U.S. or foreign bath seat standards. ES is aware of an April 1994 draft CEN (European Committee for Standardization) standard for Bath Devices. This included requirements for bath seats or bath rings and bath aids to support newborns similar to the product shown in figure 3. The draft standard included requirements for restraints, stability, adherence to the tub surface and labeling.

Slip Resistant Bath Tub Surface

If the bath seat is not recommended to be used on a slip resistant surface, an additional warning label stating this is required on the package. ASTM F462- Slip Resistant Bathing Facilities is a voluntary standard the bathtub industry uses for slip resistant bathtub surfaces. According to a Plumbing Manufacturers Institute (PMI) representative, this standard is used for most enamel-coated steel tubs. Plastic tubs (typically acrylic or fiberglass) can not meet this standard because of testing difficulties, however many plastic tubs are manufactured with textured surfaces. These surfaces would not allow the suction cups on bath seats to adhere properly. The PMI representative stated that the plastic tubs are lower cost and lighter than the steel tubs. He was not aware of the exact percentage of the bathtub market that manufacture plastic tubs with textured surfaces. The PMI representative stated that the industry is moving toward non-slip surfaces to address falls in tubs.

Adequacy of the standard

The ASTM F1967 standard addresses the product's structural integrity, stability and labeling. It is the opinion of ES that the standard does not adequately address tip-overs because the bath seats are tested on a clean and smooth surface. The standard also does not address the incidence of the child slipping through the leg openings. ES believes that a bath seat standard can not be improved to eliminate all of the incidents where the child was left unattended, but could potentially be revised to have an impact on some of the incidents that involve tip-overs and slipping through the leg openings.

Response to Comments

#40 – Ms Cowan believes that the ASTM standard does not address safety because it does not require the bath seat to be tested in adverse conditions such as on non-slip surfaces or on surfaces treated with abrasive cleanser. She also stated that soap or other additives to the bath water could affect the bath seat's adherence to the bathtub surface.

ES agrees that the current bath seats with suction cups will not perform properly on rough bathtub surfaces. ES also agrees that these conditions are not included in the ASTM standard performance test. The ASTM standard addresses slip resistant bathtub surfaces by requiring a label on the packaging.

#53 – Mr. Letellier suggested making suction cups with a higher quality rubber and instructing parents to replace the suction cups every 6 months. He also suggested that the parents clean the surface area before use and never leave the child unattended.

ES agrees that the suction cups are a critical component to the stability of a bath seat. ES also agrees that the suction cups should operate as intended when attached to a clean smooth surface. ES does not believe that it is reasonable to expect the caregiver to clean the bathtub surface before each use, or to replace suction cups periodically.

#53 – Mr. Letellier recommended that the manufacturer determine how much weight suction cups support.

Currently the ASTM standard test for bath seat stability addresses the load on the suction cups.

#53 – Mr. Letellier recommended making the baby bath seat adjustable in height and width.

ES can not determine if an adjustable seat would be effective in addressing the incidents.

#53 – Mr. Letellier recommended having a safety restraint on the bath seat.

The current ASTM standard does not allow an additional user operated safety restraint such as a waist belt. The subcommittee believed that this would provide a false sense of security.

#54 – Ms. Feltcher stated that the ASTM Bath Seat Committee disregarded the CPSC staff's request.

CPSC staff did request changes to the leg hole size to prevent the child slipping through a single leg hole opening. This recommendation did not have sufficient votes to pass and was dropped. At the start of the standard development, CPSC staff requested a suction cup integrity requirement. This concern was recently addressed and was letter balloted on August –September 2000. The revisions are currently being reviewed through the ASTM process.

#63 – Mr Locker, representing the Juvenile Products Manufacturers Association, commented that with recent revisions to the ASTM standard, the bath seats do not present a mechanical hazard

ES agrees that the new requirements for suction cup integrity are an improvement, however ES does not believe the requirements will eliminate bath seat incidents when the infant is left unattended. The performance requirements do not address slip resistant textured or dirty bathtub surfaces, nor do they fully address degradation of the suction cups due to dirt or soap deposits. The revisions to the ASTM standard also do not address slipping through the leg hole openings.

Appendix A

Chronology of the development of ASTM F1967

10/5/94 (meeting at ASTM Headquarters, Philadelphia, PA)

First meeting on new ASTM standard for bath seats

Subcommittee F15 40 formed to develop standard

CPSC staff summarizes 17 drowning incidents.

CPSC staff request

- 1 Stronger warning label “ Always keep child within arm’s reach”.
- 2 Suction cup attachment requirements to the product and to the tub.

Mr. Paul Ware of Safety 1st Inc. appointed chairman

1/20/95 (meeting at ASTM Headquarters, Philadelphia, PA.)

Review of a draft standard.

Task groups formed to address.

- 1 Definition
2. Stability
- 3 Suction Cups
- 4 Sliding and push-out
- 5 Miscellaneous items

Discussion of public relation, education and information campaign

3/27/95 (meeting at Double Tree Hotel in New Orleans, Louisiana)

Discussion of two additional incidents since previous meeting

A CEN draft standard to address stability was reviewed

CPSC staff distributes draft-warning label

6/9/95 (meeting at ASTM Headquarters, Philadelphia, PA)

Subcommittee agrees to test the bath seat’s stability in 2 inches of water

A restraints option paper was distributed

10/27/95 (meeting at ASTM Headquarters, Philadelphia, PA)

Revision of the 4th draft Life Tests were deleted from consideration and placed on the memory sheet Stability requirements were added to disallow separation of parts Latching and Locking Mechanism requirements were revised to include single and double action mechanisms. Added requirements for scissoring, shearing and pinching

3/11/96 (meeting at ASTM Headquarters, West Conshohocken, PA)

Review of the 5th draft of standard.

CPSC staff distributes updated summary of incidents

Labeling requirements for the packaging is discussed

5/31/96 (meeting at ASTM Headquarters, West Conshohocken, PA.)

CPSC staff distributes updated summary of incidents

Review of the manufacturer’s results of the stability test protocol

Discussion if additional restraints are permissible

9/27/96 (meeting at ASTM Headquarters, West Conshohocken, PA)

CPSC staff provides data on scald incidents

Stability test results reviewed.

Subcommittee agrees not to include horizontal sliding requirements.

3/3/97 (meeting at Radisson Hotel, West Palm Beach, FL)

Review of 8th draft of standard

Subcommittee reviews the passive crotch restraint requirements and agrees to develop leg opening size requirements

Incident data versus stability test data does not show correlation CPSC staff's opinion that one company has majority of incidents because it is the largest producer

11/3/97 (meeting at ASTM Headquarters, West Conshohocken, PA)

Subcommittee discusses requirements for openings

JAMA article on The Role of Bathtub Seats and Rings in Infant Drowning Death distributed.

Suction cup performance requirements put on memory sheet for future consideration

3/02/98 Subcommittee ballot for new standard on bath seat closes.

4/1/98 (meeting at Orlando FL)

Subcommittee resolve negative votes on ballot

One negative to remove hole-opening requirements to prevent the occupant from sliding out of the leg hole was ruled non-persuasive by 3 votes (non-persuasive) to 2 votes (persuasive)

8/3/98 Subcommittee ballot for second draft of new standard on bath seat closes.

8/24/98 (meeting at ASTM Headquarters, West Conshohocken, PA)

Negative vote on hole opening requirements was incorrectly ruled non-persuasive at the 4/1/98 meeting because it did not have a 2/3-majority vote as required by ASTM Subcommittee resolves negative votes on ballot

1/1/99 Main committee ballot for new standard on bath seat closes

2/24/99 (meeting at Radisson Hotel, Orlando FL.)

Five negative votes were withdrawn from the main committee ballot – standard moves to ASTM review and publication

CPSC staff distributes a proposal for suction cup requirements to include repetitive test of suction cup to bath surface and static load test of suction cup to the base of the bath seat

6/99 ASTM F1967-99 published

8/30/99 (meeting at ASTM Headquarters, West Conshohocken, PA)

CPSC staff explains rationale for draft suction cup requirements

- 1 Requirements assess long term durability and performance of suction cups
- 2 Simulate force exerted on a suction cup when the bath seat is removed.

3/1/00 (meeting at Wyndham Hotel, Orlando FL)

CPSC staff distributes updated summary of incidents

A requirement for a water level mark on the bath seat is proposed

Subcommittee votes against a water level requirement because it was believed that this would not reduce drowning incidents and may give the consumer a false sense of security that the child was in a safe water depth

Subcommittee approves for ballot a draft suction cup and latching/locking mechanism requirement

9/29/99 Main committee ballot for Revision to standard on bath seat closes

10/12/00 (meeting at ASTM Headquarters, West Conshohocken, PA)

Subcommittee rules the negative votes on the ballot non-persuasive

Subcommittee chairman proposes no further revisions to the standard beyond the currently balloted items until a decision is made by the CPSC on the bath seat petition

1/19/01 Main Committee Ballot to uphold not persuasive rulings on Negatives to bath seat revision – passed and sent to Committee on Standards for review.

