UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION

In re: 16 CFR § 1051 Petition for Rulemaking
Eliminating Accessible Cords
On Window Covering Products

Petitioners:

Parents for Window Blind Safety,
Consumer Federation of America,
Consumers Union,
Kids in Danger,
Public Citizen,
U.S. PIRG,
Independent Safety Consulting,
Safety Behavior Analysis, Inc.,
Onder, Shelton, O'Leary & Peterson,

PETITION FOR RULEMAKING

Petitioners, Parents for Window Blind Safety, Consumer Federation of America, Consumers Union, Kids in Danger, Public Citizen, U.S. PIRG, Independent Safety Consulting, Safety Behavior Analysis, Inc., and Onder, Shelton, O'Leary & Peterson, LLC (hereinafter "Petitioners"), pursuant to 16 CFR § 1051 state to the U.S. Consumer Product Safety Commission as follows:

INTRODUCTION

The U.S. Consumer Product Safety Commission (hereinafter "CPSC") has long recognized window covering cords as a hidden strangulation and asphyxiation hazard to children and today continues to include it as one of the top five hidden hazards in the home. (CPSC, 2007, CPSC 2013a) Since 1985, the CPSC has worked with and repeatedly pressed the window covering industry (hereinafter "Industry") to eliminate these hazards, through public education, multiple corrective actions, and the voluntary standards development process. Despite these efforts, the voluntary standard (first passed in 1996 and most recently revised in 2012) remains inadequate and continues to permit window coverings with hazardous accessible cords that injure and kill young children.

The unresolved issue of window covering cord injuries and deaths is not limited to the United States. Indeed, global frustration over this on-going hazard resulted in the June

15, 2010 joint action by the CPSC, Health Canada and the European Commission wherein they joined together "in agreement on the need for immediate action," and made a trilateral request to the Industry for "support [of] a swift and comprehensive process that concurrently eliminates the risk factors causing deaths and injuries from all types of corded window covering products." (CPSC, HC, DG SANCO, 2010)

Acting upon the trilateral request, the Window Covering Manufacturers Association (hereinafter "WCMA") undertook a fifth revision of the voluntary standard, ANSI/WCMA A100.1 American National Standard for Safety of Corded Window Covering Products. When it appeared that the renewed standards writing efforts were not satisfactorily addressing the major hazards responsible for injury and death, CPSC Chair Inez Tenenbaum wrote to the Industry on June 1, 2011, re-invoking the international call for a standard that eliminates window covering hazards, and stating, "I reaffirm to you my call for a comprehensive revised voluntary standard that eliminates – not just reduces – the strangulation risks from window coverings." (CPSC, 2011a) Ultimately, the inadequacy of the voluntary standards process, as well as the inadequate result toward which it was clearly heading, led consumer organizations reluctantly to take the unusual step of walking out of the process. (CFA 2011)

Indeed, the call for a standard that would finally eliminate window covering hazards was disregarded. The voluntary ANSI standards development process failed again, when the fifth revision of the ANSI/WCMA A100.1 standard was approved in late 2012 with critical inadequacies. As will be shown below, 28 years after the CPSC first began working with Industry to address these hazards, the latest version of the standard still does not eliminate the major hazards that have caused approximately 40 percent of the deaths and injuries that have occurred since 1996. In fact, the new standard allows for increasing numbers of hazardous accessible cords to be loaded onto new window coverings. If the ANSI/WCMA A100.1 voluntary standard is allowed to stand as the de facto industry safety standard, children will continue to strangle and asphyxiate on unsafe corded window covering products.

Due to Industry's failure to develop a standard that adequately mitigates the risk of strangulation on corded window coverings, the Petitioners hereby formally Petition for Rulemaking under the authority and process set forth in 16 CFR § 1051, *et seq*. and request the Commission to promulgate a mandatory standard that prohibits any window covering cords where a feasible cordless alternative exists, and for those instances where a feasible cordless alternative does not exist, requires that all cords be made inaccessible through the use of passive guarding devices.

HISTORY:
THE FAILURE OF THE VOLUNTARY STANDARDS PROCESS

1985 Safety Alert

Following the reporting of 41 deaths on window covering cords between 1973 and 1980 and an additional report of another 35 deaths between 1981 and 1984, the CPSC approached Industry requesting its cooperative effort in issuing a joint Safety Alert. (CPSC, 1985a) CPSC staff met with representatives of Industry on September 13, 1985 and presented a proposed

Safety Alert that made several recommendations including the cutting of cord loops. (CPSC, 1985b)

A joint Safety Alert was issued on December 20, 1985, but the recommendation to cut cord loops was not included. In fact, Industry did not accept the recommendation to cut cord loops for another nine years. The recommendations that were incorporated into the 1985 Safety Alert were: 1) Keep cords out of the reach of children and utilize safety devices such as cord cleats; 2) Adjust cords to the shortest possible length for the application; and 3) Do not place cribs or other furniture near windows, for furniture gives children added height to reach cords. (CPSC, 1985c)

A year after the 1985 Safety Alert was issued, the WCMA created camera-ready warnings incorporating some of these safety recommendations and made them available for use by manufacturers as bottom rail labels, hang tags and warning sheets. (DWC, 1988) These warnings were used from 1986 until the adoption of the first voluntary standard in 1996, ANSI/WCMA A100.1- 1996.

