

## Ban of **Inclined Sleepers for Infants** – a Proposed Rule by the US CPSC

On 2022-05-16, the US President signed the “Safe Sleep for Babies Act” (SSBA) into law, which was passed in the US Congress on 2022-05-03.

Until 2022-08-25, comments are now invited to the proposed rule which is requiring “**inclined sleepers for infants**, regardless of the date of manufacture, shall be considered a **banned hazardous product**” under section 8 of the Consumer Product Safety Act (CPSA).

### Scope:

Since CPSC's guidance is that "sleepers with an inclined sleep surface of **10 degrees or less**, or that are marketed, intended, or designed to provide sleeping accommodations for an infant **older than 1 year**", are **not within** the scope of the ban, which can be illustrated as in the following table:

Angle of inclination (°)	Infant's age (year)	Ban?
> 10	≤ 1	Yes
> 10	> 1	No
≤ 10	≤ 1	No
≤ 10	> 1	No

### Inventory:

Since the SSBA states that the ban applies to inclined sleepers for infants (as defined above) “regardless of the date of manufacture”, all such inclined sleepers will be banned as hazardous products (after the effective date), even though they were manufactured before the effective date.

### Testing and Certification:

When a ban cannot remove all “inclined sleepers for infants” from the market, CPSC may require testing and certification to this ban, and will thus expand the existing control number for Third Party Testing of Children's Products, OMB Control No. 3041 - 0159.

### Effective Date:

Section 2(a) of the SSBA states that inclined sleepers for infants shall be considered a banned hazardous product “not later than 180 days after the enactment of this Act,” that is, not later than **2022-11-12**, as consistent with the 180-day period referenced by Congress.

### References:

<https://www.federalregister.gov/documents/2022/07/26/2022-15904/ban-of-inclined-sleepers-for-infants>

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### FOR MORE DETAILS, PLEASE CONTACT US:

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