



April 14, 2018

Submitted via www.regulations.gov

**Comments of Consumer Reports to the
Consumer Product Safety Commission on the Advance Notice of Proposed Rulemaking:
“Clothing Storage Unit Tip Overs; Request for Comments and Information”
Docket No. CPSC-2017-0044**

Consumer Reports (CR), an independent, nonprofit organization that works side by side with consumers for truth, transparency, and fairness in the marketplace,¹ welcomes the opportunity to comment on the above-mentioned advance notice of proposed rulemaking issued by the Consumer Product Safety Commission (CPSC). As a part of this notice, the Commission informed the public that it is contemplating developing a rule to address the risk of injury and death associated with clothing storage unit (CSU) furniture tipping over. In the following comments, we discuss CR’s recent research, testing, and analysis of the CSU tip-over hazard, and we recommend—on the basis of this work—that the Commission should develop a strong, mandatory safety standard through the rulemaking process that it has initiated.

The toll of furniture tip-over incidents on consumers, and especially young children, is severe. According to CPSC data, there have been 195 deaths related to CSU tip-overs between 2000-2016 reported to the agency.² In 2016 alone, there were an estimated 4,000 CSU tip-over emergency department-treated injuries to children under age 18, with 2,800 of them to children under age 6.³ The extensive and preventable suffering behind these figures must be addressed. Given the CPSC’s goals of keeping consumers safe and achieving a nation free from unreasonable product safety risks,⁴ the agency has a critical role to play in substantially reducing or eliminating these deaths and injuries.

On March 22, 2018, Consumer Reports published a major package of stories on *CR.org* about the dangers of furniture tip-over incidents to young children.⁵ These stories were the

¹ Founded in 1936, CR has the largest nonprofit educational and consumer product testing center in the world, and uses its dozens of labs, auto test center, and survey research center to rate thousands of products and services annually. CR’s premier magazine *Consumer Reports* has more than 3.6 million subscribers, and the award-winning *CR.org* has 2.9 million paying members and more than 15 million unique visitors monthly, on average.

² CPSC, “Clothing Storage Unit Tip Overs; Request for Comments and Information,” advance notice of proposed rulemaking, 82 Fed. Reg. 56752 *et seq.* (Nov. 30, 2017) (hereinafter “CPSC ANPR”).

³ CPSC, “Staff Briefing Package, Advance Notice of Proposed Rulemaking: Clothing Storage Units,” Tab A (Nov. 15, 2017) (hereinafter “CPSC Staff Nov. 2017 Briefing Package”) at 31.

⁴ CPSC, “2016-2020 Strategic Plan” (Apr. 29, 2016) at 6.

⁵ CR, “Furniture Tip-Overs: A Hidden Hazard in Your Home” (Mar. 22, 2018) (online at: www.consumerreports.org/furniture/furniture-tip-overs-hidden-hazard-in-your-home); Consumers Union, “Current Standards for Furniture Tip-Overs Leave Too Many Children at Risk” (Mar. 22, 2018) (press release) (online at:

product of a year-long investigation into the potential that consumers may not be adequately protected from these incidents by current safety warnings, messages, and voluntary performance standards, especially given the continuing danger from the incidents reflected in CPSC fatality and injury data. Based on our investigation, and the results of the testing of 24 dressers representing a cross-section of the market, CR concluded that the primary safeguard in place today—the voluntary industry standard ASTM F2057-17, overseen by ASTM International⁶—is inadequate, and that it would be feasible for CSU manufacturers to meet a stronger standard that protects more children and covers more dressers. In these comments, CR calls on the CPSC to supplant the furniture industry’s inadequate voluntary standard with a strong, mandatory safety standard, and explains our reasons for doing so.

- I. Clothing Storage Units Tipping Over Presents an Unreasonable Risk of Injury
- II. CR Found Industry Standard ASTM F2057-17 Inadequate, and Found a Stronger Standard, Addressing 95% of Children Under Age 6, Necessary and Feasible
- III. To Address Unreasonable Risk of Injury and CR’s Findings, CPSC Should Develop a Mandatory Standard with a Test Weight of 60 Pounds and CSUs of All Heights

I. Clothing Storage Units Tipping Over Presents an Unreasonable Risk of Injury

Consumer Reports, in 2006, first tested the propensity of furniture to tip over and potentially injure consumers. Since that time, clothing storage units (CSUs) have remained a major contributor to consumer product-related deaths and injuries, particularly among children. It is clear today that CSUs tipping over presents an unreasonable risk of injury to consumers, and in this section of our comments, we discuss why.

CR employs a rigorous, scientific approach in both research and testing. As such, CR reaches product safety conclusions based in part on high quality, public data provided by the CPSC, including death certificate data from state health departments and nationally reported injuries from emergency department visits. Recently, CR analyzed thousands of injury and fatality reports obtained from the CPSC through the Freedom of Information Act (FOIA). Our analysis of this information supports the overall findings of the Commission, as outlined in the advance notice of proposed rulemaking, as well as the findings of CPSC staff, as included in the briefing package for that notice. The risk to consumers from tip-over incidents is unacceptably high: every 17 minutes, someone in the U.S. is injured by furniture, an appliance, or a television tipping over. In particular, as noted previously, 195 deaths related to CSU tip-overs from 2000-2016 have been reported to the CPSC.⁷

[consumersunion.org/news/consumer-reports-current-standards-for-furniture-tip-overs-leave-too-many-children-at-risk](https://www.consumersunion.org/news/consumer-reports-current-standards-for-furniture-tip-overs-leave-too-many-children-at-risk)); CR, “How to Anchor Furniture to Help Prevent Tip-Overs” (Mar. 22, 2018) (online at: www.consumerreports.org/furniture/how-to-anchor-furniture-to-help-prevent-tip-overs); CR, “TV Tip-Overs Still Pose Danger, Despite Lighter Flat Screens” (Mar. 22, 2018) (online at: www.consumerreports.org/product-safety/tv-tipovers-still-pose-danger-despite-lighter-flat-screens).

