

CPSA 6 (b)(1) Cleared
No Mfgs/Prvt Birs
Products Identified
Excepted by _____
CPSC/DEC OF THE Firms Notified
Comments Processed.

LOG OF MEETING

DIRECTORATE FOR ENGINEERING SCIENCES

NO MAR -4 P 3:17

SUBJECT: Children's Sleepwear--snug-fitting requirements

DATE OF MEETING: February 18, 1998

DATE OF LOG ENTRY: March 4, 1998

SOURCE OF LOG ENTRY: Margaret Neily, ESME

LOCATION: CPSC, Room 410 A/B/C, East West Towers

CPSC ATTENDEES: See attached attendees list.

NON-CPSC ATTENDEES: See attached attendees list.

SUMMARY OF MEETING:

The purpose of the meeting with manufacturers and retailers marketing snug-fitting sleepwear was (1) to share the status of staff work on possible technical amendments to the children's sleepwear flammability standards and (2) to explore ways of cooperatively getting the message to consumers about the availability and safety of these garments.

Ron Medford, Director of the Office of Hazard Identification and Reduction, began by asking attendees to share their experiences of producing/marketing the snug-fitting sleepwear. Five manufacturers (including three who could not attend) reported producing to or below the specs of the standard and experiencing good sales with no major complaints or return problems. Two manufacturers reported producing to most but not all specs (eg. upper arm) with reasonable sales, but not necessarily as good as with larger garments. Another manufacturer is "producing to the specifications", but reports sewing variances (above specs) are causing a problem with sales to retailers. Four of the five manufacturers in attendance (and one of the others) are using an informative hang tag like the AAMA (American Apparel Manufacturers Association) label on their products.

AAMA reported that they had submitted documents to CPSC stating that some of their members are exiting the snug-fitting cotton sleepwear market because of problems they have experienced. Brian Axell, International Mass Retail Association, offered to collect and provide quantitative information regarding their members' sales experience with snug-fitting garments following the meeting.

Margaret Neily, Project Manager, presented a summary of CPSC staff work resulting in the upcoming recommendation of several technical amendments to the snug-fitting requirements of the children's sleepwear flammability standards. The staff concluded that it is not feasible to construct practical garments with the current specifications. With several

clarifications of measurement locations, practical, wearable garments can be constructed. Copies of handouts and overheads are attached. A briefing package is planned for March.

From Dennis Sargent, American Marketing Enterprises, and others, there was further discussion of the need for adding sewing tolerances to the specifications. When garments are undercut to stay below the specifications, the garments can be perceived to be of poor quality. Various attendees (manufacturers and retailers) offered to share manufacturing tolerances they currently use for CPSC staff consideration. Sargent offered to fund the development of tolerances specific to this garment if that would help. Medford noted that an amendment of this nature might require additional rulemaking steps beyond what is now contemplated, a three rather than two step process. Commission staff will review this matter in the next few weeks.

Several compliance questions were addressed. When the current stay of enforcement against sleepwear being sold as underwear expires on June 9, 1998, these garments can no longer be sold by manufacturers or retailers. Non flame resistant sleepwear must then meet the snug-fitting requirements (16 CFR 1615 and 1616), including the compliance letter (upper arm measurement clarification) of December 9, 1996. The staff will provide further guidance to the industry if new amendments being proposed to the Commission have not become final by June 9.

The discussion shifted to what could be done cooperatively to get messages to consumers about the availability and safety of snug-fitting sleepwear. CPSC and AAMA had previously developed a package of materials to support a consumer information campaign. Materials included a hang tag, brochure, fact sheet and other information. Larry Martin indicated that he believed AAMA had copyrighted the text and the designs used in the campaign materials. AAMA is committed to implement the program IF the product is something they want to promote. They will consider making that decision again when the final briefing package (with proposed amendments) goes to the Commission.

In the meantime, with many manufacturers using the AAMA hang tag (or the label language), a consistent message is being offered the consumer. This consistent message is important, too, for retailers who are using informative signs in their stores. Target representatives described their upcoming program that will include hang tags, in-store signs, employee newsletters and a magalog with advertizing. Anyone willing to coordinate a consumer information campaign among interested manufacturers/retailers was encouraged to contact Margaret Neily, Project Manager, at (301) 504-0550.

