

1 H.34

2 Introduced by Representative Till of Jericho

3 Referred to Committee on

4 Date:

5 Subject: Commerce and trade; consumer protection; child safety

6 Statement of purpose of bill as introduced: This bill proposes to prohibit the
7 manufacture, sale, or transfer of baby bumper pads in this State.

8 An act relating to banning baby bumper pads

9 It is hereby enacted by the General Assembly of the State of Vermont:

10 Sec. 1. 9 V.S.A. chapter 63, subchapter 1B is amended to read:

11 Subchapter 1B. Children's Product Safety

12 § 2470a. ~~DEFINITION~~ DEFINITIONS

13 As used in this subchapter,:

14 (1) "Baby bumper pad" means a pad of nonmesh material:

15 (A) designed to rest directly above the mattress in a crib, or to run the
16 circumference of a crib or along the length of an interior side of a crib; and

17 (B) intended to be used until the age an infant pulls to stand.

18 (2)(A) ~~children's~~ Children's product means a product that is designed
19 or intended for the care of, or use by, children under six years of age (whether
20 or not it is also designed or intended for the care of or use by children six years

1 of age or older), and the product is designed or intended to come into contact
2 with the child while the product is used.

3 (B) A product is not a “children’s product” for purposes of this
4 subchapter if:

5 ~~(1)~~(i) it may be used by or for the care of a child under six years of
6 age, but is designed or intended for use by the general population, and not
7 solely or primarily for use by or the care of a child; or

8 ~~(2)~~(ii) it is a medication, drug, or food or is intended to be ingested.

9 § 2470b. UNSAFE CHILDREN’S PRODUCTS; PROHIBITION

10 * * *

11 (e) It shall be an unfair or deceptive act or practice in commerce and a
12 violation of section 2453 of this title, subject to enforcement and subject to the
13 rights and remedies provided by subchapter 1 of this chapter, for a person to
14 manufacture, and to sell, contract to sell, resell, lease, sublet, or otherwise
15 place in the stream of commerce; the following:

16 (1) on or after January 1, 2002, a children’s product that does not
17 conform to all federal laws and regulations setting forth standards for the
18 children’s product, including standards endorsed or established by the federal
19 Consumer Product Safety Commission and the American Society for Testing
20 and Materials; and