TAB H



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date March 2, 2001

TO Celestine Kiss, Project Manager for Bath Seat Petition HP00-4
Division of Human Factors

THROUGH H McLaurin, Associate Executive Director for Engineering Sciences
N Marchica, Director, Division of Mechanical Engineering (ESME) *Handwritten initials*

FROM M. Kumagai, ESME *HK 3/2/01*

SUBJECT Evaluation of Bath Seat Design

Evaluation of the Bath Seat Design

Bath seats are marketed as bath aids, intended to keep an infant, who is capable of sitting up unassisted, in the upright-seated position to help the caregiver bathe the baby in a full size bathtub. Most incidents occur when the baby is left unattended. The victim is found with his/her face in the water in one of the following conditions

1. In the bath seat, and the bath seat is tipped over.
2. Out of the bath seat, and the bath seat is tipped over
3. Out of the bath seat, and the bath seat is attached to the bathtub surface
4. In the bath seat, bath seat attached to the bathtub surface and the victim is entrapped in a single leg hole
5. In the bath seat, bath seat attached to the bathtub surface and the victim is slumped over the side with his/her face in the water.

In response to Petition HP00-4, Engineering Science (ES) was requested to determine if bath seats could be designed to address the drowning incidents. After review of the incidents, ES determined that tip-over conditions 1 and 2 are related to the stability and suction cup performance of the bath seat. Conditions 3 and 4 are related to the occupant retention performance of the bath seat. Condition 5, where the victim is found slumped over in the bath seat with his/her face in the water, can not be addressed by the design of the bath seat since this condition is a function of the water level and the developmental capability of the infant. This evaluation is of the mechanical characteristics of a bath seat. It is the opinion of ES that a bath seat can not be made to eliminate all of the incidents where the child was left unattended, but could potentially have an impact on some of the incidents that involve tip-overs and slipping through the leg openings.

Stability

If the occupant leans forward, a tip-over torque on the bath seat will be generated as shown in figure 1

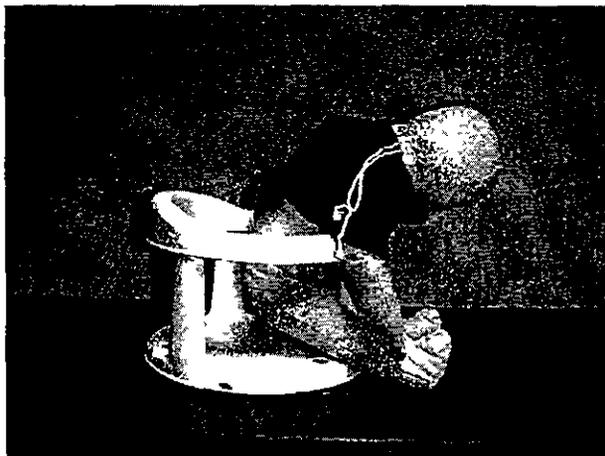


Figure 1 Child leaning out of bath seat

Two bath seats shown in figure 2 rely on suction cups to attach the product onto the bathtub surface. Figure 2 shows both bath seats are designed with the upper rail located forward of the front suction cup or front edge of the base. In a tip over scenario, the bath seat will pivot about the front suction cup or front edge of the base as the child applies a downward force on the front bar. This creates a tip over torque that is resisted by the adherence force of the rear suction cups. If a rear suction cup detaches from the tub surface or the bath seat, the bath seat will have a tendency to tip over when the occupant leans out over the rail.

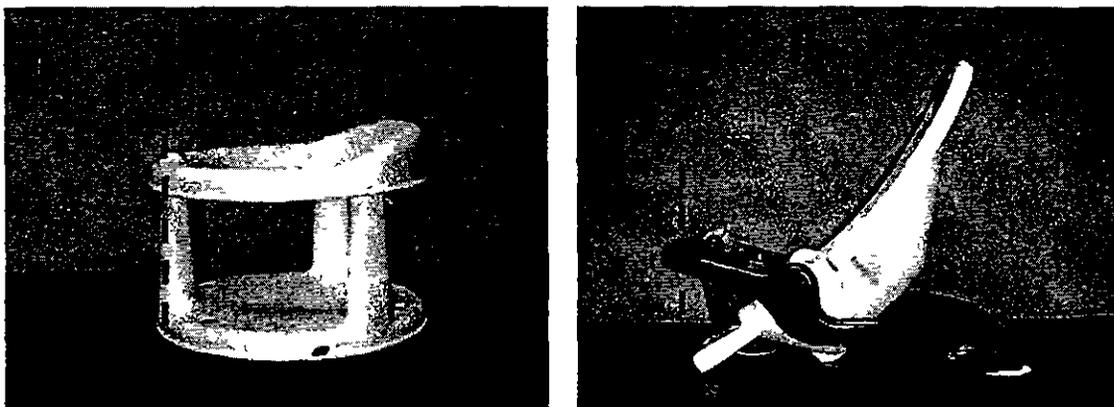


Figure 2 Upper rail located forward of front edge of the base

Figures 3 and 4 show a new bath aid product that was recently marketed in the US. The product converts from a bathinette (figure 3) to a bath seat (figure 4). The bath seat feature is similar to a traditional bath seat because the horizontal top bar supports the occupant's torso and the vertical crotch bar is intended to keep the occupant from sliding through the leg hole. This design has improved stability compared to the traditional bath seat because of its long base and the added weight of the water used to fill the product. ES tested the stability by simulating a 95th

percentile 12-15 month old occupant in a bath seat leaning over the top bar. ES determined that this product would remain upright without relying on the suction cups to adhere to the tub. A simulated lean out to the side of the product showed that the suction cups would require adherence to the tub surface to keep the product upright.

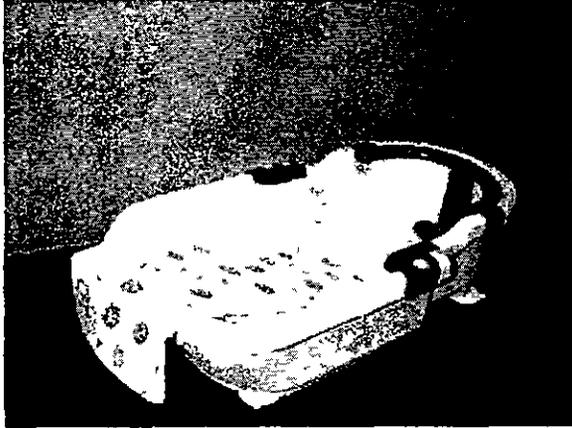


Figure 3 New Convertible Bath Seat as Bathinette

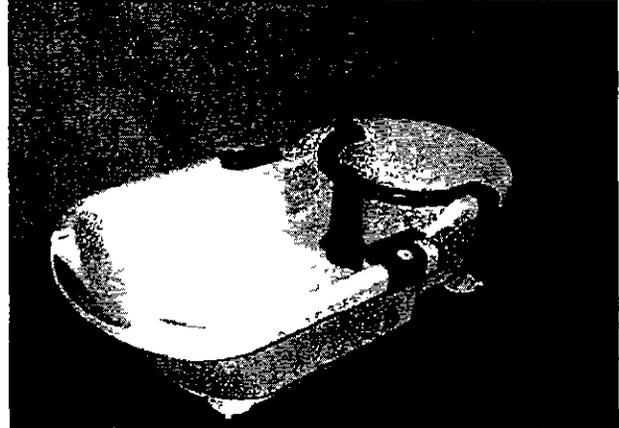


Figure 4 New Convertible Bath Seat as Bath Seat

The Division of Hazard Analysis (HA) review of 69 bath seat-related incidents showed that 22 (or about 1/3) of the incidents were tip-overs. Four of those 22 incidents reported missing suction cups. ES believes that these incidents occurred when the occupant leaned out over the top rail and the suction cup either detached from the bathtub surface or detached from the product, or the product used was missing the suction cup(s).

