

FIGURE 4 TO PART 1513—NECK PORTION OF “B” SECTION OF PROBE ENTERS COMPLETELY INTO OPENING

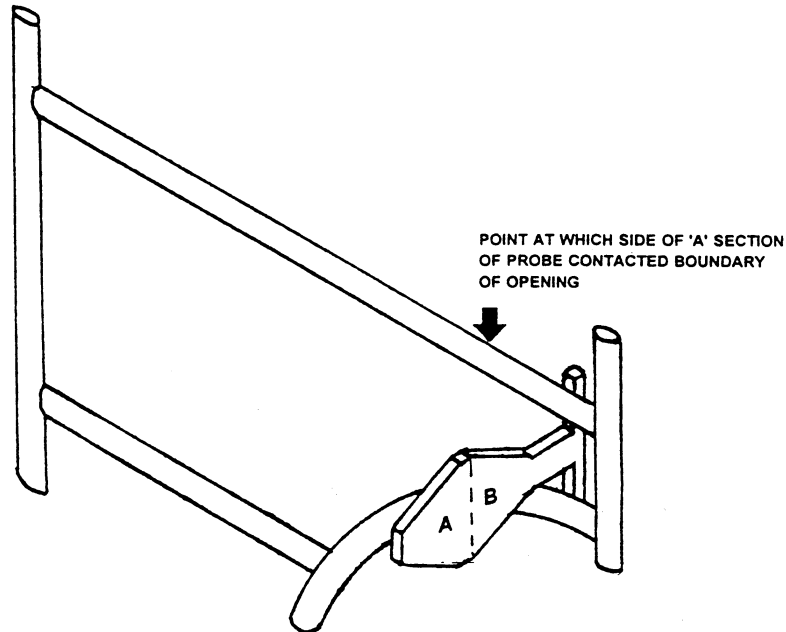


Fig 4 – Neck Portion of “B” Section of Probe Enters Completely into Opening

APPENDIX TO PART 1513—FINDINGS UNDER THE FEDERAL HAZARDOUS SUBSTANCES ACT

The Federal Hazardous Substances Act (FHSA) requires that the Commission, in order to issue part 1513, make the following findings and include them in the rule. 15 U.S.C. 1261(s), 1262(i). Because of this, the facts and determinations in these findings apply as of the date the rule was issued, December 22, 1999.

A. *Bunk beds present a mechanical hazard.* Section 2(s) of the FHSA states that an “article may be determined to present a mechanical hazard if, in normal use or when subjected to reasonably foreseeable damage or abuse, its design or manufacture presents an unreasonable risk of personal injury or illness * * * (3 from * * * surfaces, edges, openings, or closures * * * , or (9) because of

any other aspect of the articles design or manufacture.” 15 U.S.C. 1261(s).

2. For a recent 9.6-year period, the CPSC received reports of 57 deaths of children under age 15 who died when they were trapped between the upper bunk of a bunk bed and the wall or when they were trapped in openings in the bed’s structure. Over 96% of those who died in entrapment incidents were age 3 or younger. On average, averting these deaths is expected to produce a benefit to society with a present value of about \$175 to \$350 for each bed that otherwise would not have complied with one or more of the rule’s requirements.

3. This increased safety will be achieved in three main ways. First, all bunk beds will be required to have a guardrail on both sides of the bed. If the bed is placed against a wall, the guardrail on that side is expected to prevent a child from being entrapped between the bed and the wall. The guardrail on the