⁶ Formerly known as the American Society for Testing and Materials.

⁷ *Supra* note 2.

Although tip-over incidents have affected people of various ages, we agree with the CPSC that children under age 6 are particularly at risk of harm from tip-over incidents due to their physical abilities, mental capacities, and behaviors at these young ages. Especially given young children's vulnerability, the number of deaths and injuries from tip-over-related incidents remains far too high. From the 195 CSU tip-over deaths reported to the CPSC from 2000-2016, 167 involved children under 18.⁸ CPSC's analysis estimates that thousands of CSU tip-over-related injuries to children are treated at emergency rooms every year, with an estimated 47,700 childhood injuries from 2006-2016.⁹ The latest publicly available CPSC data shows that after declining for a few years, 2016 estimates show a 33% uptick in injuries to 2,800 from 2,100 from the year before, in 2015.¹⁰ Children under age 6 are those most commonly involved in CSU tip-over incidents, comprising 95% of deaths and 83% of injuries involving children of all ages.¹¹

Additional CPSC data show that 53% of child CSU tip-over fatalities involve both a television and CSU tipping over.¹² Concern about the way TVs may exacerbate the harm from CSU tip-over incidents leads CR to recommend that consumers avoid placing TVs or other large objects on top of dressers and other CSUs. Such scenarios, however, should not draw attention away from CPSC efforts, including rulemaking, focused on CSUs alone. Regardless of whether a TV or other heavy item is present, the common denominator in these incidents is the CSU.

Performance requirements for stability are essential to addressing the risk of death and injury from CSU tip-overs, and the Commission should not seek to have warning labels and tip-over restraint devices take their place, particularly considering our concern that these safety tools—while important—may be of limited effectiveness. With regard to tip-over restraints, CR thinks that the most important step consumers can take today to minimize the number of CSU tip-over incidents is to secure the unit to the wall. However, CR recognizes that consumers may not have the option or skill set to correctly apply restraints to bolster dresser stability. Further, it is the responsibility of manufacturers to produce CSUs that are not prone to tip over, rather than leave a substantial burden of ensuring safety on their customers. Performance requirements improve safety for all households, rather than just some, and are likely to be significantly more effective in reducing the risk to young children than labeling or encouragements to use restraints. For any stability standard to truly provide adequate safety, it must include stability performance requirements that, on their own, are sufficiently protective. Warning labels and safety communications urging consumers to anchor their furniture are best viewed as a supplement to performance requirements, not as a substitute.

⁸ CPSC ANPR at 56753.

⁹ *Id.* at 56754.

¹⁰ CPSC Staff Nov. 2017 Briefing Package, Tab A, at 25 and 31.

¹¹ CPSC ANPR at 56754.

¹² *Id.*

II. CR Found Industry Standard ASTM F2057-17 Inadequate, and Found a Stronger Standard, Addressing 95% of Children Under Age 6, Necessary and Feasible

Based on CR's research and our recent comparative testing results, we have concluded that the industry's voluntary standard ASTM F2057-17 is inadequate and leaves too many children at risk. The standard does not adequately account for the weight of children under age 6—those developmentally expected to exhibit behaviors associated with tip-over incidents¹³—and excludes dressers 30 inches in height and smaller.

In the past year, CR tested 24 CSU dresser models from a cross-section of the marketplace, including four shorter dressers outside of the scope of the ASTM standard. The dressers were evaluated based on a series of progressively more rigorous stability tests to see how the CSUs performed.

The first two tests were modeled after the unloaded and loaded stability tests in ASTM F2057-17, where all drawers were empty. First, in the unloaded stability test, all empty drawers were opened to their full extension and all models passed. Next, in the second, loaded test of stability, the top empty drawer was opened to its full extension, and a 50-pound weight was placed over the drawer front. In the second test, 19 dressers passed this test, while five dressers failed this test. Of the five dressers that failed our second test, three were shorter dressers that were outside the scope of the ASTM standard, which covers units taller than 30 inches in height.

CR's third test was patterned after the second test, but included adding one pound weights incrementally until either the CSU tipped over or 60 pounds of load was achieved without the CSU tipping. Using 60 pounds of test weight in a standard would be more protective of children than the loaded stability test procedure in ASTM F2057-17. Specifically, using 60 pounds would account for the weight of 95% of children under age 6; these children have historically suffered 83% of all child injuries and also are the children most commonly involved in incidents.¹⁴ By increasing the test weight in a loaded stability test to 60 pounds, a significantly larger number of the children developmentally expected to exhibit play behaviors or purpose-based behaviors associated with tip-over incidents would be covered by the standard, including children between 60 and 72 months of age.¹⁵ CR test results demonstrate the feasibility of this stronger performance requirement, as the 13 models that passed our third test comprised more than half of our test pool and were purchased at various price points ranging from \$170 to \$900. In other words, our tests found that it is possible to build a dresser that can meet a tougher standard, and that such models already exist in the marketplace and are readily available for consumer purchase.

Our test results further demonstrate that it is appropriate to focus on simple, protective improvements that go beyond the current industry standard, including straightforward strengthening of test requirements via an increase in the test weight and an expansion of the scope of the standard to include shorter dressers.

¹³ See CPSC ANPR at 56755.

¹⁴ *Id.* at 56767.