Past Product Safety Assessments (PSAs) initiated by CPSC Office of Compliance requested evaluation of the suction cup performance on bath seats. PSA 0225.97 and 0226.97 were evaluations by Heh (ES) and Sedney, Division of Human Factors (HF). Both PSAs requested ES and HF to review In-Depth Investigations (IDIs) on incidents involving the largest manufacturer of bath seats and determine the effects of missing suction cups. 17 IDIs were reviewed; 16 incidents involved unattended infants. Nine IDIs reported missing or defective suction cups, 5 of the 9 reported overturned seats, 3 were unknown and 1 was upright. ES and HF observed that the bath seat becomes increasingly unstable when suction cups are removed from the base. If one suction cup is missing and the child leans out in a direction away from the missing cup, the seat will tilt. This tilting allows the child to exert more of his/her weight away from the seat, increasing the likelihood of the infant falling over the seat ring. Also, the torque on the seat due to the infant leaning out results in an increased force on the rear suction cups. This increases the likelihood that an adjacent cup will release from the tub surface. ES and HF concluded that missing suction cups might have contributed to the seats overturning. However, since all but one incident involved an unattended infant, it would be speculative to conclude that these drownings would have been prevented had all of the suction cups been present.

The most comprehensive evaluation on suction cup performance was performed by Sushinsky (Laboratory Sciences, Engineering) and documented in PSA 0987.97. Sushinsky reviewed IDIs and consumer complaints provided by the manufacturer, performed tests on incident bath seats and exemplar seats, and developed recommendations for performance.

requirements. He also reviewed the design changes implemented by the manufacturer from 12/89 –11/96

Sushinsky determined that out of 410 suction cup-related consumer complaints that were reported to the manufacturer, 257 were reports of loose fitting suction cups on the product, 89 were broken suction cups and 64 were reports of suction cups not sticking. This data indicates that the majority of the complaints concerned the attachment of the suction cups to the bath seat. Sushinsky reviewed 20 IDIs that involved the same bath seat model. Of the 20 incidents, 9 were missing suction cups and one seat had warped and ineffective suction cups. Sushinsky also noted four major design changes to improve the suction cups and the base attachment, the latest change occurring in November 1996.

Suction Cup Operation

Suction cups operate by creating an air or watertight seal between the bath tub surface and the bottom of the suction cup material. When the suction cup is pressed down onto the bathtub surface, air or water is forced out from the underside of the suction cup. This results in a lower pressure under the cup than the ambient pressure outside of the cup. The pressure differential allows the suction cup to adhere to the bathtub surface. The pull force required to remove the suction cup is proportional to the area of the suction cup. Adherence of the suction cup to the bathtub surface requires an adequate seal between the mating surfaces. A leak in the seal between the suction cup and bathtub surface would allow air or water to leak under the suction cup. This would allow the inner and outer pressures to equalize resulting in detachment of the suction cup from the tub surface. A gross leak would prevent the suction cup from adhering to the tub surface. A slow leak would allow the suction cup to initially adhere to the tub surface, but over time the suction cup would detach.

A leak in the seal can occur on a rough tub surface that allows the air or water to leak past the rubber suction cup material. Suction cups are typically made of soft pliable material to fill the crevices and imperfections of the mating surface. Suction cups used on bath seats will not adhere properly to textured bath surfaces or slip resistant surfaces. Dirt or soap scum buildup on the suction cup and/or bathtub could also degrade the performance of the suction cup. Dissolved or suspended particles in the bath water such as oils and soap should not affect the suction cup adherence to the tub.

Based on the IDIs, analysis of traditional bath seat designs as shown in figure 2, past PSAs and suction cup operation, ES concludes that the stability or resistance to tip-over of traditional bath seats is dependent on the performance of the suction cup. Failure of this component could result in an unstable bath seat that would increase the likelihood of the product tipping over. IDIs show that suction cups fail by detaching from the base of the bath seats or detaching from the tub surface. A review of design changes of the leading manufacturer of bath seats showed an incremental improvement of the suction cup attachment to the base. It is the opinion of ES that product design improvements could minimize problems of the suction cups detaching from the base. ES does not believe that suction cups can be improved to reliably adhere to the bathtub surface. Factors such as textured bath surfaces or cleanliness of the bath surface or suction cup are beyond the control of the bath seat designer. For this reason, ES

believes that bath seats that rely on suction cups can not be designed to reliably prevent the bath seat from tipping over

Occupant Retention

HA's review of 69 bath seat incidents showed that 14 were a result of the infant exiting the bath seat. Eleven victims were found in the bathtub with the bath seat secured to the tub surface. In 3 incidents, the victim was entrapped in one leg opening. Based on the incidents, ES believes that these incidents occurred because the infant tried to get out of the bath seat. The ASTM F1967 standard requires bath seats to have a passive crotch restraint, but there are no leg opening requirements. ES measured the leg hole openings of the three bath seats shown in figures 2 and 3 using a 6-8 month torso template. The leg opening would allow the template to pass through. This test indicates that leg openings are large enough for the torso of the smaller child to pass through.

To prevent the infant from climbing over the top of the bath seat, additional or tighter restraints would be required. The most common restraint used in juvenile products such as high chairs, infant swings and strollers is a waist and crotch strap. The waist strap must restrain the infant's bottom onto the bath seat. This would take away the utility of the product as a bathing aid. Also, the ASTM F1963 bath seat standard does not allow additional user activated restraints because the subcommittee believed that this would present a false sense of security to the caregiver. To prevent the occupant from getting both legs through a single leg hole, the leg hole opening would be required to be smaller than the torso of the youngest user. This may also affect the utility of the product. For these reasons, ES does not believe that the bath seat can be designed to reliably restrain the infant to prevent him/her from climbing out without compromising the utility of the bath seat.

TAB J



United States
CONSUMER PRODUCT SAFETY COMMISSION
 Washington, D.C. 20207

*666 OK EP
 10/24/00*

MEMORANDUM

DATE: October 23, 2000

TO : EP
Through: Sadye E. Dunn, Secretary, OS
FROM : Martha A. Kosh, OS

SUBJECT: Petition HP 00-4 by CFA et.al, seeking a Ban of Bath
 Bath Seats, FR August 22, 2000, Volume 65, No. 163,
 page 50968

ATTACHED ARE COMMENTS ON THE CH 00-6

<u>COMMENT</u>	<u>DATE</u>	<u>SIGNED BY</u>	<u>AFFILIATION</u>
CH 00-6-1	8/07/00 Rec'd 9/21	Donald L. Mays Technical Director	Good Housekeeping 959 Eight Ave New York, NY 10019
CH 00-6-2	9/20/00	Gloria Garcell Rita Luna Vickie Vakalopoulos Ericka Vargas Mayra Uriza	Florida International University
CH 00-6-3	10/05/00	Meg Pearce	6423 Little Leigh Ct. Cabin John, MD 20818
CH 00-6-4	10/05/00	Brian Pullin	520 Independence Pkwy Chesapeake, VA 23320
CH 00-6-5	10/05/00	Douglas Perkins	16629 Lescot Terrace Rockville, MD 20853
CH 00-6-6	10/05/00	Jody Young	503 Circleview Dr. Atkins, IA 52206
CH 00-6-7	10/05/00	Mark Williams Molly Williams	503 Green Valley Terrace SE, Cedar Rapids, IA 52403
CH 00-6-8	10/05/00	Toni Johnson	PSC 811 Box 366 FPO AE 09609
CH 00-6-9	10/05/00	Beth Rathbun	812 7 th St, SW Cedar Rapids, IA 52404

Petition HP 00-4 by CFA et.al, seeking a Ban of Bath Bath Seats,
FR August 22, 2000, Volume 65, No. 163, page 50968

CH 00-6-10 10/05/00 Bryan Kerrigan 4816 Broom Dr.
Olney, MD 20832

CH 00-6-11 10/05/00 Melanne Miller 1734 Lake Terrace Rd.
Cedar Rapids, IA 52403

CH 00-6-12 10/05/00 Martha Behrend 3574 Plum Dale Dr.
Fairfax, VA 22033

CH 00-6-13 10/05/00 Julie Hendricks julie.hendricks@wcom.com

CH 00-6-14 10/05/00 Pamela Smerker 218 Eagle Ave.
Mead, CO 80542

CH 00-6-15 10/05/00 Carol Cannon 87 - 14th Ave, SW
Cedar Rapids, IA 52404

CH 00-6-16 10/05/00 Patrick Lampe 1210 Sierra Dr, #10
Cedar Rapids, IA 52402

CH 00-6-17 10/06/00 Vania Wolf vaniaa@umd5.umd.edu

CH 00-6-18 10/06/00 Celteen Barger 2238 Chandler St, SW
Cedar Rapids, IA 52404

CH 00-6-19 10/06/00 Valerie Anderson 5849 Ridgeview Dr, SW
Cedar Rapids, IA 52404