Warnings alone failed and children continued to be injured and killed:

1985:	11fatalities	2 non-fatalities[1]
1986:	9 fatalities	0 non-fatalities [2]
1987:	8 fatalities	2 non-fatalities [3]
1988:	8 fatalities	0 non-fatalities [4]
1989:	11 fatalities	4 non-fatalities [5]
1990:	11 fatalities	1 non-fatality [6]
1991:	18 fatalities	1 non-fatality [7]
1992:	19 fatalities	0 non-fatalities [8]
1993:	13 fatalities	1 non-fatality [9]

1994 Cord Loops Efforts and Voluntary Corrective Action Plan

Faced with continuing deaths, the CPSC once again engaged Industry, requesting that window covering hazards be addressed through design changes, including the elimination of cord loops as CPSC first brought to Industry's attention in 1985.

In September 1994, Industry, through the newly-created Window Covering Safety Council, (hereinafter "WCSC") agreed to enter into a CPSC Voluntary Corrective Action Plan (hereinafter "VCAP") consisting of public education and outreach, retrofit product distribution, and product design modifications eliminating looped outer cords on certain horizontal window coverings. (WCSC, 1994) Simultaneously, Industry agreed to "look at future design changes to all window covering products (i.e., multiple cord products, vertical, cellular and pleated designs) to incorporate [CPSC] staff approved changes" and "to work under the auspices of ANSI to formalize future design changes that incorporate safer design." (CPSC, 1994a)

In 1993 and1994, both the CPSC and Industry safety consultants had warned that separating outer cord loops on some window coverings was not sufficient by itself to prevent further fatalities and injuries. Both CPSC Human Factors evaluations of the proposed separated tassel/safety tassel redesign, and private studies performed for manufacturers, indicated that

these limited redesigns would not eliminate cord risks or stop fatalities. (FAA, 1993; CPSC, 1994b; CPSC, 1994c; CPSC, 1994d; CPSC, 1994e) Industry was warned that pull cords would re-tangle and knot with use, recreating the cord loop hazard. Similarly, Industry was advised that single cords can wrap around a child's neck, resulting in serious injury or death. Accordingly, the VCAP indicated that it was simply an "interim solution" until better technology could be developed.

Industry codified the efforts of the VCAP into the voluntary standard, ANSI/WCMA A100.1-1996. The 1996 ANSI standard required the elimination of some outer cord loops, which was accomplished by most manufacturers through the use of outer cords with separated tassels and/or a breakaway safety tassel on limited types of window coverings. Also, tie-down devices were required on continuous loop operating systems.

Further, leading up to the 1996 ANSI standard, by letter dated November 21, 1995, the CPSC requested the new standard include warnings for not just outer cord hazards but inner cord hazards, as well. (CPSC, 1995) Industry rejected CPSC's recommendation to include a pictogram educating consumers about the existence of hidden inner cords and failed to create a design standard to prevent inner cord hazards. The only reference to inner cord hazards in the 1996 ANSI standard was the inclusion of a vague, unexplained warning statement about "cords that run through window coverings" on temporary hang tags (that are removed upon installation). The 1996 ANSI standard also did not address a number of other known hazards, including the loops on larger window coverings with more than two outer cords, unnecessarily long cords, multiple cord joiner hazards, exposed rear cords on roman shades, and lifting loops on roll-up shades. The 1997 standard also failed to establish warnings for many hazards that were not otherwise addressed.

As forewarned by the CPSC and safety experts, children continued to strangle on window covering cords with unaddressed hazards; the death and injury toll continued to rise:

1994:	16 fatalities	1 non-fatality[10]
1995:	14 fatalities	4 non-fatalities [11]
1996:	17 fatalities	5 non-fatalities[12]
1997:	16 fatalities	3 non-fatalities [13]
1998:	12 fatalities	2 non-fatality [14]
1999:	7 fatalities	0 non-fatalities [15]
2000:	11 fatalities	5 non-fatalities[16]

2000 Inner Cord/Lift Cord Efforts

By letter dated September 3, 1999, CPSC staff wrote to Industry renewing its concern regarding inner cord strangulation hazards, and pressed for action. Faced with 14 recent inner cord deaths and one injury, the CPSC demanded that Industry also address the hazards associated with inner cord loop formation through design. (CPSC, 1999)

In cooperation with the CPSC, Industry entered into a second Voluntary Corrective Action Plan in September of 2000, again involving public education and outreach, retrofit product distribution, and new product modification. (WCSC, 2000a) Under this VCAP, inner

cord stops were placed on outer cords near the head rail to prevent the formation of an inner cord loop. The retrofit and public education efforts renewed with the continued distribution of safety tassels and continuous loop tie-down devices.

Industry's public education and outreach efforts have consistently included the WCSC's website providing Industry safety recommendations adopted in 2000, including the recommendation that consumers "install only cordless" window coverings in homes with young children. (WCSC, 2011; WCSC, 2000b)

Industry's 2000 VCAP efforts were then codified into a 2002 revision of the voluntary standard, ANSI/WCMA A100.1-2002. This revision of the standard continued to leave many accessible window cords unaddressed.

The ANSI/WCMA A100.1 Standard was again revised in 2007, and then again in 2009 and 2010 following extensive CPSC recalls for un-addressed hazards of rear inner cords on roman shades and lifting loops on roll-up shades.

Piecemeal redesign, retrofit, warnings and public education efforts had limited success, and the toll of injuries and deaths continued to rise:

2001:	11 fatalities	7 non-fatalities[17]
2002:	11 fatalities	9 non-fatalities [18]
2003:	17 fatalities	2 non-fatalities [19]
2004:	6 fatalities	4 non-fatalities [20]
2005:	9 fatalities	6 non-fatalities [21]
2006:	7 fatalities	4non-fatalities [22]
2007:	9 fatalities	3 non-fatalities [23]
2008:	17 fatalities	9 non-fatalities [24]
2009:	14 fatalities	30 non-fatalities [25]
2010:	11 fatalities	14 non-fatalities [26]

While governmental pressures mount, the voluntary standard remains inadequate

Due to the continued inadequacies of the voluntary standard, the U.S. and foreign governments started to increase pressure on Industry. In the 2010 trilateral letter referenced at the start of this petition, the CPSC, Health Canada and the European Commission made clear their directive to Industry that current voluntary standard provisions were not enough and requested they "eliminate the risk factors causing deaths and injuries from all types of corded window covering products."