ATTENDANCE

**Manufacturers and Retailers of
Snug-fit Sleepwear
February 18, 1998**

NAME	COMPANY	PHONE NUMBER
Margaret Neily	CPSC/Engineering	(301) 504-0550, x2354
DENNIS SARGENT	AMERICAN MARKETING ENT.	(212) 279-3600
Lois STEWART	WM CARTER CO.	270 961 8722
Mary Howell	AARMA	703/524-1864
Larry Martin	AARMA	" "
STEVE LEFTIN	WM. CARTER CO.	770-228-0930
Nicille Bertorello	WUNDIES INC.	212-695-8181
BUTCH DAVID	CROWN-TEX CORP	212-279-8818
PATRICIA SASSON	VARON	305-836-6411
Joanne Risine	National Retail Federation	202/8626-8152 ^{fax} -8198
Charlene Hines	Kmart	248-643-5705
SARAH HALIME	KMART	248-631-1533
Marilyn Borsari	CPSC	301 504-0400
Sara Yerkes	NFPA	703-516-4346
Patty ADAMS	NCC	202 745 7805
Linda Fanster	CPSC/LS	301 413 0153
Brian Axell	IMNA	703-841-2300
Sam Cristy	Product Safety Letter	703-247-3423
Bruce Navarro	National Highway Traffic Safety Administration	202-915-6006
John Whalen	RVA	202 452 4413
Cecelyn Meiers	CPSC	301-504-0468 x1281
James F. Hoebel	CPSC	301 504 .0494x 1380
T. Kozels	CPSC	x1320
Cray Munn	CPSC	301 504 0470 1270

FOR DISCUSSION

September 8, 1997

Potential Technical Amendments of the Children's' Sleepwear Standards (16 CFR 1615 and 1616)

On September 9, 1996, the Standards for the Flammability of Children's Sleepwear were amended to allow the marketing of certain sleepwear garments that do not meet the flammability test requirements for flame resistance. These garments, termed "tight-" or "close-fitting" must not exceed maximum dimensions specified for each garment size. The CPSC staff have identified several changes to the standards that may be needed to ensure that garment dimensions are measured in the appropriate locations for accuracy and reasonable fit. These technical amendments do not involve changes in the body/garment dimensions specified in the current rules and would, therefore, not result in looser-fitting garments than originally intended. The staff desires industry input on the practicality, usefulness, and impact of these potential technical amendments. Technical amendments may be issued through a shortened rulemaking procedure beginning with a notice of proposed rulemaking rather than an advance notice of proposed rulemaking.

1. **Measurement of upper arm**--measure as described in the CPSC enforcement letter of 12/9/96. The garment upper arm measurement point was moved from the armpit of the garment to the halfway point between the shoulder and the elbow. This coincides with the point on the body where the upper arm measurement is made for the specifications in the standards. If it would facilitate industry compliance efforts, a single measurement point might be specified for each appropriate size group as with the seat measurement below.

2. **Measurement of seat**--measure just above the curve in the crotch seam-- ___ inches above the bottom of the crotch. This distance could be specified for appropriate size groups to facilitate compliance; e.g. 2½" above the bottom of the crotch for infant sizes; 3" for sizes 2T through 7; and 3½" for sizes 8-14 .

The language in the current standards states that the seat measurement is taken at the widest location between waist and crotch. This location appears to be a point immediately above the bottom of the crotch and essentially the same location where the thigh measurement is taken. This is not where seat/hip measurements are normally made and was not the intent of the regulation.

3. **Measurement of thigh**--measure ___ inches, e.g. 1 inch, down the inseam from the bottom of the crotch rather than at the bottom of the crotch. In a form-fitting garment such as this, the bottom of the crotch seam does not actually touch the thigh. This shift in measurement point could give an accurate measure of the garment at the thigh and reduce garment restriction in the crotch area.

4. **Sweep measurement on the top of a 2-piece garment**--The sweep must now be equal to or less than the waist dimension. This would continue to be acceptable. However, if it would help to reduce fabric bunching at the waist or produce a more functional garment, the "hourglass" silhouette currently specified in the standards for one-piece garments might also be allowed for the top piece. Sweep (bottom of the top garment) could be as large as the specified seat dimension, and the narrowest part of the top between the sweep and the chest measurement could equal the specified waist dimension.