CH 00-6-20 10/06/00 Brenda Cooley 1518 N Avenue, NW
Cedar Rapids, IA 52404

CH 00-6-21 10/06/00 Rachel Rock 86 Hawthorn Ave
Needham, MA 02492

CH 00-6-22 10/06/00 Jena Jacobi 510 Circleview Dr.
Atkins, IA 52206

CH 00-6-23 10/06/00 Carol Danek 718 Fernwood Dr., NE
Cedar Rapids, IA 52402

CH 00-6-24 10/07/00 Laura Rodriguez 10 Cherry Acres Dr.
Hampton, VA 23669

CH 00-6-25 10/09/00 Lisa Cooley 4201 33rd Ave., SW
Cedar Rapids, IA 52404

CH 00-6-26 10/09/00 Cristina Hurley 7272 19 Avenue
Van Horne, IA 52346

CH 00-6-27 10/10/00 M. Dhanushkodi 4001 South Watt Ave.
Apt. 210
Sacramento, Ca 95826

Petition HP 00-4 by CFA et.al, seeking a Ban of Bath Bath Seats,
FR August 22, 2000, Volume 65, No. 163, page 50968

CH 00-6-28	10/10/00	Dixie Derby	1616 B Avenue, NE Cedar Rapids, IA 52402
CH 00-6-29	10/11/00	Suzanne Barloon	711 Grant Street Walker, IA 52352
CH 00-6-30	10/11/00	James Barger	2238 Chandler St, SW Cedar Rapids, IA 52404
CH 00-6-31	10/11/00	Kelly Collins	1706 Hamer Dr., NW Cedar Rapids, IA 52404
CH 00-6-32	10/12/00	Kelly Sweet	1000 E Avenue, NW Cedar Rapids, IA 52404
CH 00-6-33	10/12/00	Steven Moshier	1835 39 th Street Cedar Rapids, IA 52405
CH 00-6-34	10/12/00	Debra Lewis	1609 Richmond Rd, NE Cedar Rapids, IA 52402
CH 00-6-35	10/13/00	Maureen Foster	mfoster@gfsd.org
CH 00-6-36	10/13/00	Marge Bann	7300 42 nd St, NE Cedar Rapids, IA 52411
CH 00-6-37	10/13/00	Jack Barnes	102 Johnson St, W Norway, IA 52318
CH 00-6-38	10/13/00	Joy Douglas	2650 27 th Ave. Marion, IA 52302
CH 00-6-39	10/13/00	Tanya McCarthy	3037 Circle Dr, NE Cedar Rapids, IA 52402
CH 00-6-40	10/14/00	Margie Cowan	11851 Dunlop Court Reston, VA 20191
CH 00-6-41	10/16/00	Karen Bading	818 Oakland Rd, NE Cedar Rapids, IA 52404
CH 00-6-42	10/16/00	John Mosinski	3037 Circle Dr, NE Cedar Rapids, IA 52402
CH 00-6-43	10/16/00	Jodi Custer	1039 32 nd St, NE Cedar Rapids, IA 52402
CH 00-6-44	10/16/00	C. Echternacht	8746 Flamingo Dr. Chanhassen, MN 55317
CH 00-6-45	10/16/00	Bob Barger Brender Barger	3110 Southland St. Cedar Rapids, Ia 52742
CH 00-6-46	10/16/00	Robin Pospisil	51 Butcher Road Martelle, IA 52305

Petition HP 00-4 by CFA et.a., seeking a Ban of Bath Bath Seats,
FR August 22, 2000, Volume 65, No. 163, page 50968

CH 00-6-47	10/16/00	Becky Cooper	7201 Marywood Circle Austin, TX 78723
CH 00-6-48	10/17/00	Jason Knapp	1050 Grand Ave., #6 Marion, IA 52302
CH 00-6-49	10/17/00	Erica Cesari	1280 Larpenteur Ave, W #307 St. Paul, MN 55113
CH 00-6-50	10/17/00	Cathy Barber	100 Mayflower Hall #702A Iowa City, IA 52242
CH 00-6-51	10/17/00	Erin Penne	6222 Rockwell Dr, NE #203 Cedar Rapids, IA 52402
CH 00-6-52	10/18/00	K. King-Hoffman	1114 15 th Ave, SW Cedar Rapids, IA 52404
CH 00-6-53	10/19/00	Travis Letellier travisletellier@hotmail.com	
CH 00-6-54	10/20/00	Marla Felcher	325 Harvard St. Cambridge, MA 02139
CH 00-6-55	10/20/00	Sue Fuller	1841 County Home Rd Marion, IA 52302
CH 00-6-56	10/23/00	Heather Paul Exe Director	National Safe Kids Campaign 1301 Pennsylvania Ave,NW Suite 1000 Washington, DC 20004
CH 00-6-57	10/23/00	LaDawn Smith	1400 2 nd Ave, SE, #103 Cedar Rapids, IA 52403
CH 00-6-58	10/23/00	S. Vozenilek	2418 9 th Ave., SW Cedar Rapids, IA 52404
CH 00-6-59	10/23/00	Florida Univ. Students	Florida International University
CH 00-6-60	10/23/00	Mary E. Fise on Behalf of State & Local Consumer Organizations	Consumer Federation of America

Petition HP 00-4 by CFA et.a., seeking a Ban of Bath Bath Seats,
FR August 22, 2000, Volume 65, No. 163, page 50968

CH 00-6-61	10/23/00	Frances Smith Exec. Director	Consumer Alert 1001 Connecticut Ave, NW Suite 1128 Washington, DC 20036
CH 00-6-62	10/23/00	Beth Vozenilek	1194 Linn Ridge Rd. Mt. Vernon, IA 52314
CH 00-6-63	10/23/00	F. Locker Atty, Counsel to Juvenile Products Manf. Assoc., Inc.	Locker Greenberg & Brainin, P.C. 420 5 th Ave, 26 th Fl New York, NY 10018
CH 00-6-64	10/25/00	S. Carballo Student	10725 SW 3 rd St, Apt #2 Miami, FL 33174
CH 00-6-65	10/24/00	Mary Biggart	<u>squirtus@netins.net</u>
CH 00-6-66	10/26/00	Tanya Smith	<u>tbs115@home.com</u>

Good Housekeeping

959 EIGHTH AVENUE, NEW YORK, NY 10019 * 212-649-2390 * FAX 212-489-8139

2-1-0-0-1
RECEIVED AND SECRETARY

2000 AUG 10 A 11: 41

DONALD L. MAYS
TECHNICAL DIRECTOR
THE GOOD HOUSEKEEPING INSTITUTE

August 7, 2000
Ms. Sadye Dunn, Secretary
US Consumer Products Safety Commission
4330 East-West Highway
Suite 502
Bethesda, MD 20814

Dear Ms. Dunn.

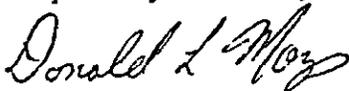
Good Housekeeping magazine and it's Good Housekeeping Institute have been investigating and reporting on consumer product safety issues for the past 100 years, and have played a significant role in the development of safety standards for toys and other children's products

Today, I am writing in support of the petition filed on July 25, 2000 to ban baby bath seats. We strongly agree with the petitioners, Consumer Federation of America, The Drowning Foundation, et al, that baby bath seats pose an unreasonable risk of injury and death to children. We support their petition that requests that bath seats be banned as hazardous products.

Our independent review of baby bath seats concluded with the Good Housekeeping Institute publicly recommending against the sale and use of these products. We stated in both print and on TV that bath seats can give parents a false sense of security, which often has tragic consequences. In our technical opinion, there is simply no way to make these products safe.

Thank you for your consideration of our views on this important matter.

Respectfully submitted,



Donald L. Mays
Technical Director,
Good Housekeeping Institute

Cc: Chairman Ann Brown
Commissioner Mary Sheila Gall
Commissioner Thomas Hill Moore



Bath Seat Comments

OFFICE OF THE SECRETARY
FRICTION
2000 SEP 27 P 2 11

September 20, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington DC 20207

Office of the Secretary
Room 501
4330 East-West Highway
Bethesda, Maryland 20814

Re: Docket# HP 00-4 "Petition to Ban Bath Seats"

To Whom It May Concern.

In June of 1994, the U.S. Consumer Product Safety Commission voted (2-1) against initiating formal rulemaking proceedings on baby bath seats, which at the time were associated with 14 deaths and 7 near drownings since 1983. At the time the Commission believed that under the Federal Hazardous Substance Act, the design and manufacture of these products did not present a mechanical hazard or an unreasonable risk of injury to consumers.