In 2010, safety experts and consumer organizations, including representatives from Parents for Window Blind Safety, Independent Safety Consulting, Consumer Federation of America, and Consumers Union, were for the first time allowed a limited role in the voluntary standards writing process. All held out great hope for the voluntary process. However, one year later, these safety experts and consumer representatives reluctantly walked out of a voluntary standards meeting and removed themselves from this process, because Industry was ignoring their recommendations and refusing to give them meaningful participation in the standards

writing process. (NYT, 2011)

During the standards writing process, it became clear that loopholes in the voluntary standard were responsible for many injuries and deaths, but were not going to be addressed by Industry. Accordingly, in an August 4, 2011 speech directed to Industry, CPSC Chair Tenenbaum again called Industry to task, declaring, "It is time to 'eliminate' the strangulation risk on window blind cords. Notice how I did not say, 'reduce the hazard,' I said eliminate the hazard." (CPSC 2011b)

The Retailer Industry Leaders Association (hereinafter "RILA") was likewise alarmed, and by letter dated September 12, 2011, urged Industry to adopt standards that eliminate operational cords capable of forming hazardous loops and to address continuous loop tie-down devices. RILA urged Industry to finally agree to address these hazards, requesting that the WCMA "address concerns of RILA, CPSC technical staff, and consumer advocacy groups as you work to develop the improved standard." (RILA 2011)

CPSC Staff comments on the January 23, 2012 proposed version of the voluntary standard primarily addressed the serious remaining risks associated with operating cords and recommended the clear-cut solution of limiting the combined length of all accessible cords to no longer than the neck circumference of the youngest child at risk regardless of the position of the window covering (i.e., raised or lowered, opened or closed). However, as later noted by CPSC, these comments were largely ignored in the final version of the standard: "the major hazards associated with operating cords and looped cords remained the same as the originally proposed version." (CPSC, 2012; CPSC, 2013)

When the ANSI/WCMA A100.1-2012 was approved on November 28, 2012, yet again this standard failed to adequately address the strangulation hazard posed by accessible cords on window coverings. As further detailed below, the standard continues to permit window coverings with hazardous accessible cords that injure and kill young children. After this standard was promulgated, an analysis of window covering incidents between 1996 (the date of the first voluntary standard) and 2012 was conducted. The purpose of this analysis was to identify both the cord characteristic of each window covering and the accident mechanism to determine what cord characteristic was involved, in order to determine whether the 2012 ANSI/WCMA voluntary standard would have prevented the incident from occurring. Based on this analysis, approximately 40% of incidents would not have been prevented. Further**,** the 2012 standard actually permits an increase in the number and types of hazardous accessible cords on some newer window coverings.

And so, 28 years after Industry agreed to work with CPSC to address this hazard, and having been given clear direction and multiple opportunities to develop a meaningful standard, and having been duly warned of the inadequacies of the proposed standard, even this latest version (the sixth attempt) of the ANSI/WCMA A100.1-2012 standard fails to eliminate or adequately reduce the risk of injury and death from accessible window covering cords.

In April of 1994, manufacturer Comfortex Window Fashions foreshadowed what has ultimately been borne out, namely that warning and redesign efforts will fail so long as they involve accessible cords. Comfortex warned, "Until all window coverings are free of cords for

their operation, there will be no true safety if cords are available to small children." (Comfortex, 1994) Comfortex was right in 1994; those prophetic words have stood the test of time.

Recent injury data continues to reflect deaths and injuries from window coverings:

2011:	6 fatalities	2 non-fatalities (data set incomplete) [27]
2012:	5 fatalities	1 non-fatalities (data set incomplete) [28]

MANDATORY RULEMAKING IS APPROPRIATE TO ELIMINATE ACCESSIBLE CORDS ON WINDOW COVERINGS

By statute, efforts to address product hazards through voluntary consensus standards are necessary before a mandatory standard can be promulgated. According to CPSA Section 9(f)(3)(D), the promulgation of a mandatory standard is appropriate when:

> "(i) Compliance with such voluntary consumer product safety standard is not likely to result in the elimination or adequate reduction of such risk of injury; or
>
> (ii) It is unlikely that there will be substantial compliance with such voluntary consumer product safety standard." (15 U.S.C. Section 2058)

Petitioners have carefully examined the injury and death data associated with window coverings and the record of compliance with the voluntary standard, and find that both of these criteria are met in the context of corded window coverings.

Failure of ANSI/WCMA A100.1-2012 to Eliminate or Adequately Reduce Risk

First, examination of available injury and death data reveals that a high number of incidents since passage of the first standard in 1996 would not have been prevented by even the most recent (2012) version of the ANSI/WCMA standard. (Exhibit 1) Of the total 293 incidents between 1996 and 2012, 250 had sufficient information available to make such a determination. Of these 250 incidents, 102 of the injuries and deaths (approximately 40%) would not have been prevented by the current voluntary standard, indicating that an unreasonable risk of injury on corded window coverings continues to exist:

55 Incidents on manufacturer separated outer cords (both pull cords and tilt cords) that caused injury or death via knotted/tangled loops, defective break-away devices, and cord wrap-around.

29 Incidents on window coverings with looped outer cords but where the manufacturer-created loop did not cause the incident. These incidents involved either wrap-around incidents or children caught in tangled/knotted loops.