The U.S. Consumer Product Safety Commission, working with the American Apparel Manufacturers Association and other concerned child advocacy organizations, is happy to bring you this information. To be sure you are making the safest choice, we recommend following the advice on the SLEEPWEAR hang tag: *Fabric and fit are important safety considerations for children's sleepwear. Sleepwear should be flame resistant or snug fitting to meet U.S. Consumer Product Safety Commission sleepwear requirements.*



For More Information, Contact:
The American Apparel Manufacturers Association
2500 Wilson Boulevard
Suite 301
Arlington, VA 22201
(703) 524-1864 Fax: (703) 522-6741

or
U.S. Consumer Product Safety Commission
Washington, DC 20207
1 (800) 638-2772
info@cpsc.gov

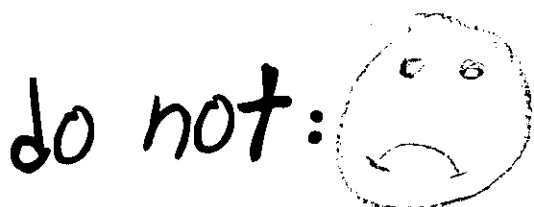
a guide to children's SLEEPWEAR

Children are at greater risk of burn injury than adults, which is why making the right sleepwear choice for your child is so important. The good news is that parents now have more choices than ever for buying children's sleepwear. Following are some simple guidelines to selecting **Safer Sleepwear.**





- Look for the SLEEPWEAR label when you shop — the garments carrying the SLEEPWEAR label were made by manufacturers who want to help you make the safest choices for your children.
- Buy flame-resistant sleepwear. Flame-resistant sleepwear does not ignite easily and must self-extinguish quickly to meet the U.S. Consumer Product Safety Commission (CPSC) flammability requirements for children's sleepwear.
- If you choose natural fibers, make sure you buy garments which will fit snugly. Snug-fitting garments which meet CPSC sizing guidelines and are made from fabrics which are not flame resistant will not create an unreasonable risk of burn injuries to children.
- Keep matches, lighters, and candles out of the reach of children. Children's burn injuries are often the result of fire play.
- Make sure your children know what to do in case of fire!



- Do not allow your children to sleep in loose-fitting or oversized garments such as T-shirts, sweatsuits, or other apparel made from non-flame-resistant fabrics. These garments ignite more easily and may cause severe burn injuries.

new guidelines for Children's SLEEPWEAR Choices

The U.S. Consumer Product Safety Commission (CPSC) is the government agency responsible for protecting the American public from unreasonable risks of injury associated with products used in or around the home. Recently, CPSC changed the requirements for children's sleepwear to enable parents to make safe sleepwear decisions for their children by providing a greater range of choices. Following is a brief guide to the changes.

Infant Sizes up to 9 Months

All infant sleepwear in sizes up to nine months may now be made from either flame-resistant or nonflame-resistant fabrics. An evaluation of the data on burn injuries in children revealed very few cases involving children under 12 months of age. Infants wearing garment sizes up to nine months are not likely to be sufficiently mobile to come into contact with an open flame.

