

Meeting Log  
Children's Sleepwear  
04/25/95  
CPSC Room 410  
4330 East West Towers  
Bethesda, MD 20814

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of

Attendees

CPSC:

- T. Karels, Project Manager
- P. Fairall, CE
- D. Schmeltzer, CE
- E. Stone, CE
- T. Homan, EC
- W. Prunella, EC
- T. Kissinger, EP
- L. Fansler, ES
- J. Hoebel, ES
- G. Sweet, HF
- B. Jacobson, HS
- A. Brauninger, OGC
- K. Kraushaar, OIPA

Non-CPSC:

List of 33 attendees attached

Agenda:

Introduction:

T. Karels called the meeting to order at 2:00, and pointed out that the meeting was in response to a request by Julie Goldscheider, Impact Imports. In her written comments to the NPR on possible exemptions to the children's sleepwear standards, Ms. Goldscheider expressed concerns regarding a number of issues; she asked that she be given an opportunity to express those concerns to staff in an open forum, along with other knowledgeable industry representatives.

Mr. Brauninger provided an overview of staff activities on the potential exemptions. He also explained the legal procedures under which the meeting was held.

Ms. Goldscheider had an opening statement which outlined concerns she expressed in her written comments, and provided clarification as to potential solutions to these concerns. Her statement referred to problems with infant sizing, labeling, and tightness of fit for children's sleepwear.

**Infant Sizing**

Ms. Goldscheider stated that, as a common rule, parents buy infants' sleepwear at double the age (i.e., for 6 month old infants, purchasing the 12 months size). She pointed out that



size 9 months is approximately equal to size 12 months. Industry practice is to segment sizes as; 3/6/9 (newborn/infant) and 12/18/24 months (toddler), and that any artificial break would cause problems for retailers. She stated that 9 months and under would be the appropriate choice for exemptions for infants.

#### **Tight fit**

Ms. Goldschieider pointed out that, as written, the skin tight garments would be unmarketable for overweight children. Further, since Canadian law deals with leg and arm aperture and leg and sleeve cuffs, such a system would eliminate problems with trying to define tight-fitting garments. This would allow for sales of polo pajamas, which are considered to be the safest design.

She also pointed out that garments are often sold as "unisex" and that there are sufficient differences in sizes between the sexes that the CPSC must consider.

She pointed out that cotton shrinks, and that the proposal did not account for either shrinkage or production tolerances. Ms. Goldscheider also pointed out that shrinkage occurs in the length of a garment as well as width; while width may be less important, the length shrinkage is not easily addressed by consumers who may feel cheated by the shrunken garment. A 5-8% shrinkage is common, and the industry rule of thumb for tolerances would be 5%. A 10% allowance would be workable to account for both. She noted that Canada allows a 5% shrinkage tolerance.

#### **Labeling**

Ms. Goldscheider stated that the proposed labels for exempted sleepwear are considered by industry as too negative. The real need for labels would be as an information and education tool through which consumers would be able to assess garment sizes and make purchase considerations. She stated that the industry would be amenable to some type of hang tag which would inform consumer purchasers about the importance of close fit.

#### **Other**

The meeting was then opened to others for comment. Phil Wakelyn (National Cotton Council) asked why a warning label would be required for a product for which there was no unreasonable risk. He suggested that an I&E campaign could be successful in reinforcing size as a factor of safety. Dr. Wakelyn also pointed out that, even if garments are oversized, polo pajama styles would still incorporate tight fitting cuffs. He also pointed out that, for trade purposes, sizes should be stated in millimeters as well as inches.

Marlene Goldscheider (Impact) stated that the current trade circumstances allow for significantly expanded markets for

manufacturers, but that firms would be restricted under the current laws. Leonard Schwab (S. Schwab) pointed out that manufacturers and retailers market infant garments in Small, Medium, and Large. It seems inconsistent that Small and Medium would allow cotton flowing garments, while Large would require tight fitting garments. He also stated that playwear is sold 3/6/9, and that consistent sizes are important. Mr. Schwab suggested that a more relevant measure would be height and weight of the infant.