¹⁵ *Id.*

As part of the research for our investigation, CR performed tests with weighted ballast in the drawers that were patterned after our first three tests, to measure how the units would perform and to identify any discernible differences in performance between tests involving empty drawers and those filled with ballast. We noted that one challenge in ballast tests came from attempts to model the ballast to mirror real-world conditions, which may vary considerably among consumer households. What we found, in these tests, is that the ballast used in the tests masked the inherent propensity of a dresser to tip over. Specifically, of the 11 models that failed our 60-pound test with the drawers empty, seven of those passed the 60-pound test with ballast in the drawers, meaning that a model could pass ballast-based tests, despite failing an equivalent empty-drawer test with test weight added.¹⁶ We concluded that evenly spread out ballast residing in closed dresser drawers both helped stabilize the dressers and could not be justified as adequately representing the wide variety of foreseeable ballast configurations. Therefore, we found that our test with empty drawers and the use of incrementally increasing test weight, up to 60 pounds, was much simpler to perform, more reproducible, and more protective than any of our ballast tests. Because we did not find the ballast-based tests to be reliable indicators of a dresser's relative stability, we did not include the results in our consumer-facing story. Nevertheless, because the ASTM Furniture Safety Subcommittee is contemplating including a ballast-based test, we are including the conclusions and data from our tests as part of this comment submission to provide data that may inform CPSC decisions.

CR did not introduce carpet into our testing at this time, but acknowledges that a wide variety of floor types are found in consumer households. We would support test methods involving carpeting if they demonstrate reliability and repeatability. In the meantime, CR recommends that testing for a standard should occur on a hard, level, flat surface, and that strong provisions be implemented without delay to reflect our previous two recommendations of increasing the test weight to 60 pounds and covering shorter dressers in the standard. As soon as adequate research for establishing reliable and repeatable on-carpet testing is made available, the standard should be updated to include additional tests or testing conditions.

There are other issues that currently are the subject of ASTM task group discussions, such as operational sliding length and freestanding furniture. While we encourage the CPSC to remain engaged in the work of these task groups, we urge the Commission not to condition any of its core CSU tip-over work or any advances in the rulemaking process on the resolution of disagreements related to these other issues. Essentially, we encourage the Commission not to miss the forest for the trees. Instead, the Commission should focus on adequately, and urgently, protecting children under age 6 by—at a minimum—implementing a heavier test weight of 60 pounds and covering dressers 30 inches in height or shorter under stability performance requirements. Subsidiary issues should not delay or inhibit consumers from receiving the significantly stronger protection that these two changes would provide. To the extent the CPSC implements test procedures about which there are current disagreements, the agency should opt to reflect the “worst-case scenario” in a standard, which would be the most protective of consumer safety.

¹⁶ Each dresser that passed all three of our empty-drawer tests also passed all equivalent tests involving ballast in the drawers.

III. To Address Unreasonable Risk of Injury and CR’s Findings, CPSC Should Develop a Mandatory Standard with a Test Weight of 60 Pounds and CSUs of All Heights

As CR’s research, testing, and analysis has found, consumers—and especially children under age 6—face an unreasonable risk of death or injury from CSUs tipping over onto them. The CPSC has requested comment on regulatory alternatives to address the risks associated with CSU tip-overs, including the issuance of a mandatory standard with performance requirements for the furniture. We support this approach for several reasons, and urge the CPSC to develop a strong mandatory standard that, at a minimum, includes a test weight of 60 pounds to require adequate stability performance and extends coverage to dressers 30 inches in height and shorter. For the reasons discussed above, this test should be performed with the drawers empty and on a hard, level, flat surface.

First, under the current system of safety oversight, consumers essentially must place their trust in manufacturers that they will produce a reasonably stable CSU. As we have noted, 60 pounds of test weight would be appropriate for evaluating the stability performance of CSUs at this time. This would provide stronger protection for consumers than the current industry voluntary standard, ASTM F2057-17, whose loaded stability test involves a 50-pound test weight that does not adequately account for the weight of children under age 6. While CR’s testing found that 13 out of 24 dressers tested remained upright with a 60-pound test weight, we also found that no single attribute of a dresser, of the many that we explored, predicted greater stability on its own. For this reason and others, there is no easy way for consumers to tell from looking at a dresser or its packaging whether it is more or less likely to tip over. A standard that is both stronger than ASTM F2057-17 and mandatory would greatly help consumers be able to trust that dressers for sale in the U.S. would resist tipping over onto young children.

Second, while we recognize the important role of tip-over restraint devices, they are no substitute for adequate stability performance testing. Anchoring furniture is not always an option for rental tenants, for families less proficient with tools, or for those contending with brick or concrete walls. Similarly, while it is critically important to raise awareness of the tip-over hazard and encourage consumers to anchor their furniture, even the best awareness campaigns do not reach all consumers. Some consumers CR interviewed, for example, told us that they had no idea kits for anchoring dressers even existed. With deaths and injuries occurring, it is the industry’s responsibility to ensure safer, more stable dressers—and preventing a child from being injured or killed need not and should not rely on consumer skill at anchoring a dresser to a wall.

Third, as we have discussed, the current voluntary industry standard, ASTM F2057-17, is inadequate and leaves too many children at risk, because it does not adequately account for the weight of children under age 6 and excludes dressers 30 inches in height and smaller. Because compliance with ASTM F2057-17 would not “eliminate or adequately reduce the risk of injury addressed,”¹⁷ and there is not another voluntary standard that would do so,¹⁸ the promulgation of

¹⁷ 15 U.S.C. 2056(b).

¹⁸ We nevertheless note that the Australia and New Zealand standard, AS/NZS 4935:2009, covers chests of drawers more than 500 mm (19.7 inches) high.

a mandatory consumer product safety standard would be justified.¹⁹ Given the known facts, the Commission can, and should, find that such a rule is reasonably necessary to eliminate or reduce an unreasonable risk of injury associated with CSUs tipping over, and that the rule's promulgation would be in the public interest.

