



**United States  
CONSUMER PRODUCT SAFETY COMMISSION  
4330 East West Highway  
Bethesda, MD 20814**

This document has been electronically approved and signed.

**BALLOT VOTE SHEET**

**DATE:** March 28, 2012

**TO:** The Commission  
Todd Stevenson, Secretary

**THROUGH:** Cheryl A. Falvey, General Counsel  
Kenneth R. Hinson, Executive Director

**FROM:** Patricia M. Pollitzer, Attorney, OGC

**SUBJECT:** Agency Information Collection: Safety Standards for Full-Size and Non-Full Size Cribs; Verification of Compliance Form

**BALLOT VOTE DUE:** April 3, 2012

Attached for Commission consideration is a draft *Federal Register* notice on a proposed collection of information for a pilot program for CPSC staff to visit child care centers to measure compliance with the CPSC’s crib standards. The information to be collected under this program is likely to be considered a collection of information subject to approval by the Office of Management and Budget (“OMB”) under the Paperwork Reduction Act (“PRA”) of 1995. Under the PRA, the first step in obtaining OMB approval is publication of a *Federal Register* notice providing the opportunity for public comment on the proposed collection of information.<sup>1</sup>

Please indicate your vote on the following options:

- I. Approve publication of the draft notice in the *Federal Register*.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

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<sup>1</sup> This collection of information does not fall within the scope of the authority delegated to the Office of the General Counsel under Order No. 0315.8, which is limited solely to *Federal Register* notices required by the PRA, where such notices involve the obtaining of information of facts or opinions by imposing reporting or recordkeeping requirements on 10 or more persons, other than employees of the United States; or collections of information associated with procurement of goods or services; or collections of information undertaken as “[f]ollow-up activities for product-related injuries.”

II. Approve publication of the draft notice in the *Federal Register*, with changes.  
(Please specify.)

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\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

III. Do not approve publication of the draft notice in the *Federal Register*.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

IV. Take other action. (Please specify.)

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\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Attachment: Draft *Federal Register* Notice; Proposed Collection; Comment Request – Safety Standards for Full-Size Baby Cribs and Non-Full-Size Baby Cribs; Compliance Form

Billing Code 6355-01-P

**CONSUMER PRODUCT SAFETY COMMISSION**

**Proposed Collection; Comment Request –  
Safety Standards for Full-Size Baby Cribs and  
Non-Full-Size Baby Cribs;  
Compliance Form (Docket No. CPSC-2012-0019)**

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice.

**SUMMARY:** As required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Consumer Product Safety Commission (“CPSC” or “Commission”) requests comments on a proposed collection of information regarding a form that will be used to measure child care centers’ compliance with the recent CPSC safety standards for full-size and non-full-size cribs. The Commission will consider all comments received in response to this notice before requesting approval of this collection of information from the Office of Management and Budget.

**DATES:** Written comments must be received by the Office of the Secretary not later than **[INSERT DATE WHICH IS 60 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC-2012- 0019, by any of the following methods:

Submit electronic comments in the following way:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. To ensure timely processing of comments, the

**DRAFT 3-9-12**

Commission is no longer accepting comments submitted by electronic mail (e-mail), except through [www.regulations.gov](http://www.regulations.gov).

Submit written submissions in the following way:

Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions), preferably in five copies, to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to <http://www.regulations.gov>. Do not submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>. A copy of the draft compliance form is available at <http://regulations.gov> under Docket No. CPSC-2012-0019, Supporting and Related Materials.

**FOR FURTHER INFORMATION CONTACT:** For information about the proposed collection of information call or write Patrick Weddle, Office of Information Technology and Technology Services, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7654 or by e-mail to [pweddle@cpsc.gov](mailto:pweddle@cpsc.gov).

**SUPPLEMENTARY INFORMATION:**

**A. Background**

Section 104(b) of the Consumer Product Safety Improvement Act of 2008 (“CPSIA”) requires the CPSC to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be substantially the same as applicable voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product.

On December 28, 2010, we issued a final rule establishing safety standards for full-size and non-full-size baby cribs in response to the direction under section 104(b) of the CPSIA (75 FR 81766). Section 104(c) of the CPSIA specifies that the crib standards will cover used, as well as new cribs. The crib standards apply to anyone who manufactures, distributes, or contracts to sell a crib; to child care facilities, and others holding themselves out to be knowledgeable about cribs; to anyone who leases, sublets, or otherwise places a crib in the stream of commerce; and to owners and operators of places of public accommodation affecting commerce. The standards require manufacturers and importers of these products to maintain sales records for a period of six years after the manufacture or importation of the cribs and also contain requirements for marking and instructional literature.

CPSC staff intends to visit child care centers to measure compliance with the crib safety standards. Information from those visits would be recorded on a “Verification of Compliance Form.” CPSC investigators or designated state or local government officials will use the form, which will be filled out entirely at the site during the normal course of

## **DRAFT 3-9-12**

the visit. The Commission intends to use the information to measure compliance with the crib safety standards and to develop an enforcement strategy.

We intend to begin with a pilot program in 2012, that would involve conducting visits to approximately 70 child care centers in seven states. Depending on the results of the pilot program, we would expand the program in 2013, although expansion of the program's size would depend upon the availability of CPSC resources.

