



## ***Statement on STURDY Act***

The ***American Home Furnishings Alliance*** (hereafter AHFA) is the largest and most influential trade association serving the U.S. home furnishings industry. AHFA's 350 member companies operate both domestic and overseas manufacturing facilities and comprise an extensive global supply chain that provides home furnishings in every price point and style category to American consumers. Member companies provide approximately 50,000 manufacturing jobs throughout the United States and contribute to a \$35 billion segment of the nation's economy. AHFA member companies have operations in 31 states and multiple foreign countries.

Within this global network of manufacturers, importers and retailers of home furnishings products, AHFA is the sole source of industry-specific education and guidance on regulatory compliance issues. This is at the core of AHFA's mission. In fact, gaining access to timely and accurate education and guidance on regulatory issues is the primary reason companies join AHFA. Our first responsibility in this area is to our membership; but, within our limited resources, we provide education and guidance to the industry at large.

### ***The STURDY Act - S. 1902/H.R. 2211***

AHFA supports a mandatory stability standard that holds all manufacturers to a rigorous safety standard for clothing storage furniture. To that end, AHFA welcomes the Consumer Product Safety Commission's (CPSC) recent moves to expedite a Notice of Proposed Rulemaking for a mandatory furniture stability standard under Sections 7 and 9 of the Consumer Product Safety Act. AHFA believes CPSC should expend the necessary resources on this effort in 2020 to ensure the goal is met. On February 20, at the International Consumer Product Health & Safety Organization annual meeting, Acting CPSC Chair Bob Adler said the development of this

mandatory standard is already “well underway,” and is, in fact, among the CPSC’s priorities for 2020.

A mandatory national stability standard from CPSC would make the STURDY Act unnecessary. In addition, STURDY cannot deliver the rigorous stability standard that is needed because:

- As proposed, STURDY mandates specific technical provisions that have not been clearly defined, researched, nor even shown to be feasible; and,
- Because the proposed technical requirements of STURDY are ambiguous – and may even be found to create new hazards – there can be no clear pathway to compliance, and this could render the resulting standard unenforceable.

AHFA understands the resources that are necessary for CPSC to develop a mandatory standard and believes STURDY could assist the effort if these critical flaws are addressed. For example, STURDY could be amended to meet the following goals:

1. Align the definition of clothing storage unit with the current version of ASTM F 2057-19 and provide language that would automatically update this definition to any subsequent revisions.
2. Apply the current proposed STURDY Act requirements found in Section 2 (b)(1)(B) to ‘Children's Products’ only as defined by Section 3(a)(2) of the Consumer Product Safety Act [15 U.S.C. § 2052].
3. Mandate the current requirements of ASTM 2057-19 for clothing storage units that are typical of the bedroom, not defined as ‘children’s products’, and intended for general use.

This can be accomplished with these potential amendments:

- Replace Section 2(a)(1) with the ASTM definition for CSU and delete Section 2 (a)(2).
- Revise Section 2 (b)(1)(B) to read as follows: (B) in accordance with Section 553 of Title 5, U.S.C., promulgate a final consumer product safety standard for free-standing clothing storage units designed or intended primarily for children 12 years of age or younger to protect children from tip-over related death or injury that includes ...

- Add a Sec. 2 (b)(2) that reads as follows: (2) ADOPTION OF ASTM 2057-19 –  
Beginning on the date that is 180 days after the date of enactment of this Act, and except as provided in in Paragraph (1), the ASTM 2057-19 standard shall be treated as a consumer product safety rule promulgated under Section 9 of the Consumer Product Safety Act (15 U.S.C. 2058)

These amendments place increased scrutiny on those products intended for use by children and will allow consumers to identify products that meet this additional level of safety. At the same time, this approach retains the proven and effective ASTM 2057-19 standard for those clothing storage units intended for general use. This will effectively address the identified and critical issue of non-compliance.