5 Continuous loop cord incidents where a tension/tie-down device was present at the scene but was either not installed, had pulled out of the wall, or had broken. (CPSC staff has criticized the effectiveness of the active tension device provision, since it is foreseeable that "tension devices may not be installed at all, uninstalled for some reason, or installed incorrectly…" and therefore, "the proper installation of tension devices, a critical component for the safe use of the product, should not have to be done by consumers.") (CPSC, 2012)

6 Other instances caused by a hazardous cord allowed by the standard – such as reverse inner cord incidents and incidents where the victim was caught in a cord joiner loop on a multi-corded window covering.

7 Incidents caused by the manufacturer's failure to make the product according to the voluntary standard in effect at time of manufacture.

Second, even though Industry had already developed cordless window coverings in 1996, and by 2000 was recommending cordless window coverings for families with young children, the voluntary standard still allows corded window coverings.

Third, some manufacturers have taken advantage of weaknesses in the standard to actually increase the number and types of long, accessible cords on newer window coverings, thereby making blinds more hazardous than ever. For example, CPSC In-Depth Investigation (IDI) 120727CCC290 involves the 7/10/12 death of a 3-year-old girl who strangled when she wrapped the tilt cord of a 2010 faux wood horizontal blind around her neck. The blind was manufactured by a large, well-known window covering manufacturer, and was sold and installed by a major home-improvement retailer. Not only does this blind have the hazards of most corded window blinds, such as long pull cords, but it also has a number of newer and functionally unnecessary hazards allowed by the 2012 WCMA/ANSI standard. This blind is more dangerous than traditional corded blinds in at least five different ways:

- It has 2 tasseled tilt cords instead of traditional tilt wand to rotate the slats of the blind. This extra set of cords puts hazardous accessible outer cords on both the left and right side of the blinds (as opposed to only one side with standard pull cords).
- It has unnecessarily long tilt cords that are 2/3 the window's height, even though only a few inches of cord are needed to perform the tilt function.
- It has large flat-topped tassels that are more likely to snag/catch on a single cord wrapped around a child's neck to create deadly loop, and have been implicated by the CPSC in-depth-investigation as a cause of this 7/10/12 death and at least one other death (080915HNE3763).
- It has "inner cords" strung along the outside of both front and back of the blind, instead of through holes in the center of the slats, that are more accessible and attached in a less secure manner. This style of 'inner cords strung on outside of blind' was involved the 10/4/11 death of a child on a 2009 blind (CPSC IDI 111018CCC2027).
- It has doubled the number of pull cords used on each blind, because the traditional single inner cord that run through the slats was replaced with two cords, at both front and back of the slats.

Instead of this blind having two traditional outer cords and a tilt wand, it has six long outer cords, each with a large flat top tassel, that tangle easily, and has moved the inner cords from inside slats to the far more accessible, outside front and back locations. This example illustrates how the voluntary standard does not prohibit Industry from actually increasing the number of hazardous accessible window covering cords.

In all of these respects, the voluntary standard fails to eliminate or adequately reduce the unreasonable risk of injury or death associated with accessible cords on window coverings.

Lack of Substantial Compliance with Voluntary Standards

There is substantial non-compliance with the voluntary standard. A number of manufacturers have ignored basic safety provisions of the voluntary standard, and have manufactured non-compliant window coverings for years and even decades. Since 2007, there have been at least 16 CPSC recalls involving blinds that were not manufactured in compliance with the voluntary standard.

Disturbingly, most of these instances of non-compliance (13 of 16) appear to have been discovered unintentionally as a by-product of CPSC's 2008-2010 focus on roman shade and roll-up shade rear inner cord/lifting loop issues. While evaluating manufacturers' products for roman shade back cord hazards and roll-up shade lift loop issues, CPSC staff caught numerous other violations of the voluntary standard, including looped pull cords, no inner cord stops, no tension devices provided with continuous loop products, and failure to attach a tension device to a continuous loop cord. Almost all of these findings violated voluntary standard requirements that had been in effect since the first standard was published in 1996. Many of these non-complying products were on the market for years, and in one case, for two decades, before they were detected and recalled. (Exhibit 2)

The CPSC does not have the resources to maintain this level of enforcement. This example of how one short-term enforcement effort uncovered numerous standard violations implies that many more undiscovered instances of non-compliance by Industry exist, and that at least some portion of Industry cannot be relied upon to meet voluntary standards and to manufacture compliant products.

DESPITE FEASIBLE SAFE ALTERNATIVES, VOLUNTARY STANDARDS HAVE FAILED

Feasible Safe Alternatives

Safe alternatives exist and are feasible. For example:

Cordless technology

Cordless window covering designs that eliminate pull cords are available and

economically viable. Cordless window coverings, such as pleated shades, horizontal blinds, cellular shades, wood blinds, and roman shades, have been made by a number of firms since approximately 2000 (CPSC, 2000; Hunter Douglas, 2000; Levolor, 2001). Cordless products of up to 78 inches wide and 84 inches long are available in all designs. Our research indicates that the manufacturer's cost of such alternative cordless technology is only $2.00 - $3.00 more than the cost of an unsafe corded one-inch vinyl or aluminum blind. The manufacturer's cost for such cordless operating systems on a two-inch faux wood blind is in the $7.00 - $9.00 range. While the current design of cordless products may include size limitations, these sizes encompass the overwhelming majority of all applications.

Furthermore, feasible and cost-effective alternative designs exist which likewise address this issue. This issue can be solved by utilizing a wand-type device similar to those used to tilt slats for light control.

Cord cover designs

In the 1990s, major window covering manufacturers developed and patented cord cover devices to render the pull cords of window coverings inaccessible. (Springs, 1995a; Springs, 1995b; Newell, 1996) However, major manufacturers never brought products with this feature to market, and cord covers were essentially abandoned once the CPSC allowed separated cord tassels to serve as a compliant design alternative.

