

[New York Passes Furniture Stability Law](#)

June 5, 2019 – ALBANY, N.Y. – The New York State Assembly passed “Harper’s Law” on Thursday, May 30 – legislation that prohibits retailers in the state from selling clothing storage furniture that does not comply with the current voluntary furniture stability standard, unless the retailer provides a tip restraint and consumer warning for the non-compliant furniture.

If signed by New York Governor Andrew Cuomo, retailers will have 90 days to comply.

Harper’s Law requires all new clothing storage furniture sold in retail stores or online to New York consumers to comply with stability standards set by the U.S. Consumer Product Safety Commission (CPSC) or, in the absence of a mandatory federal standard, with the ASTM International voluntary furniture stability standard. Presently, there is no mandatory federal standard. The current version of the ASTM voluntary standard is F2057-17.

“While we support the purpose of Harper’s Law – which is to require compliance with the stability requirements of ASTM F2057-17 – the American Home Furnishings Alliance favors a mandatory federal standard and has called on the CPSC to develop one based on ASTM F2057-17. Without it, we are likely to see a patchwork of state regulations, resulting in confusion for manufacturers, retailers and consumers alike,” stated Andy Counts, CEO of the AHFA.

Harper’s Law applies to freestanding clothing storage furniture 27 inches or taller, “including but not limited to chests, dressers, armoires and bureaus.” Since ASTM F2057-17 applies only to clothing storage furniture over 30 inches in height, New York legislators included a provision in their law to cover products between 27 and 30 inches that, currently, are outside the scope of the voluntary standard.

Retailers may sell clothing storage furniture that does not comply with F2057-17 – such as units between 27 and 30 inches – but only if they include a tip restraint with the product and apply a permanent warning label on each piece. The legislation does not include the language for the prescribed warning label.

Alternatively, the retailer can sell tip restraints separately for the non-compliant furniture, as long as they keep those tip restraints in stock and prominently display them in the store. Further, if they choose this option, they also must post a warning notice in the store in lieu of the on-product warning label. The notice must be “in a conspicuous location” in the store, and it must state:

“Certain furniture may become unstable and tip over, leading to possible injury or death. Tip restraint devices may prevent tipping of furniture when properly installed.”

The ASTM Subcommittee on Furniture Safety currently is voting on an update to F2057-17 that would expand the scope of the voluntary standard to include clothing storage furniture 27 to 30 inches. A decision is anticipated at the end of June.

To help retailers identify compliant manufacturing partners, AHFA developed a “WE COMPLY” tent card that its member companies display in their showrooms during Las Vegas and High Point furniture markets. It indicates that the company’s clothing storage furniture is manufactured to meet all stability requirements within the ASTM standard. Retailers are urged to look for the cards and to source bedroom furniture only from companies that can demonstrate compliance.

To help consumers find compliant clothing storage furniture, AHFA collaborated with UL on a

“Stability Verified” mark. The mark appears in an on-product label and indicates the furniture meets all stability requirements within the current version of ASTM F2057. Any updates to the standard immediately become incorporated into the Stability Verified program. Consumers can find participating manufacturers and a list of compliant model numbers at <https://verify.ul.com>.

Harper’s Law is named in memory of Harper Fried, a three-year-old Hudson Valley, N.Y., girl who died in 2016 while playing in her bedroom. Her parents believe she may have been climbing her dresser when it fell on her. The dresser was purchased new from a retailer who specialized in children’s products. Through the non-profit organization, HarperSmiles Inc., the family has tried to raise awareness about furniture tip-over and other home safety and health hazards.