Fourth, a mandatory standard is practical because CR's testing shows that manufacturers are capable of incorporating appropriate design changes to their products that yield adequate stability, and of offering units for sale to consumers that are affordable and do not sacrifice utility. As we have noted, models that passed CR's 60-pound stability test comprised just more than half of the dressers we tested, and demonstrated the feasibility of passing the stronger test at various price points.²⁰ CR selected units for testing on the basis of a variety of factors, but each was a unit existing in the marketplace and available to consumers. Our results could indicate that manufacturers had considered the stability of their products and arrived at various ways to help them remain upright—though some appear to have thought about the subject more carefully than others. The designs of the furniture will be determined by consumer demand and the engineering expertise companies can readily use to meet stronger, mandatory performance standards for CSU stability.

Finally, as highlighted in CR's main story, a mandatory standard would bring benefits to consumers because such a standard would allow the agency to enforce requirements, including performance standards, and more easily gain industry cooperation for recalls. Based on CR's reporting and experience, if a product is subject to a mandatory standard but does not comply, it is far more likely that the product will be recalled, and recalled more quickly, than if it were only subject to a voluntary standard. Furthermore, we understand that the presence of a mandatory standard eases the Commission's use of civil penalties as appropriate to help shape corporate behavior and deter wrongdoing, helping ensure that companies live up to their safety obligations to consumers.

IV. Conclusion

Consumer Reports once again thanks the CPSC for issuing the advance notice of proposed rulemaking, as well as for initiating the rulemaking process, so that it might take regulatory action to address the risk of death or injury from CSU tip-over incidents. We urge the CPSC to carefully consider our comments, investigation, and test results, and to develop a strong, mandatory safety standard that includes, at a minimum, a loaded stability test with 60 pounds of test weight and extends coverage to dressers 30 inches in height and shorter. While we also will be advocating for furniture manufacturers to take action independently, several factors—including the absence of an adequate voluntary standard and the inability of consumers to readily observe whether a CSU is more or less likely to tip over—make it critical for the CPSC take urgent action to implement a strong, enforceable rule applying across the marketplace. Such a rule would, finally, give consumers the ability to trust that dressers for sale in the U.S. would resist tipping over onto young children.

¹⁹ Separately, we note that the Commission currently is assessing the extent of compliance with voluntary standards, including ASTM F2057-17. In light of at least one recall that has taken place and CR's testing and reporting, there is reason to doubt that it is likely that there will be substantial compliance with ASTM F2057-17.

²⁰ Please see the attached chart, which includes detailed test results and the purchase prices of the dressers we tested.

Respectfully submitted,

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Director, Product Safety
Consumer Reports

William Wallace
Senior Policy Analyst
Consumers Union²¹

Enclosures (2): Spreadsheet: Consumer Reports Furniture Stability Data, April 2018
 “A Hidden Hazard in Your Home,” Consumer Reports, May 2018

²¹ Consumers Union is the advocacy division of Consumer Reports.

Brand/Model	Purchase Price (\$)	Weight (lbs, includes weight of back weight)	Back Weight (lbs)	Overall Height (in)	Overall Width (in)	Overall Depth (in)	Empty Test					Ballast Test (8.8 lbs/cu ft)				
							Empty, drawers extended	Empty, top drawer extended, w/load (50 lb ± 2 lb)	Empty, top drawer extended, w/load (60 lb ± 2 lb)	Weight at failure - trial 1	Weight at failure - trial 2	Ballast, drawers extended	Ballast, top drawer extended, w/load (50 lb ± 2 lb)	Ballast, top drawer extended, w/load (60 lb ± 2 lb)	Weight at failure - trial 1	Weight at failure - trial 2
Bob's Discount Furniture Chadwick Chest	\$280.00	99.0	0.0	48.25	36	17	pass	pass	pass	NA		pass	pass	pass	NA	
DaVinci Jayden 4-Drawer Dresser	\$280.00	87.6	16.4	37.75	36	18.75	pass	pass	pass	NA		pass	pass	pass	NA	
Delta Children Bentley 6 Drawer Dresser	\$340.00	111.0	16.4	33.625	48.875	19	pass	pass	pass	NA		pass	pass	pass	NA	
Delta Children Clermont 6 Drawer Dresser	\$250.00	111.6	12.8	38	47.125	18.75	pass	pass	pass	NA		pass	pass	pass	NA	
Delta Children Sutton 3 Drawer Dresser	\$170.00	83.2	7.8	37	34.875	19	pass	pass	pass	NA		pass	pass	pass	NA	
Epoch Design 5 Drawer Chest	\$740.00	131.2	0.0	46.25	33.75	21	pass	pass	pass	NA		pass	pass	pass	NA	
Epoch Design Seneca 5 Drawer Chest	\$770.00	164.0	0.0	48.25	35.625	21.25	pass	pass	pass	NA		pass	pass	pass	NA	
Pottery Barn Kids Catalina Dresser	\$500.00	89.6	0.0	31	38.5	18.75	pass	pass	pass	NA		pass	pass	pass	NA	
Pottery Barn Kids Catalina Extra-Wide Dresser	\$900.00	119.2	0.0	31.25	56.125	18	pass	pass	pass	NA		pass	pass	pass	NA	
Sauder Pogo 3-Drawer Chest	\$180.00	99.4	17.4	47.25	30.125	19.375	pass	pass	pass	NA		pass	pass	pass	NA	
Sauder Shoal Creek 4-Drawer Chest	\$230.00	106.4	7.4	42.5	34.75	18.625	pass	pass	pass	NA		pass	pass	pass	NA	
Simmons Kids Rowen Double Dresser	\$300.00	128.2	0.0	34	47.625	19.625	pass	pass	pass	NA		pass	pass	pass	NA	
South Shore Summer Breeze 6-Drawer Double Dresser B	\$230.00	113.2	10.0	31.1875	51.9375	19.9375	pass	pass	pass	NA		pass	pass	pass	NA	
Delta Children 3-Drawer Dresser (similar to Viv + Rae 3 Drawer Dresser)	\$280.00	74.0	9.8	33.5	37	20	pass	pass	fail	56	56	pass	pass	pass	NA	
Delta Children Epic 3 Drawer Dresser	\$180.00	71.4	12.0	33	36.5	18.75	pass	pass	fail	58	60	pass	pass	pass	NA	
IKEA Malm 3-Drawer Chest	\$100.00	96.0	21.2	30.5	31.625	19	pass	pass	fail	55	52	pass	pass	pass	NA	
South Shore Logik 6-Drawer Double Dresser B	\$200.00	108.6	0.0	27.375	51.1875	18.875	pass	pass	fail	56	57	pass	pass	pass	NA	
South Shore Summer Breeze 6-Drawer Double Dresser A	\$270.00	111.6	0.0	31.875	52.125	16.5	pass	pass	fail	54	See Dresser B of this model	fail	pass	pass	NA	
Storkcraft Kenton 6 Drawer Universal Double Dresser	\$220.00	102.2	0.0	32.5	50	18	pass	pass	fail	58	57	pass	pass	pass	NA	
DaVinci Kalani 4-Drawer Dresser (discontinued)	\$300.00	83.6	0.0	38.25	32.75	21.125	pass	fail	fail	NA		fail	pass	fail	55	56
Essential Home Belmont 4 Drawer Dresser Chest (Ameriwood)	\$40.00	47.0	0.0	29.875	27.75	15.75	pass	fail	fail	NA		pass	pass	fail	58	54
South Shore Libra 3-Drawer Chest (also sold by Target as Simply Basics 3 Drawer Dresser)	\$90.00	57.4	0.0	27.5	31.375	16	pass	fail	fail	NA		fail	fail	fail	NA	
South Shore Little Treasures 5-Drawer Chest	\$165.00	89.8	0.0	43.75	31.5	18	pass	fail	fail	NA		fail	pass	fail	56	54
South Shore Logik 6-Drawer Double Dresser A	\$200.00	103.6	0.0	29.625	47.5	17.5	pass	fail	fail	NA		fail	pass	pass	NA	
NOTES 1:																
1) Some models have the same name with a modifier ("A" or "B"). The sample (B) purchased at a later date, was found to have different dimensions from the earlier sample (A). This is reflected in both dimensions and test results.																
2) Dimensions are overall dimensions of the assembled product, including any additional components like changing table or hardware. These dimensions may differ from what appears in the manufacturers specifications.																
3) Purchase Price may vary from current available price																
NOTES 2:																
1) The test at 60 lbs was not actually conducted for these models. They were assumed to fail the heavier 60 lb test if they failed the lighter Empty Tests at 50 lbs.																

