

December 20, 2012

Dear Legally-Exempt Child Care Provider:

The purpose of this letter is to inform you of new health and safety requirements for cribs. **Beginning December 28, 2012, any crib provided by a child care program must meet new and improved federal safety standards.** The new standards address deadly hazards previously seen with traditional drop-side rails, require more durable hardware and parts and mandate more rigorous testing

HOW DO I KNOW IF MY CRIB NEEDS TO BE REPLACED?

The US Consumer Product Commission (CPSC) has posted a document that answers questions about how to determine whether a particular crib is compliant with the applicable CPSC standard. You can view the entire document at: <http://www.cpsc.gov/info/cribs/cribenforce.html>.

For your convenience, part of the CPSC document addressing how to determine if a crib is compliant is pasted below.

1. Determine the manufacture date based on the tracking label on the crib or the registration form supplied. For purposes of legally-exempt child care provider enrollment, we will presume that cribs manufactured on or after June 28, 2011 are compliant.
 - If the tracking label or registration form on the crib indicates that the crib was **manufactured after June 28, 2011**, no additional documentation is necessary to determine compliance with 16 C.F.R. part 1219 or 16 C.F.R. part 1220.
 - If the crib was **manufactured prior to June 28, 2011**, a Children's Product Certificate (CPC) or test report from a CPSC-accepted third party lab is the preferred way to demonstrate compliance with 16 C.F.R. part 1219 or 16 C.F.R. part 1220. While manufacturers, importers, and retailers are not required to supply CPCs or test reports to consumers, many will provide these documents to consumers upon request, or they post them on their websites.
2. If the crib **does not** have a tracking label or registration form affixed to it:
 - If the crib was **purchased prior to June 28, 2011**, and does not have a tracking label or registration form, it is unlikely that it has been certified as being compliant with current CPSC crib standards. However, consumers may contact the manufacturer or retailer to determine which, if any, standard to which the crib has been certified.
 - If the crib was **purchased after June 28, 2011**, and it does not have a tracking label or registration form, contact the CPSC's Office of Compliance and Field Operations at jjirgl@cpsc.gov. Compliance staff will use this information when following up with the manufacturer or importer.

- Receipts alone are not an indicator of compliance and should only be used to support the documents identified above when determining compliance.

WHICH CHILD CARE PROVIDERS ARE AFFECTED?

The new crib standard impacts the following legally-exempt child care providers enrolled to provide subsidized child care:

- *All legally-exempt group programs* must be in compliance with the new standard for any crib on the premises. Please note, however, these programs should not be caring for children under the age of three.
- *Family child care providers*, who are providing care for children in the provider's home or another residence that is not the children's residence.

CHILD CARE PROVIDERS WHO ARE NOT AFFECTED

The new crib rule does not apply to the following legally-exempt child care situations in New York State:

- *Legally-exempt in-home* child care providers
- Legally-exempt family child care providers *who have an in-home component, ONLY in regards to the children who are being cared for in their own home.*

If you have any questions about these new federal safety standards, please email the U.S. Consumer Product Safety Commission at feedback@cpse.gov or call the toll-free number at 1-800-638-2772.

Sincerely,



Janice M. Molnar, Ph.D.
Deputy Commissioner
Division of Child Care Services