

Consumer Product Safety Commission

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placement in the stream of commerce of cribs by these entities.

(c) *Definitions.* (1) *Full-size baby crib* means a bed that is:

(i) Designed to provide sleeping accommodations for an infant;

(ii) Intended for use in the home, in a child care facility, a family child care home, or place of public accommodation affecting commerce; and

(iii) Within a range of ± 5.1 cm (± 2 in.) of the following interior dimensions: The interior dimensions shall be 71 ± 1.6 cm ($28 \pm \frac{5}{8}$ in.) wide as measured between the innermost surfaces of the crib sides and 133 ± 1.6 cm ($52 \frac{1}{2} \pm \frac{5}{8}$ in.) long as measured between the innermost surfaces of the crib end panels, slats, rods, or spindles. Both measurements are to be made at the level of the mattress support spring in each of its adjustable positions and no more than 5 cm (2 in.) from the crib corner posts or from the first spindle to the corresponding point of the first spindle at the other end of the crib. If a crib has contoured or decorative spindles, in either or both of the sides or ends, the measurement shall be determined from the largest diameter of the first turned spindle within a range of 10 cm (4 in.) above the mattress support spring in each of its adjustable positions, to a corresponding point on the first spindle or innermost surface of the opposite side of the crib.

(2) *Place of public accommodation affecting commerce* means any inn, hotel, or other establishment that provides lodging to transient guests, except that such term does not include an establishment treated as an apartment building for purposes of any State or local law or regulation or an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied as a residence by the proprietor of such establishment.

§ 1219.2 Requirements for full-size baby cribs.

Each full-size baby crib must comply with all applicable provisions of ASTM F1169-19, *Standard Consumer Safety Specification for Full-Size Baby Cribs* approved March 15, 2019. The Director of the Federal Register approves the incorporation by reference listed in this

section in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy of this ASTM standard from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959 USA; phone: 610-832-9585; www.astm.org. You may inspect a copy at the Division of the Secretariat, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814, telephone 301-504-7923, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.

[84 FR 35296, July 23, 2019]

PART 1220—SAFETY STANDARD FOR NON-FULL-SIZE BABY CRIBS

Sec.

1220.1 Scope, compliance dates, and definitions.

1220.2 Requirements for non-full-size baby cribs.

AUTHORITY: 15 U.S.C. 2051 Notes; 15 U.S.C. 2056a.

SOURCE: 75 FR 81787, Dec. 28, 2010, unless otherwise noted.

§ 1220.1 Scope, compliance dates, and definitions.

(a) *Scope.* This part establishes a consumer product safety standard for new and used non-full-size baby cribs.

(b) *Compliance dates.* (1) Except as provided in paragraph (b)(2) of this section, compliance with this part 1220 shall be required on June 28, 2011, and applies to the manufacture, sale, contract for sale or resale, lease, sublet, offer, provision for use, or other placement in the stream of commerce of a new or used non-full-size baby crib on or after that date.

(2) Child care facilities, family child care homes, and places of public accommodation affecting commerce shall be required to comply with this part on December 28, 2012, but this provision applies only to the offer or provision for use of cribs by child care facilities, family child care homes, and places of public accommodation affecting commerce and not the sale, resale, or other

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placement in the stream of commerce of cribs by these entities.

(c) *Definitions.* (1) *Non-full-size baby crib* means a bed that is:

(i) Designed to provide sleeping accommodations for an infant;

(ii) Intended for use in or around the home, for travel, in a child care facility, in a family child care home, in a place of public accommodation affecting commerce and other purposes;

(iii) Has an interior length dimension either greater than 139.7 cm (55 in.) or smaller than 126.3 cm (49 $\frac{3}{4}$ in.), or, an interior width dimension either greater than 77.7 cm (30 $\frac{5}{8}$ in.) or smaller than 64.3 cm (25 $\frac{3}{8}$ in.), or both;

(iv) Includes, but is not limited to, the following:

(A) *Portable crib*—a non-full-size baby crib designed so that it may be folded or collapsed, without disassembly, to occupy a volume substantially less than the volume it occupies when it is used.

(B) *Crib pen*—a non-full-size baby crib with rigid sides the legs of which may be removed or adjusted to provide a play pen or play yard for a child.

(C) *Specialty crib*—an unconventionally shaped (circular, hexagonal, etc.) non-full-size baby crib incorporating a special mattress or other unconventional components.

(D) *Undersize crib*—a non-full-size baby crib with an interior length dimension smaller than 126.3 cm (49 $\frac{3}{4}$ in.), or an interior width dimension smaller than 64.3 cm (25 $\frac{3}{8}$ in.), or both.

(E) *Oversize crib*—a non-full-size baby crib with an interior length dimension greater than 139.7 cm (55 in.), or an interior width dimension greater than 77.7 cm (30 $\frac{5}{8}$ in.), or both.

(v) Does not include mesh/net/screen cribs, nonrigidly constructed baby cribs, cradles (both rocker and pendulum types), car beds, baby baskets, and bassinets (also known as junior cribs).

(2) *Play yard* means a framed enclosure that includes a floor and has mesh or fabric sided panels primarily intended to provide a play or sleeping environment for children. It may fold for storage or travel.

