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March 29, 2010

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**ATTORNEY GENERAL LISA MADIGAN REQUESTS IMMEDIATE ACTION TO ADDRESS THE HAZARDS ASSOCIATED WITH  
DROP-SIDE CRIBS**

Attorney General Lisa Madigan announced today that she has sent a letter to the Juvenile Products Manufacturers Association (JPMA) requesting that they "...take immediate action to address the hazards associated with drop-side cribs."

She has specifically asked JPMA Executive Director Michael Dwyer to take three immediate actions.

- Remove the JPMA seal from all drop-side cribs that remain on the market.
- Initiate an education and outreach campaign to inform consumers of the risks associated with drop-side cribs; and
- Provide consumers who have drop-side cribs with a purchase incentive in exchange for their unsafe crib.

"The JPMA Certification Seal is meant to guarantee consumers that the product was designed, built and tested to the very highest safety standards. Allowing the JPMA Certification Seal on drop-side cribs falsely assures consumers that these dangerous products are safe." said Attorney General Madigan in her letter.

Almost seven million cribs have been recalled since 2007 because of drop-side detachments. Twenty-one children have died when the drop-side of their crib detached, creating a gap that they slid into, and then suffocated.

The Attorney General made the announcement today at a press conference hosted by Kids in Danger (KIDS) in Chicago where it released its annual study of recalled children's products.

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OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

March 26, 2010

Michael Dwyer  
Executive Director  
Juvenile Products Manufacturers Association  
15000 Commerce Parkway, Suite C  
Mt. Laurel, New Jersey 08054  
*Via Email at mdwyer@ahint.com*

**Re: Drop-Side Cribs**

Dear Mr. Dwyer:

I am writing to request that the Juvenile Products Manufacturers Association ("JPMA") take immediate and substantial action to address the hazards associated with drop-side cribs. As you are aware, almost 7 million cribs have been recalled since 2007 because of drop-side detachments. Twenty-one children have died when the drop-side of their crib detached, creating a gap that they slid into, where they suffocated.

The vast majority of these cribs, if not all of them, bore the JPMA seal.

Members of JPMA have been deeply implicated in these recalls. Of grave concern to me is the recall of 2 million Simplicity cribs due to drop-side failures. Simplicity cribs are responsible for 11 deaths. But because Simplicity is no longer in business, consumers who own a Simplicity crib are left without a remedy. Yet it appears that Ken Waldman, former CEO of Simplicity, still serves on your Board of Directors. As the representative of most crib manufacturers, JPMA has a unique opportunity, *and responsibility*, to take effective steps to remove these deadly cribs from the marketplace and to protect children from these dangerous products.

As you know, the voluntary standards that govern the design and testing of drop-side cribs have changed. The ASTM Committee that is responsible for issuing voluntary industry standards for cribs, contained in ASTM F1169-09, recently banned drop-side cribs. As a result of this ban, all drop-side cribs are now deemed "unsafe" under the Illinois Children's Product Safety Act, 430 ILCS 125/15(a), (c), and should be removed from stores.

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Unfortunately, removing these cribs from stores is not enough. Families throughout the country are still using millions of drop-side cribs. JPMA is a nationwide organization with the ability to reach manufacturers, retailers and consumers. Because of JPMA's broad influence, I ask that JPMA take three immediate actions:

- Remove the JPMA seal from all drop-side cribs that remain on the market;
- Initiate an education and outreach campaign to inform consumers of the risks associated with drop-side cribs; and
- Provide consumers who have drop-side cribs with a purchase incentive in exchange for their unsafe crib.

JPMA should immediately remove its seal from all drop-side cribs currently in the marketplace. The JPMA Certification Seal is meant to guarantee consumers that the product was designed, built and tested to the very highest safety standards. Allowing the JPMA Certification Seal on drop-side cribs falsely assures consumers that these dangerous products are safe.

JPMA also should take immediate steps to address the risks associated with the millions of drop-side cribs that remain in homes and day care facilities nationwide. Specifically, JPMA should initiate an education and outreach campaign to reach families who are still using these drop-side cribs. JPMA should provide parents and caregivers with information to help them determine if their crib is safe.

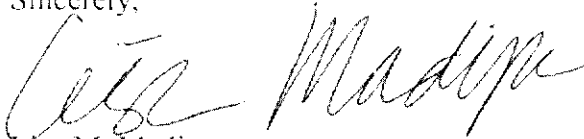
Without a remedy in place, however, we know that families will continue to use these products. JPMA is in a position to provide relief to struggling families who need a safe place for their child to sleep, but may not be able to afford a new crib. I suggest that the members of JPMA provide a purchase incentive – such as a 50 percent discount coupon towards the purchase of a fixed-side crib – to consumers who return a drop-side crib to any manufacturer or retailer. In particular, this incentive should be given to consumers who own cribs manufactured by Simplicity. This purchase incentive would significantly help in the effort to ensure that these dangerous cribs are removed from homes, day care facilities, and the second-hand market. It also would increase sales of new, safe cribs.

I am calling on JPMA to implement this three-part plan to remove dangerous drop-side cribs not only from the marketplace, but from the homes of unsuspecting parents and their children. By implementing these suggestions, JPMA would provide options to families who want a safe sleep environment for their child.