Mary Beth Boughton (Oneita) reported that there is a good deal of confusion in the market, in that there is no consistent sizing standard. She stated that government can't legislate what consumers will buy, and they want cotton garments. She supported "rational" size range breaks, and also supported an exemption for children up to 24 months because it would otherwise break up size ranges. Tim Ackerman (Tom & Jerry) pointed out that tight fitting garments make sense from the point of safety, but any enforcement of skin tight would be difficult. Consumers want loose cotton garments. Marlene Goldscheider responded that, although consumers may want flowing garments, the market and government must have faith in the judgement of the mothers making these purchasing decisions; educating the mother is the most important, and effective thing to be done. Larry Wilder (Klienerts) brought up concerns over whether adornments which hang from garments would be considered acceptable. Julie Goldscheider stated that the issue of ornamentation would not matter with infant garments, but would be an issue with tight fitting garments.

Wendy Daly (Learn Not To Burn) reported that infants are indeed mobile at 1 year, and are often the victims of siblings dropping matches in non-flame resistant environment. Dr Wakelyn pointed out that such actions in starting fire to infant bedding are not a subject of the proposal and that little can be done in this area, short of dressing children in asbestos clothing. James Ryan (AARP) expressed concern that education campaigns are not very effective; even when parents have direct knowledge of the problems, accidents still occur.

Carl Schlosser (Salant) reiterated concerns on sizing, shrinkage and tolerance issues, and supported revisions as percentage increases. Ron Kellner (Warren Featherbone) favored a 24 month inclusion for infant sizing, since manufacturers use the same fabric and prints for sizes up to 24 months. He stated that either there is or is not a hazard with sleepwear, and data do not show a hazard. Mr Kellner stated that the hazard arises from the environment, not the garments.

One attendee then stated that, during the period of day in which infants are crawling, they are in playwear, not sleepwear.

Leonard Schwab pointed to research done by his firm showing that weight and height standards for sizes are not consistent

within the industry. [An unidentified attendee suggested that one good thing coming out of the proposal could be consistent sizes within the industry.] Duncan Nixon (American Association of Exporters and Importers) stated that, with the enormous range of sizes, specifications (such as weight and height) may be more appropriate rather than sizes themselves.

Julie Miltonberger (S. Schwab) stated that industry now uses breaks of: 3/6/9 and 12/18/24 months, and that mothers are investing in larger sizes for longer usage. This statement was challenged by a recent mother who stated that her usage pattern was consistent with age labels. Julie Goldscheider supported a size/age break which would exempt infant garments through size 9 months; stores may have different buyers for 3/6/9 and 12/18/24.

John Krasny (former NBS staffer) pointed out that the CPSC has a great opportunity to help manufacturers by setting sizing standards. Also, a past study conducted by the CPSC concluded that a fire-related I&E campaign had an effect on consumer behavior for about 7 months, and then consumers reverted to former practices. Thus, an I&E campaign may not be the most effective means to explain the reasons for use of tight fitting garments. Dr. Wakelyn stated that the studies quoted by Mr. Krasny were not indicative of the real world now, since the risk and ignition sources have declined. Long flowing garments have been identified as the real risk, and that tight fit at the wrist and ankles minimizes risk as shown by the experience in Canada. In support of an I&E campaign, Dr. Wakelyn pointed out that Britain allows sales of nonconforming sleepwear with only a warning label, and there has been no increase in incidents there.

There was some discussion as to the relevance of the entirety of the sleepwear standards. Mr. Schwab stated that, when they were promulgated, the standard was for sizes 2-6X; infant sizes were included as an afterthought. Mr. Ryan said that this was not true; the standard was originally developed and intended for sizes 0 to 6X. Mr. Ryan provided extensive information on his role in (and knowledge of) the promulgation of the sleepwear standards. Dr. Wakelyn stated that the data wouldn't support the promulgation of these standards now, and that at the time less rigor was needed to support enactment. He stated that the National Cotton Council also supports specifications (weight and height) rather than size as a tool for exempting infant sleepwear.

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