

June 13, 2011



Joshua M. Sharfstein, M.D.  
Secretary  
Department of Health and Mental Hygiene  
201 W. Preston St.  
Room 512  
Baltimore, MD 21201

Dear Dr. Sharfstein:

The Juvenile Products Manufacturers Association (JPMA - [www.jpma.org](http://www.jpma.org)) is a national trade organization representing 95% of the prenatal to preschool industry. JPMA represents approximately 250 companies in the United States, Canada, and Mexico who manufacture, import and/or distribute infant products such as cribs, car seats, strollers, bedding, and a wide range of accessories and decorative items. JPMA has been recognized as an organization dedicated to enhancing children's product safety. JPMA's extensive history of leadership in juvenile product safety includes the development of a comprehensive Certification Program to help guide parents and caregivers toward purchasing juvenile products that are built with safety in mind. JPMA continues to work with government officials, consumer groups, and industry leaders on programs to educate consumers on the safe selection and use of juvenile products. *Naptime to Nighttime* and Baby Safety Month are only a few of the programs JPMA sponsors to keep today's safety conscious parents informed.

JPMA is urging the State of Maryland to refrain from promulgating a rule defining bumper pads as a hazardous product. No state or federal government has taken such action, and Maryland should not be the first state in the country to do so. As noted by the Consumer Product Safety Commission, there is no evidence of a causal connection between crib bumpers and suffocation, when the product is used as intended.

On May 9, 2010, upon request the JPMA filed comments to the Department of Health and Mental Hygiene on the use of bumper pads in infant cribs. In those comments we noted that the scientific research firm, Exponent Failure Analysis was producing an output report from an independent research study conducted this year on crib bumpers. That report is now complete and enclosed for your reference.

The report concludes that investigations into sleep environments of infants consistently fail to identify crib bumpers as a unique or separate source of serious injury or death to sleeping infants. Studies focusing efforts on evaluating sleep-related hazards generally, and crib bumpers explicitly, similarly do not find traditional crib bumpers to present a significant risk. Although, an article, by Thach et al. (2007), presents contrasting findings, suggesting that crib bumper pads may pose an increased suffocation hazard, significant methodological problems related to both the selection of incidents for inclusion and the analytical treatment of these data raised concern as to the validity of their ultimate conclusions. Indeed, Exponent's reanalysis of the same fatality data leads



to conclusions consistent with the majority of research on this matter. Furthermore, Exponent's attempt to recreate the cited "injury analysis" found significant methodological and analytical concerns. A more thorough analysis of the injuries that occur to infant children within the crib demonstrates that crib bumpers actually serve to mitigate injury (e.g., lacerations, fractures) across a variety of the common accident modes (e.g. contact with railing, extremities caught between railings). This message is consistent with the comments from Dr. Eric Levey, President of the Maryland Chapter of the American Academy of Pediatrics.

Exponent is continuing to review data on this issue. Access to the National Electronic Injury Surveillance (NEISS) database maintained by the CPSC provides a limited description of incidents. As a result, the JPMA and Exponent requested more thorough incident reports in order to conduct an in depth review of data. Summaries of CPSC positions to date are also being provided.

As you will see, in the majority of cases where there was some information upon which a review could be performed, it was evident that significant risk factors include the fact that infants were in the prone position (as opposed to the long recommended supine sleep position) and involved other confounding factors such as suffocation and positional asphyxia in a crowded sleeping setting where pillows, other primarily adult bedding material, and clutter were found. A review of data since supine sleeping has been established by medical authorities as the recommended sleep position, actually demonstrates dramatic reductions in fatalities and reduces the risk of inappropriately used adult bedding products in infant sleep environments.

As a result of these findings, the state of Maryland should not ban bumpers, but instead efforts should focus on education to consumers about creation and maintenance of a safe sleep environment. JPMA would like to partner with your department on continued educational efforts and warning of this hazard to residents of the state of Maryland.

JPMA remains fully supportive of safe sleep education. JPMA urges you to implement regulations in a consistent manner based on sound research principles and scientific data. We hope that your own review will distinguish between risks attributable to prone sleeping on adult bedding or pillow-like products as opposed to reduced risks associated with back sleeping with traditional baby bedding products.

We appreciate the opportunity to share the conclusions of this report for your consideration. The JPMA and Exponent would very much appreciate the opportunity to meet in person with you to discuss this issue and the research which addresses the use of bumper pads in cribs. Our local counsel, Robert Enten, would be glad to coordinate the scheduling of the meeting with your office. Thank you for considering our views.

Sincerely,

Michael Dwyer, CAE  
Executive Director

---

**Juvenile Products Manufacturers Association, Inc.**

15000 Commerce Parkway, Suite C • Mt. Laurel, NJ 08054 • 856.638.0420 • 856.439.0525

E-mail: [jpma@ahint.com](mailto:jpma@ahint.com) • Website: [www.jpma.org](http://www.jpma.org)