



Maryland Department of Health and Mental Hygiene
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Martin O'Malley, Governor – Anthony G. Brown, Lt. Governor – Joshua M. Sharfstein, M.D., Secretary

Q & A - Proposed Regulation Banning Baby Bumper Pads

Why is Maryland's Health Department proposing to ban the sale of baby bumper pads?

- Baby bumper pads pose a risk of suffocation, strangulation, and death. This risk outweighs any potential benefit from the use of bumper pads.
- The proposed regulation banning the sale of baby bumpers is a component of a larger effort to promote safe sleep in infants. Families are encouraged to follow the ABCs of sleep. Babies should sleep Alone, on their Backs, and in a Crib.
- The American Academy of Pediatrics (AAP) has also issued recommendations against the use of bumper pads in infant cribs.
- The Department's proposal follows a year of expert and public consultation. A companion special document summarizing the evidence and basis for the proposed ban will be published along with the proposed regulation in the July 13, 2012 Maryland Register.

Which types of baby bumper pads are subject to the proposed ban?

- The ban would apply to baby bumper pads which are made of a non-mesh type material resting directly above the mattress running circumferentially along the length of the each of the interior sides of the crib intended to be used until the age that an infant pulls to stand. The proposed ban would not apply to vertical bumpers that wrap tightly around each individual crib rail or mesh crib liners.
- The Maryland DHMH does not endorse any product for use as bumpers in infant cribs and supports the ABCs of safe sleep, which include that infants should sleep Alone, on their Back and in the Crib.

When would the proposed ban take effect?

- Public comment on the proposed regulation will be accepted until August 13, 2012.
- As requested by the Maryland Retailers Association, the proposed regulation allows 9 months for retailers to prepare to comply with the ban. The proposed regulation banning the sale of baby bumper pads would take effect on June 21, 2013 and will be part of a larger public education campaign on infant "safe sleep."

Will the proposed ban also affect online sales of baby bumper pads?

- The proposed regulation would prohibit online sales of baby bumper pads to purchasers in Maryland.

Does the proposed ban prohibit the use of a baby bumper pad in Maryland?

- No. The proposed ban applies only to the sale of these products. However, parents are advised not to use these products in order to avoid the risks associated with baby bumper pads.

As proposed, will the ban still be in effect if new voluntary industry standards for baby bumper pads are adopted?

- If the American Society for Testing and Materials (ASTM) adopts new voluntary standards for baby bumper pads, the Secretary will provide an opportunity for public comment on whether the industry standard should replace Maryland standards. The Secretary has the authority to conform Maryland's regulations to ASTM standards if justified by the evidence.

As proposed, will the ban still be in effect if the Consumer Product Safety Commission finds that the benefits of baby bumper pads outweigh the risks?

- If the Consumer Product Safety Commission (CPSC) finds benefits of certain baby bumper pads exceeds the risk, then the Secretary can issue an order suspending the ban for those baby bumper pads.

How will the proposed ban be enforced?

- The Health Department will be able to issue a warning to any individual who ships or sells baby bumper pads to a purchaser in Maryland. If there continues to be violation of the regulation after a warning is issued, a fine of up to \$500 for each baby bumper shipped or sold can be assessed.

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