The commission also voted (2-1) to work with industry to initiate a public information campaign focusing on the risks taken by parents and other caregivers who leave children unattended in bathtubs. Some of the commissioners involved in the decision making at the time stated that the primary cause of the deaths was the irresponsible actions of those entrusted with caring for the children and that those actions had caused the deaths. Chairman Ann Brown, who voted in favor of the rulemaking, expressed her disappointment with the decision, which in her opinion encouraged dangerous consumer behavior by instilling a false sense of security in a parent who would normally never leave a baby alone in water. She said that the baby bath seats possess the hidden hazard of convincing the user that the product creates a safer environment for a baby. And, the sturdier, more durable-looking the seat, the more likely the consumer is to leave the baby unattended for a moment.

As a result the CPSC urged parents and caregivers who were using the baby bath seats to:

- Never leave a baby alone in the water for even a second. Keep baby in arms reach.
- Never use the baby bath seat in a non-skid, slip-resistant bathtub
- Check to see that the suction cups are securely attached to the bath seat and tub surface

These recommendations although beneficial have not helped the situation. Since then, the number of children's deaths associated with the product has increased, 66 incidents of drowning and 37 reports of near drowning involving baby bath seats have been identified

On August 22, 2000, a notice of a petition appeared in the Federal Register (Volume 65, Number 163), a new petition brought by the Consumer Federation of America (CFA), the nation's largest consumer advocacy organization representing over 260 state, local and national consumer organizations and over 50 million consumers, along with eight other organizations dedicated to the prevention of injuries to infants and young children.

The intent of Petition HP-004 is that the Consumer Product Safety Commission ban baby bath seats under Section 3 (e) of the Federal Hazardous Substances Act (FHSA), 15 U.S.C. section 1262, finding that baby bath seats intended for use by children present a mechanical hazard and, therefore, pursuant to section 2 (f) (1) (D) of the FHSA, 15 U.S.C. section 1261, are hazardous substances and accordingly, pursuant to section 2 (q) (1) (A) of the FHSA, 15, these baby bath seats are to be considered banned hazardous substances. Specifically, the Petitioners request that CPSP issue a rule that states:

Under the authority of section 2 (f) (1) (D) of Federal Hazardous Substances Act and pursuant to provisions of section 3 (e) of the act, the Commission has determined that baby bath seats (including bath rings) intended for use by children present a mechanical hazard within the meaning of section 2 (e) of the Act because in normal use, or when subject to reasonably foreseeable damage, or abuse, the design or manufacture presents an unreasonable risk of personal injury or illness, and therefore are banned under section 2 (q) (1) (A) of the Act.

After reviewing the history behind the petition, and considering the fact that there have been over four times more children's deaths as a result of being left alone in the water, we feel it is time to address the hidden hazard the baby bath seats and rings represent by giving parents and caregivers a false sense of security which in turn leads to increased risk-taking behaviors among those using the product. (1)

Based on the study conducted at the University of Utah, parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caregivers not using the baby bath seats. Those using the baby bath seats prepare baths with deeper water and are more likely to leave a child unattended in the bath for conscious, willful reasons (for example to perform other household activities). The fact that the bath seats

provide a mechanical aid to hold a slippery baby upright gives the caregiver the idea that the child could be left alone for just a minute.

We feel that the depth of the water and the fact that the child is left alone increase the chances for drowning. Most caregivers believe that they would be able to hear the cries of a child in distress or the splashing of the water, when in reality for infants and toddlers, water in the airway blocks any effective sound from being heard and can cause tracheal constriction which fully blocks the airway and incapacitates the child. It only takes moments for brain damage to occur. Death follows after 4-5 minutes.

We understand that there have been voluntary standards established for the product. But we also realize that ASTM Voluntary Standard, Infant Bath Seats, F 1967-99 does not address the size of leg opening, which can cause the child to slip out of the seat, it does not address the efficacy of the suction cups, and the fact that the warning about not using the product in a slip resistant surface, which reduces the suction capacity of the cups, is on the package and not in the product itself. The standard also fails to address the manufacturer's refusal to provide a water depth line to guide the consumer to reduce the likelihood of filling the bath with more water than needed. In other words the voluntary standard does not provide the needed guidelines for improved product safety.

There is also the problem with the ASTM Voluntary Standard for Slip-Resistant Bathing Facilities, F 462-79 that was re-approved in 1994. This standard provides for all new homes and homes with remodeled baths with slip resistant feature in the bathtub basin. We agree that this standard, while reducing fall injuries in bathrooms for the general population, makes for a lethal combination when baby bath seats are used in those bathtubs

After conducting interviews of 8 parents and caregivers we found that they all had either bought the product or received it as a gift. When asked about the usage of the baby bath 7 out of 8 caregivers said they did not use the product because it did not seem safe to them. Only one parent said that she liked the product because it was practical and easy to use.

We also interviewed two pediatricians, and they both recommended the products but insisted that parents should not trust the safety of the children to a marketed product design to assist in the bathing of the child. They themselves are parents and did not use the product, considering it unsafe.

We also interviewed two manufacturers of the product:

Safety 1st: Spoke with the customer relation's manager
They are aware of the petition.

They stated that the commission thinks their product is safe as long as parent use it properly. They feel the product is a practical tool for mothers and it was designed to assist caregivers while bathing the children.

They don't feel the product will be banned or taken out of the market.

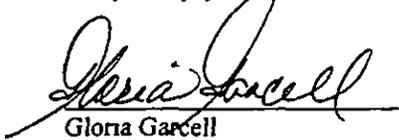
The First Years: Spoke with the consumer product manager
They also were aware of the petition.

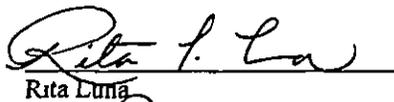
When asked if they were aware of the petition, they said yes and also stated that they believe their product is safe and that they keep selling it without problems. They are aware of fatal incidents that occurred and they are sorry. However they feel confident about their product and are not considering removing it from the market. They also said that their product should be used under adult supervision only and that children should not be left alone under any circumstances because unfortunately this is when accidents happen.

After taking into consideration all the interviews, the research provided, and the history behind this issue, we would like to express our support for the proposed rule to ban baby bath seats. We hope that the commission re-examines the evidence and rules in favor of rulemaking that will at last take the product off the market. We hope that no more children will die before the commission realizes that even though the product may not prove to be mechanically dangerous, there is an inherent hazard in its use.

We hope you find these comments useful.

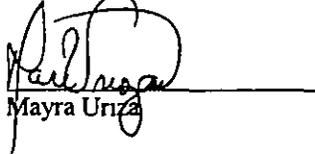
Very truly yours,


Gloria Garcell


Rita Luna


Vickie Vakalopoulos


Ericka Vargas


Mayra Uriza

9/21/00

Date

Enclosures

- (1) These comments represent the views of a group of students at the school of Business at Florida International University enrolled in a Business in Society course.

September 10, 2000

Mom's Name: Maria Zamora

Child's Name: Carlos Zamora

Age: 1 year

Q: Who takes care of the child?

A: The aunt

Q: How did you get the product?

A: Got it as a gift

Q: What is the Brand Name of the Product?

A: Baby Bath Ring-Safety 1st Inc.

Q: When did you start using this product?

A: When the baby was 6 months old

Q: Does the mother plan to use it often?

A: A few times

Q: Does she like using the product?

A: Not really

Q: Why does she like or dislike the product?

A: She uses the product only when she wants to play with the baby in the water. She does not like the product enough to use it every day.

September 15, 2000

Mom's Name: Leanne Lozano

Child's Name: Amanda Lozano

Age: 3 Months

Q: Who takes care of the child?

A: Mother in Law

Q: How did you get the product?

A: Passed on from sister in Law

Q: What is the Brand Name of the Product?

A: Baby Bath Ring-Safety 1st Inc.

Q: When did you start using this product?

A: Not yet

Q: Does the mother plan to use it often?

A: No

Q: Does she like using the product?

A: No

Q: Why does she like or dislike the product?

A: She does not feel safe using it yet. The baby is still too small and can not support herself. If and when she decides to use it, she says she will be very careful, due to the safety concerns she has heard regarding the product.

September 11, 2000

Mom's Name: Stacy Infante

Child's Name: Eric Infante

Age: 8 Months

Q: Who takes care of the child?

A: Grandmother

Q: How did you get the product?

A: Given at a Baby Shower

Q: What is the Brand Name of the Product?

A: Deluxe Bath Ring-Sanitary, Inc.

Q: When did you start using this product?

A: About 2 months ago

Q: Does the mother plan to use it often?

A: Yes, when she has time and when someone else is home with her while she bathes the baby

Q: Does she like using the product?

A: Have mixed feelings about it

Q: Why does she like or dislike the product?

A: The product provides assistance holding the baby while she gives him a bath. It is also helpful when she wants to allow the baby to play in the water, but she realizes that she can not leave the baby alone because the product does not provide safety for the baby, it is only convenience for the person handling the child.

