

**American Academy of Pediatrics · Kids In Danger · Consumer
Federation of America · U.S. PIRG Education Fund · Public Citizen**

October 17, 2019

Acting Chairman Robert Adler
Commissioner Dana Baiocco
Commissioner Ann Marie Buerkle
Commissioner Peter Feldman
Commissioner Elliot Kaye

Dear Acting Chairman Adler and Commissioners Baiocco, Buerkle, Feldman, and Kaye:

Our organizations strongly support the Supplemental Notice of Proposed Rulemaking (NPR) on Infant Sleep Products issued by the U.S. Consumer Product Safety Commission (CPSC) today. We strongly urge each of you to vote affirmatively to support the NPR to protect children and remove dangerous products from the marketplace.

As you know, our organizations have expressed serious concerns about the dangers of inclined sleep products including the Nap Nanny type loungers, free standing products like the Fisher-Price Rock ‘n Play, and infant hammocks. Our organizations find it deeply troubling that currently, products intended for infant sleep that are not bassinets, cribs or play yards, can freely enter the marketplace without meeting a safety standard. This is confusing to parents and caregivers, who presume that the infant sleep products they can buy must be safe.

Our organizations have called for the ban of infant inclined sleep products as they violate safe sleep principles which among other things call for a flat surface, no restraints and no added padding. Many of our organizations recently shared a statement of [Safe Sleep Principles](#) with CPSC and ASTM International urging that all infant sleep products meet those principles.

Over the past seventeen months, the CPSC has warned generically about infant inclined sleep products, issued a specific warning about the Fisher-Price Rock ‘n Play without a recall, and then subsequently recalled the Fisher-Price product along with three others. During this period, the full extent of the danger of these products became evident as the number of publicly released deaths of infants rose from 10 to at least 73.

Today’s NPR is critically important as it will essentially ban infant inclined sleep products currently available for sale and prevent new products from entering the market. It requires all infant sleep products to meet requirements in the bassinet standard which require a flat surface, no restraints and adequate side height to contain an infant. This is protective of vulnerable infants and provides needed clarity for parents and caregivers.

The NPR cited a report commissioned by CPSC written by Dr. Erin Mannen, Ph.D. The Mannen Study examined how 10 infants move and use their muscles on flat inclined sleep products and whether these products directly impact safety. The study concluded that, “none of the inclined

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sleep products that were tested and evaluated as part of this study are safe for infant sleep.”
These findings are consistent with the recommendations of the AAP and our organizations.

In addition to voting for the NPR, we urge the CPSC to immediately recall all remaining infant
inclined sleep products on the market.

We will be carefully watching the CPSC’s vote on this NPR and urge all Commissioners to vote
in favor of this critically important and lifesaving consumer protection.

Sincerely,

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