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Bobby Jindal, Governor
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To: Child Care Center Providers

Date: October 27, 2011

Subject: The U.S. Consumer Product Safety Commission Approves New Crib Safety Standards

In December 2010, the U.S. Consumer Product Safety Commission (CPSC) approved new mandatory standards for full-size and non-full-size baby cribs. This will affect the majority of cribs currently in use. All cribs in use in licensed and registered care settings must meet the new requirements by December 28, 2012. Below you will find questions and answers from CPSC.

1. What is the new standard for cribs?

Beginning June 28, 2011, all cribs manufactured and sold (including resale) must comply with new and improved federal safety standards. The new rules, which apply to full-size and non full-size cribs, prohibit the manufacture or sale of traditional drop-side rail cribs, strengthen crib slats and mattress supports, improve the quality of hardware, and require more rigorous safety testing. More detailed information is available on CPSC's website at www.cpsc.gov/businfo/frnotices/fr11/cribfinal.pdf

The new rules also apply to cribs currently in use at child care centers, family child day care homes, and places of public accommodation. By December 28, 2012, these facilities must only use cribs that meet the new federal safety standards.

2. When will the new, safer cribs be available for purchase?

Beginning on June 28, 2011, all cribs sold in the United States must meet the new federal requirements. After that date, it will be illegal to manufacture, sell, contract to sell or resell, lease, sublet, offer, provide for use, or otherwise place in the stream of commerce a crib that does not comply with the CPSC's new standards for full-size and non-full-size cribs. This includes manufacturers, retail stores, internet retailers, resale shops, auction sites, and consumers.

3. What if I need/want to purchase a new crib prior to June 28, 2011?

Some cribs meeting the new standards may be available before the required date. However, you will not be able to determine if the crib meets the new standards by looking at the crib. You will be required to ask the retail store or the manufacturer for proof that the crib complies with 16 CFR 1219, the new federal standard for full-size cribs, and/or with 16 CFR 1220, the new federal standard for non-full-size cribs. A Certificate of Compliance issued by an approved third party testing laboratory will be required to continue to use it past 12/28/2012.



Ask the manufacturer, retailer, importer or distributor for a Certificate of Compliance. The document must:

- o Describe the product
- o Give name, full mailing address, and telephone number for importer or domestic manufacturer
- o Identify the rules for which it complies (16 CFR 1219 or 1210)
- o Give name, full mailing address, email address, and telephone number for the records keeper and location of testing lab
- o Give date and location of manufacture and testing. Cribs made after 6/28/2011 will have an embossed label or some other type of permanent marking on the crib with the date of manufacture.

4. Is there a list of approved third party testers?

Yes, as of May 18, 2011, the approved third party testers for Non-Full-Size (16 CFR Part 1220) and Full-Size Cribs (16 CFR Part 1219) are:

Bureau Veritas Consumer Product Services – Vietnam
Bureau Veritas Consumer Product Services – USA
Intertek Consumer Goods North America – USA
Intertek Testing Services Taiwan Ltd – Taiwan
SGA-CSTC Standards Technical Services (Shanghai) Co., Ltd – China

5. Is this new regulation simply a ban on all drop-side cribs?

No, these are sweeping new safety rules that will bring a safer generation of cribs to the marketplace in 2011. CPSC's new crib standards address many factors related to crib safety in addition to the drop-side rail. A crib's mattresses support, slats, and hardware are now required to be more durable and manufacturers will have to test to the new more stringent requirements to prove compliance.

6. Are all drop-side rail cribs "recalled" because of the new regulation?

There has not been a specific "recall" of all drop-side cribs due to the new regulation. Instead, some manufacturers recently have recalled their cribs in cooperation with the CPSC because a specific defect or risk of harm has been discovered relating to a particular crib. Although these recalls are separate from CPSC's new crib standards, traditional drop-side cribs will not meet the new crib standards that will take effect on June 28, 2011, and cribs with traditional drop-sides cannot be sold after that date. As with any recall, you need to ensure that the item is not recalled by checking www.cpsc.gov. You should follow any instructions within a recall.

7. My child care center still has drop-side cribs. Are we in violation of the regulation?

No, child care facilities, family child care homes, and places of public accommodation, such as hotels and motels, have until **December 28, 2012**, to ensure that the cribs used in their



facilities meet the requirements of the CPSC's new crib standards.

After this date, traditional drop-side cribs or noncompliant cribs may not be used, and only cribs meeting the new federal safety standards are allowed.

Parents should talk with management about the new standards and the facility's plan of action for replacing the cribs. Parents should also make sure that their baby is not being placed in a recalled crib.

8. How will DCFS Licensing monitor compliance with this federal law?

After December 28, 2012, DCFS Licensing will verify compliance by observing the manufacturer's date of 6/28/11 or later marked on the crib or observing a Certificate of Compliance issued by an approved third party testing laboratory.

9. What about monitoring this federal law in registered Family Child Day Care Homes (FCDCH)?

Beginning July 1, 2011, child care resource and referral technical assistance specialists will include this information in onsite visits. According to the FCDCH Provider Agreement signed by each provider before receiving CCAP payments, the "provider agrees to use only safe children's products in accordance with R.S. 46:2701". Beginning December 29, 2012, providers will be expected to comply with this federal law.

10. What should I do with my cribs that do not meet the new standards?

Child care facilities, family child care homes, and places of public accommodation should not resell, donate, or give away a crib that does not meet the new crib standards, such as trying to resell the product through an online auction site or donating it to a local thrift store. CPSC recommends disassembling the crib before discarding it.

Important Dates to Remember about the new Crib Safety Standards

June 28, 2011 - all cribs manufactured and sold (including resale) must comply with new and improved federal safety standards

December 28, 2012 - all cribs used in licensed and registered care settings must meet the new requirements.

Please be advised that this is the most current information that DCFS has received from the CPSC. If you have additional questions, you may contact the CPSC at (800) 638-2772 for clarification. Please check the DCFS website www.dcf.la.gov frequently as updates will be posted as DCFS receives additional information.

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Licensing Section