More recently, one manufacturer has created and brought to market a cord cover design aimed at eliminating accessible pull cords, at a price point that is affordable and cost effective for both new-product and retrofit applications. (Safe-T-Shade, 2010; Safe-T-Shade website) This cord cover design renders pull cords inaccessible, while at the same time eliminating concerns regarding the ability of cordless technology to meet very large applications, and applications where furniture is placed in front of window coverings. Such cord cover designs can accommodate any window size currently being served by cord-accessible products, and its positioning in the same location as traditional pull cords accomplishes the same functionality and accessibility as traditional corded products.

Voluntary standard efforts have failed

The economic reality is that the window covering industry is very competitive, particularly in the area of stock products. If one manufacturer wants to adequately address safety issues and render cords inaccessible at a slightly higher cost, it risks being undercut by another manufacturer willing to sell less safe but cheaper products. Big box retailer contracts can be lost over a matter of pennies, nickels, or dimes as major retailers seek the lowest possible entry level price point in the window covering market. Absent a mandatory standard, manufacturers seeking to introduce safer cordless and cord inaccessible products will suffer from a competitive disadvantage against manufacturers willing to sell unsafe corded products.

Further, the large window covering manufacturers who dominate the WCMA and ANSI standards writing process have a vested interest in maintaining low industry standards. Those manufacturers have advanced custom product designs featuring cordless and cord inaccessible

coverings, on which they are able to maintain premium pricing – but only so long as there is an absence of competition. Should standards mandate cordless or cord inaccessible product designs, this feature will no longer be able to command a premium price.

Absent mandatory rulemaking that eliminates accessible window covering cords, Industry has not and will not act alone. ANSI/WCMA A100.1-2012 was Industry's sixth attempt to address exposed operational cords, and it has again chosen not to do so meaningfully, despite extreme U.S. pressure and an international mandate.

For all these reasons, it is evident that the only way to achieve safety is to invoke CPSC rulemaking.

PETITION REQUEST

Despite the availability of feasible and cost effective design alternatives, Industry has failed to adopt a voluntary standard which engages the first tiers of the safety design hierarchy, i.e. to eliminate or guard against the hazard. It is only through design strategies that the cord hazard will be adequately addressed and true safety achieved. The repeated failure of Industry to adopt an effective voluntary standard over the last 28 years demonstrates that CPSC rulemaking is required to eliminate the hazard posed by accessible cords in window coverings.

As previously discussed, the latest voluntary standard is inadequate due to its allowance of products with accessible cords, even when cordless and/or inaccessible cord options are feasible. We believe a mandatory standard should eliminate all accessible cords:

> The standard should prohibit the use of cords on window coverings when non-cord design options are feasible. For example, cords are not necessary for the tilting operation of horizontal blinds since wands can perform this function. Also, exterior pull cords on window coverings are unnecessary for products that have cordless options – currently all products measuring less than 78 inches wide and 84 inches long.
>
> If there are products for which accessible cords cannot be currently eliminated, due to the large size of the product or other reasons, the standard should require that such cords be made inaccessible through passive guarding devices, such as a cord cover.

We defer to the CPSC as to what is the best approach for this standard. For example, one approach would be to ban all accessible cords, and to develop a mandatory standard to define what constitutes an accessible cord. Since the CPSC staff has been working on this issue in earnest since at least 1994, there is vast in-house expertise in this subject matter.

In closing, due to Industry's repeated failure to develop a standard that adequately mitigates the risk of strangulation on corded window coverings, the Petitioners hereby formally Petition for Rulemaking under the authority and process set forth in 16 CFR § 1051, *et seq*. and request the Commission to promulgate a mandatory standard that prohibits any window covering cords where a feasible cordless alternative exists, and for

those instances where a feasible cordless alternative does not exist, requires that all cords be made inaccessible through the use of passive guarding devices.

The Petitioners appreciate the Commission's consideration of this request. We are available to discuss this petition at your convenience.

Respectfully submitted,

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Interest of Petitioners

This petition is brought by nine organizations on behalf of all children and their families affected by window covering cords:

Parents for Window Blind Safety (PFWBS) is a nonprofit organization that supports parents whose children have been seriously injured or killed by dangerous cords, educates consumers about the dangers of accessible window covering cords in homes, daycare facilities, and military housing, helps create safer standards in the industry, encourages innovation of safer products in the industry, and tests window covering products for safety.

Consumer Federation of America (CFA) is the nation's largest consumer advocacy organization representing more than 260 state, local, and national consumer organizations that was established in 1968 to advance the consumer interest through research, advocacy, and education.

Consumers Union (CU) is the policy and advocacy division of Consumer Reports, an expert, independent, nonprofit organization, whose mission is to work for a fair, safe, and just marketplace for all consumers.

Kids In Danger (KID) is a nonprofit organization dedicated to protecting children by improving children's product safety. KID was founded in 1998 by the parents of sixteen-month-old Danny Keysar who died in his Chicago childcare home when a portable crib collapsed around his neck.

Public Citizen is a nonprofit consumer advocacy organization based in Washington, D.C. founded more than 40 years ago and with more than 300,000 members and supporters nationwide.

U.S. PIRG, the Public Interest Research Group, is a non-profit, non-partisan public interest advocacy organization that takes on powerful interests on behalf of its members, working to win concrete results for our health and well-being.

Independent Safety Consulting (ISC), through its principal, Carol Pollack-Nelson, provides

human factors consulting specializing in consumer product safety, by evaluating product designs, warnings and instructions in order to identify hazards and reduce risks to consumers. Ms. Pollack-Nelson was a Human Factors Psychologist at the CPSC from 1988 through 1993.

