



UNITED STATES
 CONSUMER PRODUCT SAFETY COMMISSION
 4330 EAST WEST HIGHWAY
 BETHESDA, MD 20814

THIS MATTER IS SCHEDULED FOR A BALLOT VOTE.

This document has been electronically approved and signed. Date: June 6, 2012

TO : The Commission
 Todd A. Stevenson, Secretary

THROUGH: Kenneth R. Hinson, Executive Director
 Cheryl A. Falvey, General Counsel

FROM : Hyun S. Kim, Acting Assistant General Counsel, RAD
 Barbara E. Little, Regulatory Affairs Attorney

SUBJECT : Petition Requesting a Performance Standard to Distinguish and Regulate
 “Hazardous Pillow-Like” Crib Bumpers from “Non-hazardous Traditional”
 Crib Bumpers
 Ballot Vote Due - June 12, 2012

The Office of the General Counsel (OGC) has determined that correspondence from the Juvenile Products Manufacturers Association (JPMA), (“Petitioner”), should be docketed as a petition. Petitioner believes that claims of increased risk to infants from traditional crib bumper use are unfounded. Petitioner states that despite information to the contrary regarding the safety of traditional crib bumpers, some are advocating banning bumpers altogether from the marketplace. Petitioner believes that the banning of crib bumpers may lead to caregivers adding unsafe soft bedding to cribs, and therefore, requests that the Commission initiate rulemaking to distinguish and regulate “hazardous pillow-like” crib bumpers from “non-hazardous traditional” crib bumpers.

In accordance with the Commission Directive on Operational Procedures for Petitions (Order No. 0605.0, April 26, 1993), the OGC has drafted a notice for publication in the *Federal Register*, inviting comments on the petition for a period of 60 days. The draft notice is attached.

Please indicate your vote on the following options:

- I. Approve publication of the draft *Federal Register* notice, without change.

 Signature

 Date

II. Approve publication of the draft *Federal Register* notice, with changes (please specify changes):

Signature

Date

III. Do not approve publication of the draft *Federal Register* notice.

Signature

Date

IV. Take other action (please specify):

Signature

Date

Attachment: Draft *Federal Register* notice, "Petition Requesting Commission Action Regarding Crib Bumpers"

[Billing Code 6355-01-P]

CONSUMER PRODUCT SAFETY COMMISSION

Petition Requesting Commission Action Regarding Crib Bumpers

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: The U.S. Consumer Product Safety Commission (“Commission”) has received a petition (CP 12-2), requesting that the Commission initiate rulemaking to distinguish and regulate “hazardous pillow-like” crib bumpers from “non-hazardous traditional” crib bumpers under sections 7 and 9 of the Consumer Product Safety Act (“CPSA”). The Commission invites written comments concerning the petition.

DATES: The Office of the Secretary must receive comments on the petition by [insert date 60 days after publication in the FEDERAL REGISTER].

ADDRESSES: You may submit comments, identified by Docket No. CPSC-2012-_____, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

To ensure timely processing of comments, the Commission is no longer accepting comments submitted by electronic mail (e-mail), except through www.regulations.gov.

Written Submissions

Submit written submissions in the following way:

Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions), preferably in five copies, to: Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

Instructions: All submissions received must include the agency name and petition number for this rulemaking. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: <http://www.regulations.gov>. Do not submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Rockelle Hammond, Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-6833.

SUPPLEMENTARY INFORMATION: The Commission has received correspondence from the Juvenile Products Manufacturers Association (JPMA), (“petitioner”), dated May 9, 2012, requesting that the Commission initiate rulemaking to distinguish and regulate “hazardous pillow-like” crib bumpers from “non-hazardous traditional” crib bumpers under sections 7 and 9 of the Consumer Product Safety Act (“CPSA”). The Commission is docketing this request as a petition under the Consumer Product Safety Act. 15 U.S.C. 2056 and 2058. Petitioner states that, despite information to the contrary regarding the safety of traditional crib bumpers, some are advocating banning bumpers altogether from the marketplace. Petitioner believes that banning traditional crib bumpers may lead to

caregivers adding unsafe soft bedding to cribs to serve as a protective barrier from the tight dimensions and hard wooden surface of the crib slats. Petitioner includes a third party review of previous studies of crib bumper pads as support of the fact that claims of increased risk to infants from traditional crib bumper use are unfounded. Petitioner also includes a copy of proposed ASTM performance requirements that petitioner believes provide a reasonable basis for a mandatory crib bumper performance standard.

By this notice, the Commission seeks comments concerning this petition. Interested parties may obtain a copy of the petition by writing or calling the Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923. A copy of the petition also will be made available for viewing under “Supporting and Related Materials” in www.regulations.gov under this docket number.

Dated: _____

Todd A. Stevenson, Secretary
U.S. Consumer Product Safety Commission