A Hidden Hazard in Your Home

Some furniture makers are doing it right, but children are still dying from unstable dressers that tip over. And there are no laws to help prevent future tragedies.

by Rachel Rabkin Peachman



AFTER CHURCH one Sunday afternoon in 2016, Janet McGee waited for her 22-month-old son Ted to wake from his afternoon nap. As family members busied themselves in their Apple Valley, Minn., home, McGee checked on Ted every 15 minutes or so. The last time she peeked in, Ted wasn't in bed, and she noticed the dresser toppled over.

In an instant, the horrible reality set in. "He's under there, he's under there," McGee remembers thinking. "I lifted the dresser up, and I started digging through the drawers because all of the drawers had fallen out. And there he was at the bottom. His face was purple. His eyes were half open. I screamed for

my husband to come. I started CPR on him. My 11-year-old son called 911."

Paramedics rushed Ted to the hospital, but medical staff couldn't revive him. McGee remembers holding his hand at the hospital. "It was cold, and I knew."

The weight of the dresser had suffocated the little boy. And though family members were within earshot, no one heard a crash because Ted's body absorbed the impact of the falling dresser. McGee and her husband, Jeremy, assumed their tragedy was a freakish occurrence. But they soon discovered that Ted was just one of many victims of what safety regulators categorize as a "furniture tip-over,"

a sometimes-fatal event affecting thousands of U.S. families each year. The McGees also learned the dresser, an Ikea Malm, was linked to previous tip-over deaths. Ikea did not decide to recall the product until four months after Ted died.

The tip-over problem is epidemic: Someone in the U.S. is injured every 17 minutes by a furniture, television, or appliance tip-over, according to the Consumer Product Safety Commission. After declining for a few years, estimated tip-over injuries for children under age 6 involving dressers and other clothing storage units increased in 2016 to 2,800 from 2,100 the year before, or

by 33 percent, according to the CPSC.

Dressers and other clothing storage units account for at least 11 percent of furniture tip-over injuries, according to the CPSC. But it's the number of tip-over deaths in the category—there were 195 reported to the CPSC between 2000 and 2016—that particularly makes it a crisis.

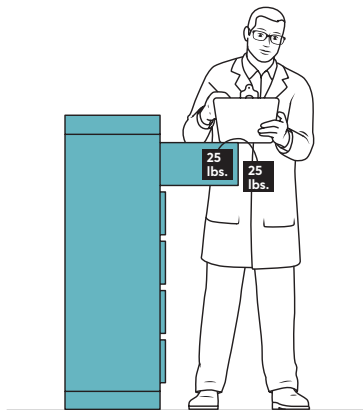
The vast majority of the victims are children under age 6. Many times, they cause the tip-over by climbing on the front of a dresser or by playing inside a drawer. Sometimes, they're alone in their room, and a parent, like Janet McGee, finds them.