Safety Behavior Analysis, Inc. (SBAI), through its principal, Shelley Waters Deppa, provides human factors consulting on the safety of consumer products, with a specialty in children's hazards, such as choking, suffocation, and strangulation. SBAI analyzes injury data, evaluates product designs, and develops and tests safety labels for effectiveness. Ms. Deppa worked in the CPSC's Human Factors Division from 1979 through 1992.

Onder, Shelton, O'Leary & Peterson, LLC pursues this petition on behalf of the over 50 families with whom they have worked whose children have strangled on window covering cords, that window covering cord hazards might be eliminated.

Exhibits

Exhibit 1 - 2013-04-26, SBAI, Incidents That Would Not Have Been Prevented By ANSI/WCMA A100.1.

Exhibit 2 - 2013-4-26, SBAI, Standard Is Not Adequate Because Manufacturers Are Ignoring The Voluntary Standard.

References

Listed in order of appearance in petition
Available upon request

CPSC (2007). 2007-08-01, CPSC Release #07-256 "Top Five Hidden Home

Hazards." CPSC (2013a). CPSC Website, CPSC Safety Alert, "Are Your Window

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Footnotes

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[2] **1986:** 8606003626, 8604009348, 8636028540, X655212A1, 8612060372, 8648060413, 900816HCN2237, 8602001593, 72S2234A1

[3] **1987:** 8790630230-S, 8706040237, 8740008599, 8704014317, 8751029702, 739064029, 8718041406 G87B0176A, 8712123753

[4] **1988:** 8837000499, 890711HCC1348, 890808HCC3233, 8838002200, 890808HCC3234, X89B0329A, 890711HCC1347, 890829HCC3254

[5] **1989:** 890526HCC1327, 891107HCC3351, 890060HCC1836, 890829HCC3258, 900531HCC3564, 890816HCC1384, 890828BEP0009, 900130HCC3418, 890926HBB3259, 900105HWE4005, 901115HCC2043, 891103HCC1544, 901219HCC0085, 891120HWE5013, 900119HCC1616

[6] **1990:** 900524HCC2219, 900920HCC2015, 9020005539, 921119HCC1912, 900530HNE5188, 00724HWE5019, 900723HCC3611, 901218HCC1095, 901101HCC0033, 901218HCC2062, 901213HCC0074, 901227HEP9001

[7] **1991:** 910123HCC0118, 910305HCC0153, 910213HCC1140, C94B0041A, 910503HCC0210, 920529HCC0188, 910521HEP2641, 971009CCC2057, 910712HCC2229, 910718HCC1333, 910807HCN1881, 910905CWE7078, 950224CCC2392, X9196730A, 910912HCN2234, 911211HCC0052, 911031HCC1464, 920722HCC2207, 920722HCC2208

[8] **1992:** 92030HNE5088, 920901HCC3229, 930303HCC3140, 920721HCC1775, 920422HEP1281 930222HCC3127, 930322HCC3159, 920720HCC1774, 930127HCC3090, 9206113354,920811CWE5005, 920928HCN2681, 921028HCC3034, 930303HCC3141, 930126HCC3087,921119CWE5024, 930409HCC1096, 930201HCC1027, 930126HCC3086

[9] **1993:** 930614HCC3232, 930310HCC1065, 9338001173, 9301015308, 930518HCC1131, 930915HCC3310, 930715CWE5010, 940126HCC2056, 930920HCC1775, 930923HCN2539, 960327CCC5075,940421CCN1236, G93C0218A, 940103CWE5001

[10] **1994:** 940302CWE5007, 940420CCC1437, 940415CCN1214, 940421CCN1237, 940603HNE5149, 950328CCC1521, 951208CCC1228, 941116HCC3016, 940623CBB2564, 951214CCC3246, P9714316A, 940802CBB3670, 940802CBB3669, 941101CWE5006, 960805HCC5429, 951122CCC3190, 950330CCC3537

[11] **1995:** 950301CCC1401, 950216CCC1367, 961205CCC5112, 950410CCC3574, 950407CEP9005, 950615CWE5009, 950710CCC3842, 960108CCC3273, 950626CCN2286, 950721CEP9014, 950906CCC1961, 950727CWE1400, 951011CBB1085, 970319CCC1036, 951128CWE7315, 960305CCC7064, 951108HCN0229, 960108CBB2261

[12] **1996:** 970814CCC2375, 960326CBB5070, 960304HCN0685, 960227CWE5006, 960403CCC5089, 960403CEP9003, C9650020A, 960611CCC5239, 960827CBB5576, 960520CNE5140, 960524CCC5190,

960611CCC5238, 970218CCC5320, 960717CCC5351, 970619CCC3227, 961114CBB5049, 961023CCC5005, 961107CCC5040, 961107CCC5036, 961125CWE7249, 970319CCC1026, 970708CCC3254

[13] **1997:** 981020CCC3026, 970127CNE5071, 980115HCC3534, 970321CWE4110, 980113CCC2220, 9720005138, 970916CWE4149, 970418CEP9001, 981001CCC4014, 970522CCC3168, 970709CCC3258, 970808CCC3288, 980508HCC2533, 971015CCC1584, 971119CCC1679, 971119CWE5009, 980105CCN0116, 980109CCC2177, 980112CCN0131

[14] **1998:** 980209CCC3581, 980218CCC0073, 980305CBB5364, H9840074A, 980522CCC1437, 980326CCC0231, 980310CBB6684, 980528CCC6842, 980701CWE7175, 980813CBB5779, 980821CBB0662, 981222CCC2128, 001013CBB0041, 990818CCC0674

