



January 11, 2021

Division of the Secretariat  
U.S. Consumer Product Safety Commission  
4330 East West Highway, Room 820  
Bethesda, MD 20814

**Comments of Consumer Reports to the  
Consumer Product Safety Commission on the  
Notice of Proposed Rulemaking:  
“Safety Standard for Crib Mattresses”  
Docket No. CPSC-2020-0023**

Consumer Reports (CR), the independent, non-profit member organization,<sup>1</sup> welcomes the opportunity to submit comments to the Consumer Product Safety Commission (CPSC) regarding the agency’s notice of proposed rulemaking to establish a mandatory safety standard for crib mattresses under section 104 of the Consumer Product Safety Improvement Act.<sup>2</sup>

This proposed rule would help consumers keep their babies safe by requiring all crib and play yard mattresses—including those sold separately and used as replacements—to meet strong safety requirements. The proposed standard would align with American Academy of Pediatrics (AAP) safe sleep recommendations and address serious infant safety hazards raised to the CPSC previously by organizations including Keeping Babies Safe, Kids In Danger, Consumer Federation of America, CR, and others.<sup>3</sup> Accordingly, Consumer Reports supports the proposed standard for crib mattresses and urges the CPSC to finalize it expeditiously.

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<sup>1</sup> Founded in 1936, Consumer Reports uses its dozens of labs, auto test center, and survey research center to rate thousands of products and services annually. CR works together with its more than 6 million members for a fairer, safer, and healthier world, and reaches nearly 20 million people each month across our print and digital media properties.

<sup>2</sup> Section 104(b) of the CPSIA requires the Commission to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be substantially the same as relevant voluntary standards or more stringent than the voluntary standards if the Commission determines that more stringent standards would further reduce the risk of injury associated with such products. 15 U.S.C. 2056a(b)(1)(B).

<sup>3</sup> AAP, “SIDS and Other Sleep-Related Infant Deaths: Updated 2016 Recommendations for a Safe Infant Sleeping Environment” (Nov. 2016) (online at: [pediatrics.aappublications.org/content/pediatrics/early/2016/10/20/peds.2016-2938.full.pdf](https://pediatrics.aappublications.org/content/pediatrics/early/2016/10/20/peds.2016-2938.full.pdf)); see CPSC via Regulations.gov, Docket No. CPSC-2015-0020 on the Petition for Rulemaking: Supplemental Mattresses for Play Yards with Non-Rigid Sides (online at: [www.regulations.gov/docket?D=CPSC-2015-0020](http://www.regulations.gov/docket?D=CPSC-2015-0020)); see also Comments of Consumers Union to the Consumer Product Safety Commission on the Petition for Rulemaking: Supplemental Mattresses for Play Yards with Non-Rigid Sides (Oct. 13, 2015) (online at: [advocacy.consumerreports.org/wp-content/uploads/2017/05/CU-comments-to-CPSC-supp-mattress-petition-10-13-2015.pdf](http://advocacy.consumerreports.org/wp-content/uploads/2017/05/CU-comments-to-CPSC-supp-mattress-petition-10-13-2015.pdf)).

In 2016, the AAP formally updated and published its recommendations for a safe infant sleeping environment, following a thorough, multi-year process by pediatricians to evaluate the state of the medical evidence. The AAP's safe sleep recommendations include placing babies alone to sleep on a firm, flat surface in their own space, with no extra bedding.<sup>4</sup>


Mattresses designed for full-size cribs, non-full-size cribs, and play yards are items that are critical to creating safe sleep environments and providing a firm and flat surface for infant sleep. Without exception, mattresses designed for these products should be required to align with the safe sleep recommendations of medical experts in order to prevent infant injuries and deaths. The proposed rule aligns with AAP safe sleep recommendations by making clear that all crib and play yard mattresses must meet strong testing requirements that address serious suffocation, entrapment, and laceration hazards.

With respect to the proposed performance testing, CR supports the agency's inclusion of a firmness test in order to address suffocation hazards associated with overly soft crib mattresses, and urges the agency to ensure that the test in a final standard will be strong enough to significantly reduce the risk of injury associated with soft mattresses. In addition, CR supports the CPSC's inclusion of stronger testing requirements for potential laceration risks, as well as entrapment risks.

It is incumbent on companies and regulators to do all they can to eliminate confusion around what is safe and not safe, especially around fundamental products used for infant sleep, like crib and play yard mattresses. For its part, the CPSC should ensure that manufacturers of these products make it as easy and as clear as possible for parents and caregivers to adhere to safe infant sleep recommendations. We commend the CPSC's staff and leadership in their work to better align federal standards with expert, evidence-based safe sleep principles.

Thank you for your consideration of our comments. We look forward to continuing to work with the CPSC and all stakeholders to ensure a strong final rule that will ensure all crib and play yard mattresses in the marketplace meet essential minimum safety standards.

Respectfully submitted,



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<sup>4</sup> *Id.*