To protect Ted in his home, the McGees installed safety gates, covered power outlets, and latched all cabinets—but they had never heard of a furniture tip-over. “It was just this little, tiny window of time where your life changes forever,” McGee told Consumer Reports. “Instead of planning his second birthday party that was supposed to be Elmo-themed, we were planning his funeral.”

The Truth About Tip-Overs

As it stands today, the industry operates under a voluntary tip-over testing standard—which means any dresser taller than 30 inches should stay upright with 50 pounds of weight hanging from an open drawer. Because it's voluntary, manufacturers aren't required to conduct the testing, let alone meet the standard, to sell their dressers in the U.S. Some manufacturers meet the standard or go beyond it; others fall short.

In light of the continuing danger, Consumer Reports launched an investigation to assess the stability of dressers in the marketplace. Over the course of a year, CR analyzed thousands of incident reports obtained from the CPSC through a Freedom of Information Act (FOIA) request to better understand the circumstances of injuries and deaths. CR also tested 24 different dressers, representing a cross-section of the market, to find which could pass several progressively more stringent



Deadly Furniture Tip-Overs

CR's investigation found:

Children alone in their rooms. Almost half of tip-over deaths (46 percent) happen in the bedroom, sometimes after a child has napped. The Consumer Product Safety Commission has identified certain “hazard patterns,” including children climbing on open drawers.

TV hazard. CR recommends consumers avoid placing TVs on top of dressers. The CPSC says that 53 percent of reported tip-over fatalities between 2000 and 2016 for children under 18 involved TVs and dressers tipping over together.

Weak tip-over standard. The industry's voluntary standard leaves too many children at risk. Based on our investigation, CR is calling for the tip-over test weight for dressers to be increased to 60 pounds, from 50 pounds, and for dressers 30 inches tall and shorter to be included in the standard because they also can tip over. Three of the four dressers CR tested that were 30 inches or shorter failed CR's second test.

Industry responsible. CR thinks the most effective way to prevent tip-overs is to secure dressers to walls. But we recognize it's not always an option for tenants or those not handy with tools. CR thinks it's the industry's responsibility to ensure safer, more stable dressers and that safety shouldn't rely on consumer skill at anchoring a dresser to a wall.

Some do it right. CR's test results show that manufacturers can make dressers stable enough to meet a tougher standard because many already do.

tip-over tests. Two tests were modeled after the industry's current voluntary standard, but CR also devised a more rigorous test using up to 60 pounds of weight, a higher threshold that more fully represents the weight range of U.S. children under age 6. CR also tested some dressers 30 inches and shorter, a slice of the market currently not covered by the voluntary standard.

CR's investigation concluded that the industry standard is inadequate. At the same time, a majority of the dressers CR tested passed the 60-pound test.

“Clearly, the marketplace has found that one can design a dresser at various prices that is safer and more stable,” says James Dickerson, chief scientific officer at Consumer Reports. (See “How Stable Is Your Dresser?” on page 19.)

CR's findings underscore that there isn't one formula for greater stability. However, many of the dressers that passed all of CR's tests tended to be heavier back-weighted, deeper dressers with less drawer extension. Perhaps most significantly, CR found that there's no easy way for consumers to simply eye a dresser and tell whether it is more likely to tip over. A more effective and mandatory standard would help consumers trust that dressers for sale in the U.S. would resist tipping over onto young children.

Through interviews with parents of victims and with industry representatives, CR also found the most effective prevention strategy available today, anchoring dressers to walls using brackets and straps, isn't an easy option for families less proficient with tools or contending with brick walls. Some parents told CR that they had no idea kits for anchoring dressers even existed. (See “Deadly Furniture Tip-Overs,” at left, for CR's investigative findings.)

Based on our findings, Consumers Union, the advocacy division of Consumer Reports, is calling on regulators to set a strong, mandatory safety standard, allowing regulators to enforce the rules and more easily gain industry cooperation for recalls. In

How Stable Is Your Dresser?

CR conducted tip-over testing on 24 different dressers that represent a cross-section of the retail market, using progressively tougher tests. They were purchased from May 2017 through February 2018. Our tests show that you can't spot a stable dresser with the naked eye.

TESTING KEY

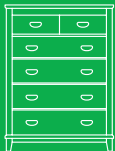
- **PASSED**
Tests 1, 2 & 3
- **PASSED**
Tests 1 & 2
- **PASSED**
Test 1 only

Test 1 All drawers open.

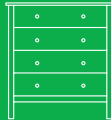
Test 2 Top drawer open with a 50-pound weight hung from the drawer-front.

Test 3 Top drawer open and the 50-pound weight is increased in 1-pound increments to a maximum of 60 pounds.

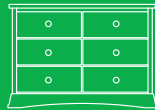
Note: All drawers are empty during the test.



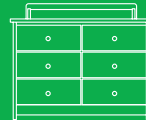
Bob's Discount Furniture Chadwick Chest \$280
H48.25"xW36"xD17"
99.0 lb.



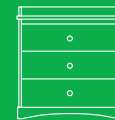
DaVinci Jayden 4-Drawer Dresser \$280
H37.75"xW36"xD18.75"
87.6 lb.



Delta Children Bentley 6 Drawer Dresser \$340
H33.75"xW49"xD19"
111.0 lb.



Delta Children Clermont 6 Drawer Dresser \$250
H38"xW47.25"xD18.75"
111.2 lb.



Delta Children Sutton 3 Drawer Dresser \$170
H37"xW35"xD19"
83.2 lb.



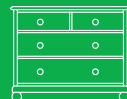
DaVinci Kalani 4-Drawer Dresser (discontinued) \$300
H38.25"xW32.75"xD21.25"
83.6 lb.



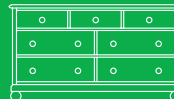
Epoch Design 5 Drawer Chest \$740
H46.25"xW33.75"xD21"
131.2 lb.