Infant Sizes above 9 months to Children's size 14

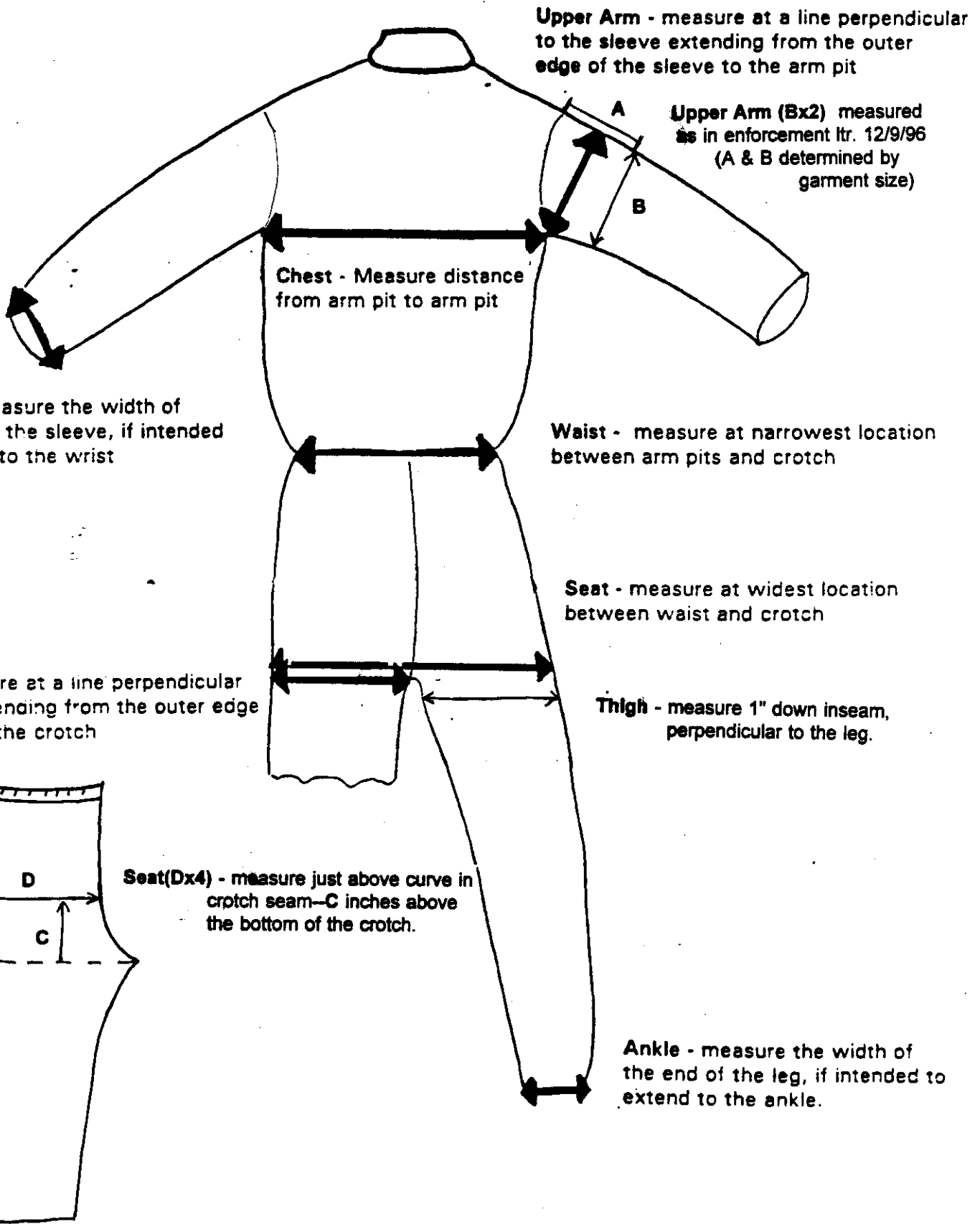
Children's sleepwear larger than size 9 months must either be flame resistant — made from fabric which meets stringent flammability standards — or worn snug fitting, based on specified CPSC dimensions at the chest, waist, seat, upper arm, thigh, wrist and ankle. Changes in the flammability standards now permit non-flame-resistant, snug fitting garments to be manufactured and sold as sleepwear, because the snugness of the fit reduces the risk of burn injury. Flame-resistant garments may be worn either loose fitting or snug fitting.

