

# Child Care Providers

## New Crib Standards Questions and Answers

While most questions have revolved around the drop-side, it's important to know that the new standard affects far more than the drop-side. A crib's mattress support, slats, and hardware are now required to be more durable and manufacturers will have to test to new more stringent requirements to prove compliance. Here are some frequently asked questions along with answers:

### 1. What are the new standards for all cribs?

Beginning June 28, 2011, all cribs manufactured and sold (including resale) must comply with new and improved federal safety standards. The new rules, which apply to full-size and non full-size cribs, prohibit the manufacture or sale of traditional drop-side rail cribs, strengthen crib slats and mattress supports, improve the quality of hardware and require more rigorous testing. The details of the rule are available on CPSC's website at [www.cpsc.gov/businfo/frnotices/fr11/cribfinal.pdf](http://www.cpsc.gov/businfo/frnotices/fr11/cribfinal.pdf).

The new rules also apply to cribs currently in use at child care centers and places of public accommodation. By Dec. 28, 2012, these facilities must use only compliant cribs that meet the new federal safety standards.

### 2. When will the new, safer cribs be available for purchase? Will I need documentation of compliance on each of the cribs in order to meet regulations? Will the state be looking for specific documentation on cribs during child care licensing inspections?

Beginning on June 28, 2011, all cribs sold in the United States must meet the new federal requirements. After that date, it will be illegal to manufacture, sell, contract to sell or resell, lease, sublet, offer, provide for use or otherwise place in the stream of commerce a crib that does not comply with the CPSC's new standards for full-size and non-full-size cribs. This includes manufacturers, retail stores, Internet retailers, resale shops, auction sites and consumers.

As of Dec. 28, 2012, Kentucky's Division of Regulated Child Care Licensing Surveyors will be looking for the following documentation on cribs during licensing visits:

A Certificate of Compliance document that must:

- Describe the product
- Give name, full mailing address and telephone number for importer or domestic manufacturer
- Identify the rule for which it complies (16 CFR 1219 or 1220)
- Give name, full mailing address, email address and telephone number for the records keeper and location of testing lab
- Give date and location of manufacture and testing

Or

The crib label attached with a date of manufacture after June 28, 2011.

Failure to provide appropriate documentation will result in a deficiency and repeat deficiencies will result in civil monetary penalty.

### 3. How does one tell if a crib is good or bad? What if a crib is purchased prior to June 28, 2011?

Some compliant cribs may be available before the required date. However, one will not be able tell if the crib is compliant by looking at the crib. So it is recommended to ask the retail store or the manufacturer whether the crib complies with 16 CFR 1219, the new federal standard for full-size cribs or with 16 CFR 1220, the new federal standard for non-full-size cribs.

#### **4. Is this new regulation simply a ban on all drop-side rail cribs?**

No, these are sweeping new safety rules that will bring a safer generation of cribs to the marketplace in 2011. CPSC's new crib standards address many factors related to crib safety in addition to the drop-side rail. A crib's mattress support, slats, and hardware are now required to be more durable and manufacturers will have to test to the new more stringent requirements to prove compliance.

#### **5. Is a sturdy, non drop-side crib okay for a child care center to use?**

It is unlikely that current cribs will meet the new crib standards. The new standards require stronger hardware and rigorous testing to prove a crib's durability. If you continue to use your current crib, you are encouraged to check the crib frequently to make sure that all hardware is secured tightly and that there are no loose, missing, or broken parts. Note that after Dec. 28, 2012, child care facilities, family child care homes and places of public accommodations, such as hotels and motels, must provide cribs that comply with the new and improved standards.

#### **6. Is it OK to resell, donate or give away a crib that does not meet the new crib standards? Can I donate or give my old cribs away? If I can't give my old cribs away, how should I dispose of them? How do we handle disposal of old cribs?**

You should not resell, donate or give away a crib that does not meet the new crib standards, such as trying to resell the product through an online auction site or donating to a local thrift store. CPSC recommends disassembling the crib before discarding it.

#### **7. Will regulation be developed around the disposal of noncompliant cribs (those that do not meet the new standard)? If so, will it include something about dismantling or destroying old cribs so they do not make their way into other programs?**

No, a Kentucky regulation will not be developed around the disposal of noncompliant cribs.

#### **8. Can Pack 'n Plays be used in the classroom even if not for commercial use? Can they be used instead of cribs? Can mats be used instead of cribs in infant rooms?**

Per Kentucky 922 KAR 2:120 Child care center health and safety standards, Section 6, Sleeping and Napping Equipment, the following shall be provided for a child in attendance for more than three and one-half (3 1/2) hours per day for sleeping and napping:

- An individual cot
- crib
- baby bed
- two (2) inch thick waterproof mat

Pack 'n Plays are not in regulation for sleeping and napping equipment and mats may lead to a safety deficiency if they are used in an infant room.

#### **9. Is the answer different if a piece ("immobilizer") has been added to a drop-side crib to prevent the side from moving up and down? If I have a drop-side crib, do I need to stop using it? Can a current drop-side crib be "fixed" so it can still be used? How do I find out? Who should I contact regarding an "Immobilizer" device for my cribs?**

Immobilizers or "fixes" are not recommended because they will not meet the new crib standards.

For additional information, please visit, <http://www.cpsc.gov/info/cribs/index.html>.