Epoch Design Seneca 5 Drawer Chest \$770
H48.25"xW35.75"xD21.25"
164.0 lb.



Pottery Barn Kids Catalina Dresser \$500
H31"xW38.5"xD18.75"
89.6 lb.



Pottery Barn Kids Catalina Extra-Wide Dresser \$900
H31.25"xW56.25"xD18"
119.2 lb.



Delta Children 3 Drawer Dresser, similar to: Viv + Rae 3 Drawer Dresser \$280
H33.5"xW37"xD20"
74.0 lb.



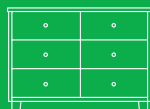
Essential Home Belmont 4 Drawer Dresser Chest (Ameriwood) \$40
H30"xW27.75"xD15.75"
47.0 lb.



Sauder Pogo 3-Drawer Chest \$180
H47.25"xW30.25"xD19.5"
99.4 lb.



Sauder Shoal Creek 4-Drawer Chest \$230
H42.5"xW34.75"xD18.75"
106.4 lb.



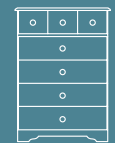
Simmons Kids Rowen Double Dresser \$300
H34"xW47.75"xD19.75"
128.2 lb.



Delta Children Epic 3 Drawer Dresser \$180
H33"xW36.5"xD18.75"
71.4 lb.



South Shore Logik 6-Drawer Double Dresser B \$200
H27.5"xW51.25"xD19"
108.6 lb.



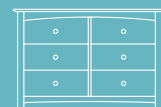
South Shore Little Treasures 5-Drawer Chest \$165
H43.75"xW31.5"xD18"
89.8 lb.



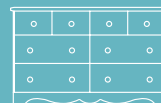
South Shore Summer Breeze 6-Drawer Double Dresser B \$230
H31.25"xW52"xD20"
113.2 lb.



Ikea Malm 3-Drawer Chest \$100
H30.5"xW31.75"xD19"
96.0 lb.



Storkcraft Kenton 6 Drawer Universal Double Dresser \$220
H32.5"xW50"xD18"
102.2 lb.



South Shore Summer Breeze 6-Drawer Double Dresser A \$270
H32"xW52.25"xD16.5"
111.6 lb.



South Shore Logik 6-Drawer Double Dresser A \$200
H29.75"xW47.5"xD17.5"
103.6 lb.



South Shore Libra 3-Drawer Chest, similar to: Simply Basics 3 Drawer Dresser \$90
H27.5"xW31.5"xD16"
57.2 lb.

Notes: 1) Some models have the same name with a modifier ("A" or "B"). The latter sample (B) was found to have different dimensions from the earlier sample (A). This is reflected in both dimensions and test results. 2) Dimensions are overall dimensions of the assembled product rounded up to the nearest 1/4 inch, measured by CR technicians, including any additional components, such as a changing table or hardware. These dimensions may differ from what appears in the manufacturers' specifications. 3) Purchase price may vary from the currently available price.

the meantime, CU thinks the industry should increase the voluntary standard test weight to 60 pounds and include dressers 30 inches and shorter (see “Where CR Stands: Calling for Tougher Tip-Over Standards,” on page 21). The CR investigation comes as the CPSC this year considers issuing stricter, mandatory safety standards.

“Our recommendations would lead to safer dressers for all consumers,” says William Wallace, senior policy analyst for CU. “Raising the test weight would cover more children, and lowering the minimum height would cover more dressers.”

The Consumer’s Conundrum

Under the current system, consumers must put their trust in manufacturers. “The normal consumer has no clue,” says Lisa Siefert, a consumer advocate in Barrington Hills, Ill., who founded Shane’s Foundation shortly after her 2-year-old son Shane died from a dresser tip-over in 2011. Like McGee, Siefert found her son under his dresser after he had taken a nap. She had assumed the dresser was safe.

Jackie Collas’ son Curren died in 2014 after a dresser tipped over onto him in his room at his West Chester, Penn., home. “I just feel like it shouldn’t be left up to the consumer,” Collas says.

Keisha Bowles, of Conway, Ark., lost her 2-year-old daughter, Chance, in 2012. Chance and her then-6-year-old brother, Brandon, were playing in and out of each other’s rooms. Bowles was in the bathroom when a dresser with a TV on top of it fell onto Chance, who died later from her injuries. “I had no idea that they made anything to strap down furniture,” Bowles says.

Acting Chairman of the CPSC, Ann Marie Buerkle, says it’s key to educate

Manufacturers aren’t required to conduct tip-over testing, let alone meet the current standard, to sell their dressers in the U.S.

consumers about securing dressers and TVs already in their homes. “Even if we put a mandatory standard into effect tomorrow, there are a lot of dressers out there that don’t comply.”

Our Testing of Tip-Overs

The voluntary safety standard for dressers is managed by ASTM International, an independent organization that brings together manufacturers, government officials, academics, retailers, consumers, and others to establish standards for thousands of products and processes. (Consumer Reports is an active member and participates in working groups, including dressers.) Not all manufacturers participate, and not all comply with its voluntary standards.

In CR’s investigation, the Pottery Barn, Epoch Design, and Sauder models we evaluated, among others, passed all three of CR’s tests. Other models from various manufacturers passed the first two tests but failed our tougher, third test. Five models from three manufacturers—Ameriwood (one model), DaVinci (one model), and South Shore (three models)—did not pass CR’s second test.

Ameriwood and South Shore told CR their dressers meet voluntary industry standards. Three of the four dressers from these manufacturers that failed CR’s second test were 30 inches or

shorter and would not be subject to the industry’s voluntary standard.

DaVinci told CR in an email that the company has already discontinued the model that didn’t pass the second test because the company adopted a new 55-pound internal test. “Any items that did not pass were either discontinued or underwent construction changes, which include thicker, heavier back panels,” the email says.