[15] **1999:** 990325CCC0369, 990728HCC3423, 990121CBB2205, 990520CNE5172, 990618CWE6004, 001017CBB2033, 010117CCC0232

[16] **2000:** 001117CBB3055, 00225CBB2293, 000331CWE6005, 000714CNE5665, 010628CCC3361, 010323CCC3221, I0040144A, 000518CNE5554, 000831CNE5737, 010614HCC2573, 001121CCC3068, 001108CCC0089, 001102CNE5849, 001213CCC3106, 010111CCC3134, 030908CCC3405

[17] **2001:** 010109CBB0204, 010125CNE6092, 1/30/01, H0130329A, 010205CCN0282, 010607CCC3331, 010614CBB2575, 010510CNE6334, 010615CNE6462, 010625CCN0689, 010713CCC1724, 011212CCC2118, 010723CCC2641, 2/25/09 Sauk Rapids MN, 010815CNE6651, 011211CCC1174, 020301CCC1368, 020122CEP9002, 030122CCC1285

[18] **2002:** 020107CCN0223, 021016CCC3022, 020719CEP9009, 020611CEP9004, 020417CEP9003, 020610CCC1605, 020716HCC3266, 020604CNE7347, 020619CCN0542, 020807CCN0684, 020812CNE7432, 020905CCN0794, 020924CWE5017, 9/20/02 Wichita KS, 021112CCN0097, 021107CNE7560, 030123CCC2290, 030123CCC2289, 021218CCC3132, 021219CCN0213

[19] **2003:** 030707CWE4337, 030515CEP9004, 030421CCC2409, 030402CCC1421, 030311CWE5004, 030515CEP9003, 030723CCC1740, 030418CCN0479, 030521CBB2460, 030519CWE6003, 030612CCN0613, 030708CCC3335, 031113CCC3048, 030828CNE8057, 030903CCN0864, 030902CCN0848, 040423CCC3268, 0337093050-S, 040106CCC1316

[20] **2004:** 040319CNE1406, 040629CEP9007, 040505CCC2500, 070914CCC1818, 040729CCC3405, 040722CCC2648, 0425981140-S, 041119CCC2143, 041117CCC2129, 050124CCC3175

[21] **2005:** 050119CWE3007, 050303CCC1535, 060202CCC2315, 050407CCC3309, 050414CNE2280, 050426CCC3334, 7/14/05, 050804CCC1029, 7/17/05 Chillicothe OH, 050923CCC3504, 101210CCC1179, X1050632A, 051206CCC3182, 0527035661, 060830CCC1755

[22] **2006:** 060124CCC1326, 060118CWE5081, 060308CBB1394, 060328CCC2466, 070213CCC3245, 060502CCC3480, 060602CCC1567, 060811CCC3785, 060920CCC3892, 061207CCC1153, 070213CCC3243

[23] **2007:** 070221CCC3260, 070719CCC2643, 070308CCC2346, 071219CCC3250, 070531CCC2538, 070703CCC1583, 100106CCC2286, 070828CCC2757, 0742086600, 090811CCC3851, 071127HNE2987, 2007 (month and day unknown) Houston, TX

[24] **2008:** 080122HNE3082, 080124CCC1351, 090811CCC3850, 080310CCC1480, 080423CCC1551, 080415CCC1535, 081112HWE7844, 080424CCC2597, 100106CCC3229, 080530CCC2699, 080625CCC3646, 6/11/08 Atlanta GA, 080702CCC1707, 080812CNE3675, I09C1052A, 090204CCC1402, 080729CCC3726, 110421CCC3667, 081002CCC2008, 081106CWE7837, 080915HNE3763, 090108CWE7977, 11/13/08 Shelton

WA, 081120CCC2142, 090115CCC1355, 090121CCC2276

[25] **2009:** 090921CCC1073, 2/1/09 Flagstaff AZ, 2/9/09 Supply NC, 090227CCC3369, 111116CCC3139, 090602CCC3635, 090728CCC2797, 090407CCC3500, 4/?/09 Bennettsville, SC, 090827CCC3926, 090410CCC2531, 090414HWE8180, 090416CCC2545, 090528CCC3624, 090901CCC3939, 100324CWE2013, 090910CWE8430, 090710CCC3731,100111CCC3235, 6/15/09 Creve Coeur MO, 090901CCC1033, 090629CNE4548, 091008CBB1013, I09C1086A, 091009CCC2026, 090728CCC2792, 0949020967, 100324CWE2012, 090817CNE4677, 090903CBB2900, I0981284A, 090921CCC1076, 090915CCC3962, 091223CCC1197, 091102CNE4799, 091106CCC3071, H09B0125A, 100714HWE2255, 100105CCC3221, , I09C1024A, 091210CCC3160, 091215CCC2238, 100106CCC2286, 100111CCC3232

[26] **2010:** 100405CCC3517, 100125CWE1054, 100217CCC3328, 100219CCC2387, 120402CCC2594, 100304CCC1300, 100308CCC2444, 100322CNE0248, 4/6/10 Springfield OH, 100413CCC3564, 100427CCC2639, 100519CWE2035, 100708CWE2246, 100803CCC1015, 101018CCC2063, 101207CCC3281, 101103HWE2393, 100915CBB3131, 100920CBB1174, 101123CCC2136, 101104CCC1094, 110103CCC3322, 101214CCC1191, 110204CCC3423, 110103CCC3319

[27] **2011:** 110601CNE0001, 110315CCC1402, 110404CCC2425, 110516CCC3728, 110607CCC3794, 111206CCC3198, 111018CCC2027, 111024CNE1400,

[28] **2012:** 120501CCC1644, 120709CCC3743, 120727CCC2904, 120816CWE5001, 120918HWE3109, 9/17/12 Sioux Falls SD

Exhibit 1

Incidents That Would Not Have Been Prevented by ANSI/WCMA A100.1-2012

Analysis by Safety Behavior Analysis, Inc. (4/26/13)

TOTAL NUMBER OF WINDOW COVERING INCIDENTS

293 Total number of window covering incidents between 1996 and 2012 (2010 - 2012 information incomplete):

- 43 Incidents where unknown/inadequate info to indicate whether in the outer cord loop, inner cord loop, or wrap-around and therefore can't tell whether separate cords/tassels would have made a difference.