September 14, 2000

Mom's Name: Patricia Flores

Child's Name: Kendrick Vargas

Age: 1 year 10 months

Q: Who takes care of the child?

A: The mother

Q: How did you get the product?

A: The father bought it

Q: What is the Brand Name of the Product?

A: Deluxe Bath Ring-Sanitary, Inc.

Q: When did you start using this product?

A: When the baby was 10 months old

Q: Does the mother plan to use it often?

A: She used it once

Q: Does she like using the product?

A: No

Q: Why does she like or dislike the product?

A: She does not like the product because she tried it once and the baby got hurt. He was playing with the water and he turned around and hit himself with the tub.

September 14, 2000

Mom's Name: Carolina Rivas

Child's Name: Austin Ramirez

Age: 11 months

Q: Who takes care of the child?

A: The babysitter

Q: How did you get the product?

A: The father bought it

Q: What is the Brand Name of the Product?

A Swivel Bath Seat-Safety 1st Inc.

Q When did you start using this product?

A After 6 months

Q Does the mother plan to use it often?

A: Every day

Q Does she like using the product?

A Yes

Q: Why does she like or dislike the product?

A: She likes this product because it is practical and easy to use.

September 10, 2000

Mom's Name: Nurkia Altamirano

Child's Name: Cristian Altamirano

Age: 1 year 6 months

Q: Who takes care of the child?

A: The mother

Q: How did you get the product?

A: Got it as a gift

Q: What is the Brand Name of the Product?

A Swivel Bath Seat-Safety 1st Inc.

Q When did you start using this product?

A Never used it

Q Does the mother plan to use it often?

A: No

Q Does she like using the product?

A No

Q: Why does she like or dislike the product?

A: Never used it and does not plan to use it, the product seems unsafe

September 10, 2000

Mom's Name: Eve Esquivel

Child's Name: Nataniel Esquivel

Age: 1 year 6 months

Q: Who takes care of the child?

A: The mother

Q: How did you get the product?

A: Got it as a gift

Q: What is the Brand Name of the Product?

A 2 IN 1 Bath Tub & bath Seat- The First Years

Q When did you start using this product?

A Never used it

Q Does the mother plan to use it often?

A: No

Q Does she like using the product?

A No

Q: Why does she like or dislike the product?

A: Never used it and does not plan to use it, the product is very uncomfortable for her back and she does not trust this type of product

September 10, 2000

Mom's Name: Evelyn Rua

Child's Name: Joselyn Rua

Age: 8 months

Q: Who takes care of the child?

A: The grandmother

Q: How did you get the product?

A: Got it as a gift

Q: What is the Brand Name of the Product?

A: Baby Bath Ring-Safety 1st Inc.

Q: When did you start using this product?

A: When the baby was 7 months old

Q: Does the mother plan to use it often?

A: She uses the product 3 times a week

Q: Does she like using the product?

A: No

Q: Why does she like or dislike the product?

A: She does not like the product because it does not stick to the bathtub. The pressure of the water can move the baby seat and it can turn it over. If the baby wants to reach something (for example a toy), the seat may turn over increasing the risk for an accident

Interviews

Safety 1st

Are you aware of a petition requesting that the commission issue a rule banning baby bath seats and bath rings?

A= yes

What do you think about it?

A= We think our product is safe, therefore we are not going to take it out of the market
The commission thinks this product is a safe item as long as parents use them right
Unfortunately, all the incidents that had happened is when parents were not
Supervising their children I myself had use this product without any problem
Because I'm a responsible mother and I won't leave my child alone This product is
A mother tool. It's design to help parents while they are bathing their kids.

What's your name?

Cindy

What is your position in this company?

I'm a customer relation manager

The First Years

1- Are you aware of a petition requesting that the commission issue a rule banning baby bath seats and bath rings?

Yes.

2- What do you think about it?

We believe our products are safe as a result we keep selling them without
problem We are aware of fatal incidents that had occurred and we are sorry
However, we feel confident about this product and we are not even thinking about
removing it from the market This product should be use under parents
supervision only Children should not be left alone under any circumstances
because unfortunately this is when accidents happen

3- What's your name?

Judy Parlor

4- What's your position in this industry?

Consumer product manager.

Baby Bath Seats and Bath Rings

1- Product

Swivel bath seat

-Turns a full 360 degrees

-Unique turn and lock design

-For ages 6 months and older

*** **WARNING** Prevent drowning. Always keep baby within arm's reach.
Not for use on textured non-skid surfaces

-U S patent Nos 5,010, 606 & 5,158, 460

-Style Number. 00160 A

-Product Number 0 5218100160 4

-S Number: 313351

Addresses

1- Safety 1st Inc , 45 Dan Road, Canton, Ma 02021 USA.

2- Safety 1st Canada Inc , 804 rue Deslauriers, Ville st Laurent,
Quebec H4n 1x 1 Canada

3- Safety 1st Europe Ltd, Isopad House, Shenley Road, Borehamwood,
Hertfordshire WD6 1 TE, England

Consumer relations number. (800) 723-3065

2- Baby Bath Ring

-For ages 6 months and older

-Spinning play bead

-Suction base for added security

Brand. Safety 1st

Product Number 0 52181 4160 1

Style Number 41601 A

S Number. 694673

Addresses

1- Safety 1st, Inc , 210 Boylston street, Chestnut Hill, Ma 02167 USA.

2- Safety 1st Europe, Ltd, Isopad House, Shenley Road, borehamwood,
Hertfordshire WD6 1 TE, England.

Customer Service phone number (800) 723-3065

3) 2-IN-1 bathtub & bath seat

*Tub converts easily to bath seat

1- Bathtub

- Full-size infant tub
- Mildew resistant foam pad for comfort
- Conto used to prevent sliding
- Suitable water depth for through bathing

Bath seat.

-
- conversion to bath seat
- T- bar restraint keeps infant in place
- Large suction cups for bathing fun.

Brand: The First Years

Addresses

- 1- U S A /Canada The First Years Inc , Avon, Ma 02322-1171, U.S
- 2- Europe The First Years Inc ,
The old police station, castle street, Cirencester, glos GL 7 1QU,
United Kingdom.

Customer Service Numbers:

U S A / Canada 1(800) 533-6708
Europe 0(800) 526-829

Product Number. 0 71463 03129 0

Style Number 792101

* Ideas inspired by parents These products are inspired and pretested by parents, for parents. They are designed in consultation with Dr T Berry Brazelton, Dr. Edward Tronick and staff members of the child development unit, Children's Hospital in Boston, U.S.A. The first years is a benefactor of the child development unit

4) Deluxe bath ring

Nursery needs is a trademark of Sanitoy, Inc , Fitchburg, Ma 01420
For ages 6 months and older

U S Patent number: 288, 118

Product Number: 0 74269 01566
Style Number. 1566J

Customer Service Number (978) 345-7571

Pediatrician's Interviews

Dr. Esteban Geano, MD
11338 SW 184th Street
Miami, Florida 33157
(305) 278-8603

Doctor Geano stated that he has not received any reports from parents or caregivers who have experienced incidents while using the baby bath seats or rings. Nevertheless, he does not recommend the product and is against the use of such devices that he considers unsafe because of the false sense of security it represents. He supports the petition to remove the devices from the market.

Dr. Jose Gomez-Rivera, MD
8366 S.W. 40th Street
Miami, Florida 33155
(305) 553-4233

Doctor Rivera does not recommend the use of the baby bath seat. He is a parent himself and does not feel safe using the baby bath seat. He has not treated any cases of injuries related to the product. He supports the petition to ban baby bath seats.

Doctor Angel F. San Roman, MD
400 University Drive
Coral Gables, Florida 33134
(305) 663-2845

Doctor San Roman stated that while he is aware that several of this patient's parents use such devices, he has not received any reports from the parents in regards to the safety of the product. He said he is familiar with the product and understands the concerns that the use of such product could result in a false sense of security for the users. When asked whether he supported the petition for the banning of baby bath seats, Dr. San Roman stated that minimally there should be clear instructions and warning labels on the product itself to alert parents and caregivers of the harmful situation that may arise while using this product. He said he would not recommend it to any parent who feels there is the slightest possibility that their attention could be drawn away from the infant while bathing.

Stevenson, Todd A.

From: Meg Pearce [Meg Pearce@wcom com]
Sent: Thursday, October 05, 2000 12.00 PM
To: cpsc-os@cpsc.gov
Subject: Baby Seat Ban
October 04, 2000
Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

The undersigned citizen strongly urges you to grant the petition of the Consumer Federation of America et. al. to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months.

Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use.