CR’s testing shows that the industry in many cases could already meet a tougher standard, with 13 of 24 dressers passing the 60-pound test.

Impact on Industry

Still, meeting a new standard would not be a simple adjustment, says Joe Shamie, co-president of Delta Children, a global manufacturer of cribs, furniture, baby gear, and dressers. Shamie says it would mean redesigning dressers and probably additional per-unit costs for back weights and extra shipping charges from Asia. “As it is right now, my costs are more expensive than the guy that does not pass the [voluntary] standards,” he says. “If they make the [voluntary] standards tougher, my costs will continue to go up, while his costs will continue to be much lower than mine.”

Shamie, who considers himself a dedicated safety advocate, estimates Delta’s budget for safety testing is \$2 million a year. “The company culture is set around safety and corporate and social responsibility,” says Shamie, whose father started the business in 1968. “It’s not about the letter of the law; it’s about using a combination of some common sense and seeing how it could apply further. Because children do things that we don’t anticipate.”

Five of the dresser models CR tested were from Delta. Three passed all three tests, and two passed Tests 1 and 2 but failed CR’s 60-pound test.

In addition to Delta, CR contacted dozens of other furniture manufacturers and retailers to ask a series of questions about design changes, testing,



WATCH

To see the video about how to properly anchor your dresser to a wall, go to [CR.org/tipover](https://www.consumerreports.org/tipover).

and current safety standards. Of the 13 manufacturers that responded in full and also produce dressers, eight said they want a mandatory standard. Why? “To keep consumers safe and require a level playing field across all suppliers,” David P. DaPonte, senior manager of global quality assurance and testing at L.L.Bean, said in a written response.

Laura Wood, international sourcing coordinator at Lexington Home Brands, says a mandatory standard would eliminate confusion and debate. “Incidents continue to occur because compliance with the standard, and more specifically understanding of the standard, is not consistent,” she says. “I think [issuing a mandatory standard] could certainly clarify for industry that a mandatory standard is mandatory—you have to do it.”

Who Should Be Protected?

Consumer advocates, including CR, think setting a new tip-over testing standard that is reasonable should be based on protecting more at-risk children. A mandatory, 60-pound standard would cover about 95 percent of U.S. children under 6 years of age—a group involved in 82 percent of dresser and clothing storage unit tip-over deaths, according to the CPSC.

Even so, some in the industry say the current voluntary standard is working and that tip-over mishaps will happen, regardless of new laws or standards.

“Do I think the standard is adequate? Yes, I do believe it’s adequate in protecting the most affected at-risk population,” says Bill Perdue, vice president of regulatory affairs for the American Home Furnishings Alliance, a 400-member industry trade group. “I do, however, believe that there’s always room to improve the standard.”

Perdue contends that tip-over deaths and injuries are largely due to non-compliant products. Tip-over incident reports don’t usually include the dresser model involved, so it’s hard to tell which specific models are responsible for the incidents. But in the case of fatalities,

some dresser models are singled out for scrutiny by regulators and the industry.

In the case of Ted McGee’s death, the Ikea Malm dresser that fell on him was still on the market when he died in February 2016, even though it and another Malm model were linked to the deaths of two toddlers in 2014. Those two families each filed a lawsuit against Ikea in 2015 and also reported the incidents to the CPSC. That same year, Ikea issued free anchor kits and urged consumers to stop using Ikea dressers (27 million at the time) until secured to walls. It wasn’t until June 2016, four months after Ted’s death, that Ikea issued a recall for the Malm.

The McGees sued Ikea in August that year, and the company settled with them and the other two families that December. Ikea didn’t respond to CR requests for comment about Ted’s

death. But the company stressed in email responses to CR that all Ikea dressers should be secured to walls.

Elliot Kaye, commissioner and past chairman of the CPSC, says having a mandatory standard tends to speed up the recall process. In many cases, the CPSC doesn’t have the practical resources to quickly force recalls and must either successfully sue or gain industry cooperation.

“With a voluntary standard, where really there’s no enforcement mechanism whatsoever, it’s truly voluntary. Basically what [many in the industry] are saying is let’s wait until more children are killed before we have to do anything, and that to me is—that’s morally reprehensible,” Kaye says. “I’m not comfortable waiting ... when we know that there are concrete changes that can be made now that will save lives.”



WHERE CR STANDS: CALLING FOR TOUGHER TIP-OVER STANDARDS

Consumer Reports recommends that consumers anchor dressers to the wall. But CR also is calling on regulators to set stronger, mandatory tip-over testing standards. In the meantime, industry should take steps to strengthen the current voluntary standard in these key ways:

Protect more children. The current standard—an empty dresser must not tip over when 50 pounds is hung from an open drawer—doesn’t cover enough children and should be increased to 60 pounds, which would cover 95 percent of children under age 6, according to the

Consumer Product Safety Commission.

Include shorter dressers. The standard should be expanded to cover units 30 inches tall and shorter because CR’s investigation shows that some of these dressers can tip over.

Labeling. If the standard is strengthened, as we recommend, manufacturers should clearly mark products to reflect that they meet the new standard.

Congress should act, if needed. If manufacturers don’t agree to toughen the voluntary standard, the CPSC should issue a mandatory standard. This process could take years without

industry cooperation. Congress, however, could speed things up. The STURDY (Stop Tip-overs of Unstable, Risky Dressers on Youth) Act, introduced in 2016 by Sens. Bob Casey (D-Pa.), Amy Klobuchar (D-Minn.), and Richard Blumenthal (D-Conn.), and Rep. Jan Schakowsky (D-Ill.), would have directed the CPSC to issue a stronger, mandatory standard if industry failed to adequately strengthen its voluntary standard within 180 days. Unfortunately, the bill did not pass. Policy makers and industry should act quickly on our findings and issue a tougher standard.