

New Law in NY

August 27, 2019 - NEW YORK, NY - New York Governor Andrew Cuomo signed Harper's Law in August, legislation designed to reduce the number of children harmed by furniture tipping over.

The law contains several ambiguities AHFA is attempting to clarify to help member companies comply with the new measure.

"AHFA believes the intent of Harper's Law is to require retailers to sell clothing storage furniture that complies with the current voluntary furniture stability standard, ASTM F2057-19," explains AHFA Vice President of Regulatory Affairs, Bill Perdue. "AHFA supported this effort."

However, when the new law was enacted last month, New York officials stated that retailers could sell *either* furniture that complies with federal and industry standards or sell tip-restraint devices for non-compliant furniture and include a warning label on the product. A store notice informing consumers of safety risks associated with unanchored furniture is also required when non-compliant furniture is sold.

Because previous versions of F2057 required a tip restraint and a permanent warning label, AHFA has confirmed that it is not necessary for manufacturers or retailers to update the labeling on legacy inventory that complies with the 2017 version of F2057.

"We are not as clear on how retailers should handle inventory that fails to comply with any version of F2057," said Perdue. If non-compliant clothing storage units can still be sold after the law takes effect in November, providing those products carry a permanent warning label and the store offers tip restraints, then companies will need further guidance on what the label on these products should state, since this is not specified in the law.

The law takes effect November 11 (90 days after enactment). It was named after three-year-old Harper Fried, of Hudson Valley, New York, who died in 2016 after her bedroom dresser fell on top of her.