SLEEPWEAR UPDATE
Possible Technical Amendments
February 18, 1998

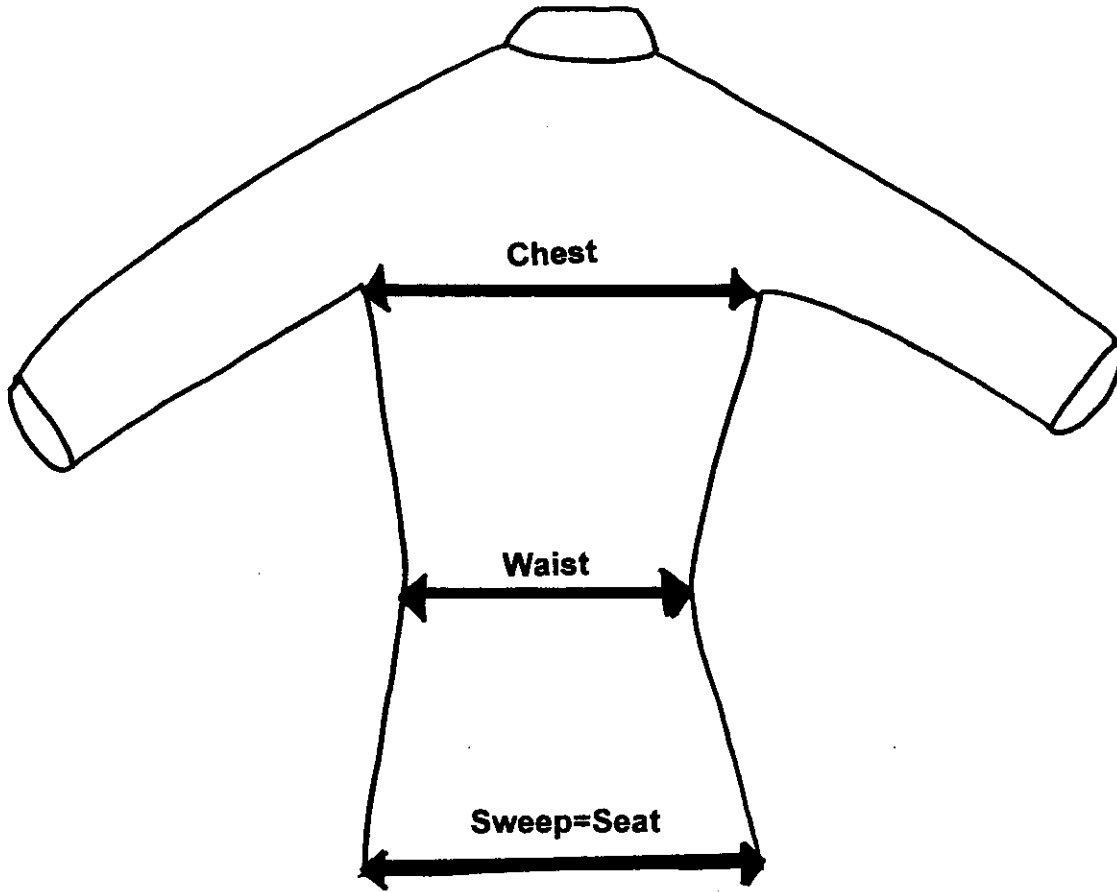
- **Staff review of technical and manufacturing concerns**
- **Maintain snug-fitting concept for safety**
- **Consider changes needed because of infeasibility**
- **Identify possible technical amendments
(NO changes in dimensions)**
- **Seek industry and expert input on substance and usefulness**
- **Conduct structured demonstrations or fittings**
- **Prepare briefing package for Commission consideration**

↔ **CHILDREN'S SLEEPWEAR—current standard measurement points**

↔ **POSSIBLE TECHNICAL AMENDMENTS—measurement points**



POSSIBLE TECHNICAL AMENDMENTS



**HOUR GLASS SILHOUETTE FOR
TOP OF 2-PIECE GARMENT**

DEMONSTRATION OBSERVATIONS

- **To determine practicability and function of garments**
- **To collect information for specific amendments**
- **Observations**
- **Factors included in garment selection**
 - **Original standard specifications**
 - **Variations in fabric**
 - **Appropriate size vs. up-sizing**
 - **Effect of shrinkage**
 - **Different manufacturers' designs**
- **Still photographs and videos**
- **Children's and parents' reactions to garments**

DEMONSTRATION GARMENTS AND MODELS

MODELS	Pilot Boy Size 4	Dry-run Girl Size 5	Boy Size 12/18 + months	Girl Size 4	Boy Size 10	Girl Size 12
GARMENTS						
1. Current Standard Specifications, white interlock				size 4		
2. 1x1 rib (A)--new	size 6		sizes 2T/3T	size 4	size 10	size 12
3. 1x1 rib (A)--washed				size 4	size 10	size 12
4. 1x1 rib (B)--new		size 5				
5. 1x1 rib (B)--new		size 8				
6. 1x1 rib (C)						Hr glass size 12
7. Interlock (A)--new	size 5				size 12	
8. Interlock (A)--washed		size 5				size 12
9. Interlock (B) w/ buttons--new	size 4*					
10. Interlock (C)			18 mo			
11. Interlock (D)			size 3T*			
12. Interlock (E)						size 12
13. Thermal knit union suit			18/24 mo			

STAFF CONCLUSIONS/RECOMMENDATIONS

- **Not feasible to construct practical garment with current specifications.**
- **Can construct practical, wearable garments with several clarifications of measurement locations.**
 1. **Measure upper arm as in Compliance letter (12/9/96).**
 2. **Measure seat 4 inches above bottom of crotch in all sizes.**
 3. **Measure thigh 1 inch down the inseam below bottom of crotch.**
- **Briefing Package for the Commission in March.**