(3) *Place of public accommodation affecting commerce* means any inn, hotel, or other establishment that provides

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lodging to transient guests, except that such term does not include an establishment treated as an apartment building for purposes of any State or local law or regulation or an establishment located within a building that contains not more than five rooms for rent or hire and that is actually occupied as a residence by the proprietor of such establishment.

§ 1220.2 Requirements for non-full-size baby cribs.

(a) Except as provided in paragraph (b) of this section, each non-full-size baby crib shall comply with all applicable provisions of ASTM F406-22, *Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play Yards*, approved on October 1, 2022. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. This material is available for inspection at the U.S. Consumer Product Safety Commission and at the National Archives and Records Administration (NARA). Contact the U.S. Consumer Product Safety Commission at: the Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814, telephone (301) 504-7479, email: cpsc-os@cpsc.gov. For information on the availability of this material at NARA, email fr.inspection@nara.gov, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html. A free, read-only copy of the standard is available for viewing on the ASTM website at <https://www.astm.org/READINGLIBRARY>. You may also obtain a copy from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959; phone: (610) 832-9585; www.astm.org.

(b) Comply with the ASTM F406-22 standard with the following exclusions:

(1) Do not comply with sections 5.6.2 through 5.6.2.4 of ASTM F406-22.

(2) Do not comply with section 5.16.2 through 5.16.2.2 of ASTM F406-22.

(3) Do not comply with sections 5.19 through 5.19.2.2 of ASTM F406-22.

(4) Do not comply with section 7, *Performance Requirements for Mesh/Fabric Products*, of ASTM F406-22.

(5) Do not comply with sections 8.11 through 8.11.2.4 of ASTM F406-22.

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- (6) Do not comply with sections 8.12 through 8.12.2.2 of ASTM F406-22.
- (7) Do not comply with sections 8.14 through 8.14.2 of ASTM F406-22.
- (8) Do not comply with sections 8.15 through 8.15.3.3 of ASTM F406-22.
- (9) Do not comply with section 8.16 through 8.16.3 of ASTM F406-22.
- (10) Do not comply with sections 8.28 through 8.28.3.2 of ASTM F406-22.
- (11) Do not comply with sections 8.29 through 8.29.3 of ASTM F406-22.
- (12) Do not comply with sections 8.30 through 8.30.5 of ASTM F406-22.
- (13) Do not comply with sections 8.31 through 8.31.9 of ASTM F406-22.
- (14) Do not comply with sections 9.3.2 through 9.3.2.4 of ASTM F406-22.

[88 FR 13691, June 6, 2023]

PART 1221—SAFETY STANDARD FOR PLAY YARDS

Sec.

1221.1 Scope.

1221.2 Requirements for play yards.

AUTHORITY: Sec. 104, Pub. L. 110-314, 122 Stat. 3016 (15 U.S.C. 2056a).

SOURCE: 77 FR 52228, Aug. 29, 2012, unless otherwise noted.

§ 1221.1 Scope.

This part establishes a consumer product safety standard for play yards manufactured or imported on or after January 20, 2020.

[84 FR 56689, Oct. 23, 2019]

§ 1221.2 Requirements for play yards.

(a) Except as provided in paragraph (b) of this section, each play yard must comply with all applicable provisions of ASTM F406-19, *Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play Yards*, approved on March 15, 2019. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy of this ASTM standard from ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959; www.astm.org. You may inspect a copy at the Division of the Secretariat, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814, telephone 301-504-

7923, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email fedreg.legal@nara.gov, or go to: www.archives.gov/federal-register/cfr/ibr-locations.html.

(b) Comply with the ASTM F406-19 standard with the following exclusions:

- (1) Do not comply with section 5.17 of ASTM F406-19.

- (2) Do not comply with section 5.20 of ASTM F406-19.

- (3) Do not comply with section 6, *Performance Requirements for Rigid Sided Products*, of ASTM F406-19.

- (4) Do not comply with sections 8.1 through 8.10.5 of ASTM F406-19.

- (5) Instead of complying with section 9.4.2.10 of ASTM F406-19, comply only with the following:

- (i) 9.4.2.10 For products that have a separate mattress that is not permanently fixed in place: Use ONLY mattress/pad provided by manufacturer.

- (ii) [Reserved]

- (6) Do not comply with section 10.1.1.1 of ASTM F406-19.

[84 FR 56689, Oct. 23, 2019]

PART 1222—SAFETY STANDARD FOR BEDSIDE SLEEPERS

Sec.

1222.1 Scope.

1222.2 Requirements for bedside sleepers.

AUTHORITY: 15 U.S.C. 2056a.

SOURCE: 79 FR 2589, Jan. 15, 2014, unless otherwise noted.

§ 1222.1 Scope.

This part establishes a consumer product safety standard for bedside sleepers.

§ 1222.2 Requirements for bedside sleepers.

(a) Except as provided in paragraph (b) of this section, each bedside sleeper shall comply with all applicable provisions of ASTM F2906-23, *Standard Consumer Safety Specification for Bedside Sleepers*, approved on January 1, 2023. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. This material is available for inspection at the U.S.