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If you have any questions or concerns, please contact Leah Wade, Assistant Attorney General, at (312) 814-3368, or by electronic mail at [lwade@atg.state.il.us](mailto:lwade@atg.state.il.us). I look forward to working with you to protect children and families from these unsafe products.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa M. Madigan".

Lisa M. Madigan  
Illinois Attorney General



For Immediate Release  
March 29, 2010

Contact: Nancy Cowles  
(312) 595-0649

**The Year of the Nursery Product Recall: Nursery and sleep environment products pose a serious threat; CPSC sharpens its teeth**

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(CHICAGO) Nursery product recalls made history in 2009 as the most-recalled children's product type for the first time. But this is not good news for the millions of parents and children who count on the products they use being safe, such as high chairs, infant carriers, strollers, and cribs. Children's clothing recalls also reached an unexpected high in 2009, as drawstrings posed strangulation hazards.

Kids In Danger, a nonprofit organization dedicated to protecting children by improving children's product safety, released with U.S. Representative Jan Schakowsky (IL-9) and Illinois Attorney General Lisa Madigan, *The Year of the Nursery Product Recall*, an annual study of recalled children's products.

The report found that children's product recalls decreased slightly in 2009, but the total of 143 recalls is still higher than any year prior to 2007. Recalls in 2009 totaled over 21.1 million units, including six recalls that involved 1 million or more units.

"These products together caused at least 198 injuries and 9 deaths," stated Nancy Cowles, executive director of Kids In Danger. "And those incidents include only those already reported at the time of the recall. More needs to be done to protect children from these hazards."

--more--



Additional findings of the report include:

- Nursery products and clothing surpassed toys as the product types with the most recalls, representing 28% and 27% of children's product recalls respectively. Nursery products were recalled mainly due to entrapment, fall, and choking hazards, while clothing was recalled due to strangulation hazards with drawstrings and choking hazards from small detachable parts.
- The largest recall was for 4 million units of Aqua-Leisure inflatable baby floats with leg straps that can tear, causing a baby to fall into the water and risk drowning. Stork Craft's recall of Drop-Side Cribs due to entrapment and fall hazards involved 2.1 million units.
- Fifteen manufacturers had more than one product recalled in 2009. Dorel Juvenile Group and Evenflo Co. Inc. had five separate product recalls each.
- Two recalls, Wooden Play Sets by Adventure Playsets and Rainforest Play Yards by Simplicity Inc., received over 1,000 incident reports before being recalled. Evenflo's Envision High Chairs were responsible for 54 injuries before recall.
- Twenty sleep environment products were recalled in 2009, totaling over 4.7 million units, nearly 2,000 reported incidents, and 75 injuries and deaths.
- Seven of the nine deaths occurred in sleep environment products, with five deaths in drop-side cribs and two in baby hammocks. A ban on the drop-side crib design is under consideration due to this significant danger.
- The U.S. Consumer Product Safety Commission (CPSC) imposed fines on 34 companies who violated safety regulations for children's products, totaling over \$30.7 million in fines. Most penalties were due to violations for drawstrings in children's clothing and excessive lead paint in children's toys.

“The new mandatory standards for infant and toddler durable products called for in the Consumer Product Safety Improvement Act passed in 2008 can't come fast enough,” added Cowles. “For too long, consumers have been at the mercy of industry driven standards for nursery products and the result are the recalls you see here today.”

KID recommends:

- CPSC should continue developing the public database required by the CPSIA in order to give consumers more information about potential hazards.

- Congress should require annual reports on recalls and their effectiveness.
- CPSC should require more aggressive outreach by companies following a recall, and require a replacement product or refund, especially in sleep environment recalls.

US Representative Jan Schakowsky (IL 9) expressed her continued support for strong children's product safety laws. "Once again, KID's recall report shows that too many children are still being harmed by dangerous products," stated Schakowsky. "As in past years, the report and the efforts of groups like KID will help guide the public, state and federal agencies, and policymakers like me in what steps must be taken in order to keep our children safe."

"While we have seen progress after more than two decades of advocacy on behalf of America's littlest consumers, these high profile recalls demonstrate more must be done," said Brian Imus, state Director with Illinois PIRG. "Parents and other consumers shouldn't have to rely on after-the-fact recalls to make sure the products on store shelves and in their homes are safe."

"This Kids In Danger report highlights the need for all of us to continue our work at the state and federal level to protect children from dangerous products," said Attorney General Madigan. "With new leadership at the CPSC, we are making strides to improve the product safety information available to parents and to require greater accountability for product manufacturers. I commend Nancy Cowles and Kids in Danger for their continued leadership in this area.

KID recommends that parents check the products used with their children at [www.cpsc.gov](http://www.cpsc.gov) and sign up for safety updates at [www.KidsinDanger.org](http://www.KidsinDanger.org). In addition, parents should report problems with a product both to the manufacturer and to CPSC, and urge elected representatives to push for better regulation of children's products.

More information about Kids In Danger and dangerous juvenile products is available at (312) 595-0649 or [www.KidsInDanger.org](http://www.KidsInDanger.org)

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