### **B. Estimated Burden**

CPSC staff estimates that there may be approximately 70 inspections during the pilot program in 2012. Because the investigators will be talking to the child care facility staff at the time of the inspection and asking questions to help complete the form, CPSC staff estimates that the burden hours for child care facility staff to respond to the questions will be approximately a quarter of an hour per inspection. Thus, the estimated total annual burden hours for respondents are approximately 17.5 hours (70 inspections x a quarter of an hour per inspection). CPSC staff estimates that the annualized cost to all respondents is approximately \$383.43 based on an hourly wage of \$21.91 per hour ( $\$21.91 \times 17.5$ ). (Bureau of Labor Statistics ("BLS"), total compensation for all workers, sales and office for service-producing industries, Employer Costs for Employee Compensation Table 9, September 2011).

CPSC staff estimates that it will take an average of a quarter of an hour to review the information collected. The annual cost to the federal government of the collection of information in these regulations is estimated to be \$704.26. This is based on an average wage rate of \$28.13 (the equivalent of a GS-9 Step 5 employee). This represents 69.9 percent of total compensation (Bureau of Labor Statistics, September 2011, percentage

wages and salaries for all civilian management, professional, and related employees, Table 1). Adding an additional 30.1 percent for benefits brings the average hourly compensation for a GS-9 Step 5 employee to \$40.24. Thus, 35 hours for conducting and reviewing (17.5 hours plus 17.5 hours) the information multiplied against an hourly compensation figure of \$40.24 results in an estimated cost to the government of \$1,408.40.

**C. Request for Comments**

The Commission solicits written comments from all interested persons about the proposed collection of information. The Commission specifically solicits information relevant to the following topics:

- Whether the collection of information described above is necessary for the proper performance of the Commission’s functions, including whether the information would have practical utility;
- Whether the estimated burden of the proposed collection of information is accurate;
- Whether the quality, utility, and clarity of the information to be collected could be enhanced; and
- Whether the burden imposed by the collection of information could be minimized by use of automated, electronic, or other technological collection techniques, or other forms of information technology.

Dated:

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Todd A. Stevenson, Secretary,  
Consumer Product Safety Commission.



**U.S. Consumer Product Safety Commission (CPSC)**  
**Safety Standards for Full-Size Baby Cribs and Non-Full-Size Baby Cribs**  
**16 CFR Parts 1219 and 1220**  
**Verification of Compliance Form**

**PART I – Child Care Center Information**

OMB Control Number:

Investigator Name:		Date of Visit:	
Facility Name:		License/Permit Number:	
Address:	Phone Number:	Fax Number:	
City:	State:	Zip Code:	
Please indicate Facility Type: Example: Child Care Center, Family Child Care, etc.	E-mail Address:		
	Responsible Jurisdiction:		
Contact Name:	Title:		
Contact Address (complete if different from above):	Phone Number:	Fax Number:	
City:	State:	Zip Code:	E-mail:

**PART II – Crib Safety Information - 16 CFR Parts 1219 and 1220** (Attach more sheets for Part II if necessary)

Total Number of Cribs in Facility <input type="text"/>						
Crib	Date of Purchase	Manufacturer & Model	Manufacture Date	Children's Product Certificate (Y/N)	Tracking Label (Y/N)	Registration Card (Y/N)
1.						
2.						
3.						
4.						
5.						
6.						

**PART IIa – Provide the following pictures for each crib listed as attachments to this form:**

1. Picture of Crib
2. Picture of Tracking Label
3. Picture of Crib Labeling

### Part III - Definitions

**Registration Card** means a postage-paid consumer registration form provided by the manufacturer with each product. Registration Cards must identify the manufacturer's name and contact information, model name, model number, and the date of manufacture.

**Tracking Label** means a permanent, distinguishing mark on the product and its packaging, to the extent practicable, which must contain certain basic information, including the source of the product, the date of manufacture, and cohort information, such as batch or run number.

**Children's Product Certificate (CPC)** means a certificate that certifies that such children's product complies with the children's product safety rule based on the assessment of a third-party conformity assessment body accredited and accepted by the Commission to conduct such tests and identifies: the product covered by the certificate, the safety regulation to which the product is being certified, the importer or domestic manufacturer, contact information for the individual maintaining records of test results, date and place where the product was manufactured, date and place where the product was tested, and identification of the third party laboratory on whose testing the certificate depends.

### Part IV – Compliance Date Awareness

Is the Child Care Provider aware of the December 28, 2012 Compliance Date? Yes  No

If yes, how did they become aware?

- CPSC Website
- CPSC Educational Materials
- State/Local Child Care Licensing Agency
- Trade Associations
- Federal Register
- Other

### Part V - CPSC Information and Education Materials Delivered to Facility

- Child Care Professionals, Safer Products.gov
- Neighborhood Safety Network Poster – A Safer Generation of Cribs
- Child Care Providers – Your Guide to New Crib Standards
- Sign up for Recalls
- Other \_\_\_\_\_

List additional CPSC Educational Materials requested

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Mail Directly to Center? Yes \_\_\_\_\_ No \_\_\_\_\_

Send to:

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**Part VI - Comments**

Comments		
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CPSC Investigator - Print Name	Signature	Date
CPSC Form Number _____		

**Note: This form must be completed by CPSC staff or the designated state or local government official.**

**The U.S. Consumer Product Safety Commission has requested approval from the Office of Management and Budget for the collection of information associated with this form. In the absence of such an approval, you are not required to provide the information requested to complete this form.**