In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product. Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Meg Pearce
6413 Little Leigh Court
Cabin John, MD 20818
301-320-3475

Stevenson, Todd A.

Baby bath seats
4

From: Brian Pullin [brian.pullin@wcom.com]
Sent: Thursday, October 05, 2000 11:42 AM
To: cpsc-os@cpsc.gov
Subject: Petition HP 00-4, Petition to Ban Bath

October 04, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

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Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Brian Pullin
520 Independence Parkway
Chesapeake Va. 23320
Office (757) 549-5412
Vnet 271-5412
Fax (757) 382-4314

Baby Bath Seats
5

Stevenson, Todd A.

From: Doug Perkins [doug@oceansystems.com]
Sent: Thursday, October 05, 2000 12:21 PM
To: cpsc-os@cpsc.gov
Subject: Comments on Petition (HP 00-4) by CFA et al. seeking a Ban of Ba by October 04, 2000

Office of the Secretary

Consumer Product Safety Commission

Washington, D.C. 20207

RE Comments on Petition (HP 00-4) by CFA et al seeking a Ban of Baby
Bath Seats Federal Register August 22, 2000 (Volume 65, Number 163,
page 50968)

The undersigned citizen strongly urges you to grant the petition of the Consumer Federation of America et al to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drowning involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Douglas R. Perkins

16629 Lescot Terrace

Rockville, MD 20853

301-578080

~~Stevenson, Todd A.~~

Baby Bath Seats
6

From: Jody Young [jody.young@wcom.com]
Sent: Thursday, October 05, 2000 1:13 PM
To: cpsc-os@cpsc.gov
Subject: Petition HP 00-4, Petition to Ban Bath Seats

October 04, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

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Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Jody Young
503 Circleview Drive Atkins, IA 52206
319-446-7873

Baby Bath Seats

7

~~Stevenson, Todd A.~~

From: Molly Williams [Molly Williams@wcom.com]
Sent: Thursday, October 05, 2000 11:01 AM
To: cpsc-os@cpsc.gov
Cc: Mark Williams
Subject: Please Ban Current Baby Bath Seats

October 05, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

The undersigned citizens strongly urge you to grant the petition of the Consumer Federation of America et. al. to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Mark and Molly Williams
503 Green Valley Terrace SE
Cedar Rapids, IA 52403
319.365.2374

~~Stevenson, Todd A.~~

Baby
Bath
Seats 8

From: william johnson [samntoni@tiscalinet.it]
Sent: Thursday, October 05, 2000 12:57 AM
To: cpsc-os@cpsc.gov
Subject: Petition HP 00-4, Petition to Ban Bath

October 05, 2000

Office of the Secretary
 Consumer Product Safety Commission
 Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et al seeking a Ban of Baby Bath Seats Federal Register, August 22, 2000 (Volume 65, Number 163, page 50968)

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Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Toni K. Johnson
 PSC 811 Box 366
 FPO AE 09609

Phone 011-39-0771-371-006 (Italy)

B. M. E. + H. S. K. 9

~~Stevenson/Todd A.~~

Beth Rathbun [beth.rathbun@wcom.com]
Thursday, October 05, 2000 8:29 AM
cpsc-os@cpsc.gov
Petition HP 00-4, Petition to Ban Bath

From:
Sent:
To:
Subject:

October 05, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby
Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163,
page 50968)

The undersigned citizen strongly urges you to grant the petition of the Consumer Federation of America et. al. to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Beth Rathbun
812 7th Street SW
Cedar Rapids, IA 52404

Stevenson, Todd A.

10

From: Bryan Kerrigan [Bryan R Kerrigan@wcom com]
Sent: Thursday, October 05, 2000 11 19 AM
To: cpsc-os@cpsc gov
Subject: Petition HP 00-4, Petition to Ban Bath

Importance: High

October 05, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

The undersigned citizen strongly urges you to grant the petition of the Consumer Federation of America et. al. to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats.

Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Bryan R. Kerrigan
4816 Broom Drive
Olney, MD 20832
301-260-0789

Stevenson, Todd A

frankly bath seat 11

From: Melanne Miller [Melanne.Miller@wcom.com]
Sent: Thursday, October 05, 2000 1:33 PM
To: cpsc-os@cpsc.gov
Subject: Petition HP 00-4, Petition to Ban Bath Seats

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

The undersigned citizen strongly urges you to grant the petition of the Consumer Federation of America et. al. to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Melanne Miller
1734 Lake Terrace Road
Cedar Rapids, IA 52403
(319)365-1490

~~Stevenson, Todd A.~~

Bath Seats 12

From: Martha Hansen Behrend [Martha Behrend@wcom.com]
Sent: Thursday, October 05, 2000 1:16 PM
To: cpssc-os@cpssc.gov
Subject: Baby Bath Seat petition

October 04, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

The undersigned citizen strongly urges you to grant the petition of the Consumer Federation of America et. al. to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Martha Behrend
3574 Plum Dale Drive
Fairfax, VA 22033
(703) 709-7972

Baby Bath Seats

13

Stevenson, Todd A.

From: Julie Hendricks [julie hendricks@wcom com]
Sent: Thursday, October 05, 2000 1 34 PM
To: cpsc-os@cpsc gov
Subject: Comments on Petition (HP 00-4) by CFA

Please ban all Baby Bath Seats!!!

Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats
Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

After hearing of an infant, a co-workers granddaughter, nearly drowning because of a baby bath seat I wanted to express my thoughts on why baby bath seats should be banned.

I currently have two children, expecting our third, and I will not use the assistance of a baby bath seat. I did have one for our first child and found it quite hard at times removing the child from the seat after his bath. I did not use that seat much during our first and never with our second. I do believe a infant/small child should never left alone while in water, until this day I will still check on my 7 year old at times while he is in the tub just so I know he is ok. I can very well see how easy it would be for a child to slip down into the water and be very hard at times as a parent to remove him/her from the seat in an emergency. An experience mother may not use this product but a new mother may think it's neat not knowing of the danger it can and has cause. No so called safety feature should be the cause of so many baby deaths.

Please vote YES to ban the making/selling of Baby Bath Seats!!

Stevenson, Todd A.

From: Pamela Smerker [pam@steaksandwich.com]
Sent: Thursday, October 05, 2000 5 13 PM
To: cpsc-os@cpsc.gov
Subject: seeking ban on baby bath seats
October 04, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D C 20207

RE: Comments on Petition (HP 00-4) by CFA et al seeking a Ban of Baby Bath Seats Federal Register, August 22, 2000 (Volume 65, Number 163, page 50968)

The undersigned citizen strongly urges you to grant the petition

of the Consumer Federation of America et al to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Pamela Smerker

218 Eagle Avenue, Mead, Co, 80542

970-535-4776

Stevenson, Todd A.

*Baby bath
Seats 15*

From: Carol Cannon [Carol Cannon@wcom.com]
Sent: Thursday, October 05, 2000 12:40 PM
To: cpsc-os@cpsc.gov
Subject: Petition HP 00-4, Petition to Ban Bath Seats

October 05, 2000

Office of the Secretary
Consumer Product Safety Commission
Washington, D.C. 20207

RE: Comments on Petition (HP 00-4) by CFA et. al. seeking a Ban of Baby Bath Seats Federal Register: August 22, 2000 (Volume 65, Number 163, page 50968)

The undersigned citizen strongly urges you to grant the petition of the Consumer Federation of America et. al. to ban baby bath seats. We are alarmed at the high incidence of babies drowning in this product and believe it poses an unreasonable risk of injury and death to children. At least 66 children have died when using this product and an additional 37 were involved in near drownings involving bath seats. Already in the first six months of this year at least five babies have died.

Bath seats have a very short useful life. They are not recommended for use until six months of age, when most infants can sit securely. Once an infant can pull up (generally between seven and nine months) or attempt to stand while holding onto objects, infant bath seats should be discontinued, thus limiting its useful life to approximately two months. Recent research has found that parents and caregivers of infants that use baby bath seats engage in more risk taking behavior than parents and caretakers not using bath seats. Parents and caregivers may see this product as a safety device and thereby have a false sense of security with respect to its use. In addition, bath seats are incompatible with bathtubs meeting the current voluntary standard for bathtub slip resistance. For these reasons and the growing number of drowning deaths, we believe there is substantial evidence supporting a ban of this product.

Please vote to grant the petition of CFA and the other petitioning organizations. Thank you.

Sincerely,

Carol L. Cannon
87 - 14th Avenue S. W.
Cedar Rapids, IA 52404-5902
1-319-286-8088

Volz later seats
16

Stevenson, Todd A.

From: Patrick Lampe [patrick.lampe@wcom.com]
Sent: Thursday, October 05, 2000 10:48 AM
To: cpsc-os@cpsc.gov
Cc: Beth Vozenilek; Goldad@consumer.org; Greesa@consumer.org; Goldad@consumer.org; shecje@consumer.org
Subject: FW: Petition to ban Baby bath seats

I received the letter below from one of my co-workers and was shocked and disheartened by its message. I didn't know the exact details of her granddaughter's death, nor did I ask, for obvious reasons, but having infant nieces and nephews and seeing the joy they bring my brothers, their families, and their grandmother (my mom) I knew she must have been in a world of pain. I know too that she must have been quite angry to learn that a product that had years earlier gone to a vote to have banned from store shelves because of its contribution to the deaths of a number of infants in similar circumstances had been allowed to continue to be sold.

The most difficult part of the letter to accept is the idea that this product could have been removed from the market in 1994 after 14 infant deaths but the CPSC considered this issue and decided in a 2-1 vote not to take action. Could you tell me how such a far reaching decision could be based solely on the vote of 3 people? This is far too much responsibility to be placed on such a small number of decision makers. And while on the subject of responsibility, I would think that they (the 2) would feel at least partially responsible for the 51 infant deaths which have occurred SINCE the erroneous vote in 1994. I'm not sure how they can justify or minimize their impact enough to give them peace of mind. Granted, no infant should be left alone in a bath tub for any period of time and I'm sure that that was the argument heard by the CPSC from the producers of the baby bath seat in 1994. I'm sure, to encapsulate their argument, that they claimed that the seat is NOT a safety device and not intended as a substitute for constant parental or guardian supervision and I'm sure their legal department made sure that this disclaimer was printed somewhere on the product packaging. While this argument may be valid from a purely legal standpoint and prevent the producers from facing a class action lawsuit, it obviously does not reflect the way that many young parents are interpreting the function of the product.

While I'm sure that the product packaging includes a disclaimer (purely for legal defense purposes) that the seat is not a substitute for direct parental supervision, I am willing to bet that the size of the print of this disclaimer is much smaller than that of the words "Safety First" on the package. I believe that this is the biggest problem with the product. This name in and of itself is misleading and could easily give mothers and fathers a false but REASONABLE sense that while their baby is in this seat, the infant will be "SAFE." A more appropriate name would be "Not always Safe-ty First" but I'm afraid merely changing the name of the product to more adequately reflect its true potential harm is not enough. This product needs to be recalled immediately and its current and future production ceased.

I see now that On July 25, 2000 CFA (The Consumer Federation of America) filed a new petition asking the Consumer Product Safety Commission (CPSC) to ban baby bath seats. I sincerely hope that the CPSC will take an immediate vote on whether or not this product should be banned. I am confident that the CPSC will recognize that this product is unsafe and vote to have it banned from future sale in order to prevent its future contribution to accidental infant deaths. If however, it is once again swayed by the producers of this product into another 2-1 vote to allow its continued sale, please count the votes of myself, the Consumer Federation of America, The Drowning Prevention Foundation, The Danny Foundation for Crib and Child Product Safety, The Intermountain Injury Control Research Center, The California Coalition for Children's Safety and Health, The California Drowning Prevention Network, The Contra Costa County Childhood Injury Prevention Coalition, Greater Sacramento SAFE KIDS

Coalition, Kids in Danger, U.S. Public Interest Research Organization, Consumers Union, The Good Housekeeping Institute, and my co-worker Beth Vozenilek, who lost her granddaughter Olivia, as additional votes to have this product banned.

Sincerely,

Patrick Lampe

1210 Sierra Dr #10, Cedar Rapids, IA 52402 (319)363-8724

-----Original Message-----

From: Beth Vozenilek [mailto:beth.vozenilek@wcom.com]

Sent: Wednesday, October 04, 2000 11:49 PM

To: BIPPY11@aol.com; Cjdanek@Hotmail. Com; debbie.dilts@wcom.com; Cohenourt@uihc.uiowa.edu; BCOOLEY@kirkwood.cc.la.us; jan.rike@wcom.com; joyce.whiting@wcom.com; Laura71557@aol.com; NINNYPOOH8@aol.com; Ponyboybarger@Netscape. Net; ray.sitter@wcom.com; dina.rosenblum@wcom.com; kandidon@netins.net; samntonit@tiscalinet.it; sean_morrell@yahoo.com; Stephanie_Turner@rsmi.com; J Tolic; jody.young@wcom.com; PDD_MEL@lists.mci.com; PDD_ANNA@lists.mci.com; linda.kallmeyer@wcom.com; mcowan@erols.com; Williams, Molly; shoey1b@yahoo.com; Kendy.Wazac@wcom.com; Gary.Leopold@wcom.com; kim.oltman@wcom.com; Rick.Talley@wcom.com; Renee.Best@wcom.com; beth.rathbun@wcom.com; rebecca.nosek@wcom.com; Mary2740@aol.com; AllFish@aol.com; wtroutsniffer@aol.com; plaimi@ncs.com

Subject: Petition to ban Baby bath seats

As most of you are aware on June 9, 2000 my 7-month old granddaughter , Olivia Jade Gardner died 24 hours after nearly drowning in a 'Safety First " baby bath seat. I have since learned about and become involved with a movement to ban the bath seats. The following contains information about the movement as well as an action item with a link provided to the address of the CPSC (Consumer Product & Safety Commission) where you can email a letter in support of the ban if you so desire I would very much appreciate you taking the time to find out more about what is going on with these bath seats and am thanking you ahead of time for your time and support.

In 1994 , after 14 infant deaths , an attempt was made to ban these bath seats . CPSC voted against taking any action 2-1. I can't stop thinking that if that 1994 petition had only been successful, Olivia , along with the 51 additional babies that have died since its failure would be alive today

Here's some information

On July 25, 2000 CFA (The Consumer Federation of America) filed a new petition asking the Consumer Product Safety Commission (CPSC) to ban baby bath seats. Since the filing many other organizations have joined to support the petition, with more and more organizations concerned with the safety of children joining every day.

Original Petitioners:

Consumer Federation of America

The Drowning Prevention Foundation

The Danny Foundation for Crib and Child Product Safety

The Intermountain Injury Control Research Center

The California Coalition for Children's Safety and Health

The California Drowning Prevention Network

The Contra Costa County Childhood Injury Prevention Coalition

Greater Sacramento SAFE KIDS Coalition

Kids in Danger

Some of the Additional Organizations Supporting the Petition:

U.S. Public Interest Research Organization

Consumers Union

The Good Housekeeping Institute

About The Product *Baby bath seats are intended to assist in bathing infants* by holding the infant in a sitting position , upright out of the water ,in a full size bathtub or a sink. When following manufacturers' instructions, they have a useful life developmentally of about 2 months.

The Hazard: There are currently at least 66 known drowning deaths and 37 reports of near drowning. In the first six months of 2000 alone there have been five deaths In past years there have been an average of 8 deaths per year Drownings occur when the baby slips out of the seat, the seat tips over, or where the parent is unable to extricate the child from the product after it has tipped over The product gives parents a false sense of security, they view this product as a safety device, when in fact, it does not perform that way The bath seat is designed to provide "hands-free bathing " of an infant, but in reality the parent/caregivers hands should never leave the seat Bath seats are also completely incompatible with bathtubs that meet the voluntary safety standard for bathtubs Such bathtubs must have a slip resistant feature to prevent falls, bath seat product instructional labeling warns not to use to the product in such bathtubs. CPSC considered this issue in 1994 and decided in a 2-1 vote not to take action Since that vote, 52 more babies have died and one of the 2 commissioners voting against action has been replaced.

CPSC Comment Period There is currently a public comment period on the petition seeking input from the public The deadline for comments to CPSC is October 23, 2000.

ACTION THIS IS THE MOST IMPORTANT PART , AS THIS IS HOW YOU CAN HELP!!!!!!!

The way you can help to make this ban a successful is two-fold

First of all by sending an email to the Consumer Product Safety Commission in support of the ban . Their address is cpsc-os@cpsc.gov . Emails regarding the ban should contain 'Petition HP 00-4, Petition to Ban Bath Seats' in the subject field.

Below contains a sample / generic type letter. You may compose your own letter , (it's okay if its short and to the point) or you can cut and paste the sample onto your email

. If you use the sample , remember to include your name, address and phone number at the bottom for verification . Please respond as soon as you can but at least before October 23rd, 2000 as that is the deadline for comments by the public.

Secondly, I would very much appreciate you forwarding this to everyone you know who may be interesting in helping to remove these products from the shelves

Thank-you & God Bless

Beth Vozenilek
319 375-1229 Work
319 366-6748 Home

SAMPLE LETTER:

October 04, 2000