= **250** Incidents with enough information to determine whether outer cord loop, inner cord loop, or wrap-around was involved

KNOWN INCIDENTS BETWEEN 1996 - 2012 (2010 to 2012 info incomplete) THAT WOULD NOT HAVE BEEN PREVENTED BY CURRENT VOLUNTARY STANDARD

55 (Table A) Incidents on manufacturer separated outer cords, including those with breakaway tassels or breakaway cord joiners, which caused injury or death via knotted/tangled loop, defective break away, or wrap-around.
A(1) Incidents on pull cords with separate tassels = 51
A(2) Incidents on tilt cords with separate tassels = 4

29 (Table B) Incidents on looped outer cords where the manufacturer created loop did not cause the incident, This includes following categories
B(1) incidents on looped outer cords where child not caught in manufacturer created loop but was wrap-around = 16
B(2) incidents in looped outer cords where child not caught in manufacturer created loop but caught in tangle/knot above tassel = 13

5 (Table C) Continuous loop incidents where a tension/tie-down device was present but either not installed, had pulled out of wall or broken (number doesn't include 1 possible but unverified incident listed on sub-table)

6 (Table D) Other instances where caused by a hazardous cord allowed by the standard - such as reverse inner cord incidents, caught in cord joiner loop on multi-corded window coverings

7 (Table E) Incidents which occurred where manufacturer's failure to make according the voluntary standard contributed to the cause of incident

= **102** Incidents would not have prevented by the voluntary standard.

More than 40% (102 of 250) of all incidents would not have prevented by the current 2012 voluntary standard.

Injury Data Table A (1996-2012 w/2010-2012 dataset incomplete)-
Known Outer Cord Incidents Involving Manufacturer Separated Cords
i.e. Separate Tassels, Breakaway Tassels, Breakaway Cord Joiners & Tilt Cords
(in knotted/tangled loop, defective break away, or wrap-around)
55 total incidents (32 fatal, 4 severe injuries, 19 other injuries)

A(1) Incidents occurring on pull cords with separate tassels, breakaway tassels or breakaway cord joiners

Case #	Date	Age/ Sex	Outcome
970319CCC1026 Rome, NY	10/29/96	4 yrs/ F	Injury
970418CEP9001 Chicago, IL	4/8/97	21 mos / M	Injury
981001CCC4014 El Cajon, CA	4/17/97	14 mos / M	Fatal
970808CCC3288 Kirkland (Bellevue), WA	7/28/97	4 yrs/ M	Injury
990121CBB2205 Roselle (Chicago) (Glendale Heights), IL	1/16/99	15 mos / M	Fatal
010628CCC3361 0008006909 Douglas, WY Denver, CO	3/20/00 or 3/21/00	4 yrs/ F	Fatal
000518CNE5554 Columbia, TN	4/16/00	15 mos / M	Injury
000831CNE5737 Ambridge (Pittsburgh), PA	8/26/00	2 yrs / M	Fatal
001108CCC0089 Peabody, MA	10/19/00	2.5 yrs/ M	Injury
010614CBB2575 Sealy (Austin), TX	4/22/01	1 yr/ F	Fatal
010723CCC2641 Utica, MI	7/21/01	4 yrs / M	Injury

Case #	Date	Age/ Sex	Outcome
010815CNE6651 Newnan, GA	8/10/01	6 yrs/ F	Fatal
020301CCC1368 X0210720A Old Bridge, NJ	10/27/01	20 mos / M	Fatal
020107CCN0223 Lincoln, NE	1/5/02	3 yrs / M	Injury
020610CCC1605 Carriere (Picayune), MS	4/8/02	8 mos / F	Fatal
020812CNE7432 Bridgewater, MA	8/8/02	18 mos / M	Injury - Severe
020905CCN0794 Corinth, TX	9/3/02	4 yrs / M	Fatal
030707CWE4337 Phoenix, AZ	1/7/03	17 mos / M	Fatal
030418CCN0479 Sheboygan, WI	4/16/03	14 mos / M	Fatal
030708CCC3335 San Francisco, CA	6/16/03	4 yrs/ M	Fatal
030828CNE8057 Charlotte, NC	8/26/03	16 mos / M	Fatal
030902CCN0848 Middletown (Cincinnati) (Butler County), OH	08/31/03	4 yrs/ M	Fatal
040423CCC3268 0344194240-S 0341024944 Eugene (Portland), OR	9/30/03 (DC 10/1/03)	17 mos / M	Fatal
050303CCC1535 Naples (Golden Gate), FL	2/4/05 2/5/05	3.5 yrs / F	Fatal
050426CCC3334 Pacifica, CA	4/21/05	3 yrs / M	Injury

Case #	Date	Age/ Sex	Outcome
X1050632A Parent email to PWBS El Cajon, CA	11/18/05	4 yrs / M	Injury
060328CCC2466 Gulfport, MS	3/10/06 *(IDI - typo, says 3/10/04)*	2 yrs / M	Injury
060502CCC3480 Elk Grove, CA	4/11/06	15 mos / F (14 mos)	Fatal
100106CCC2286 Minonk, IL	8/8/07	2 yrs / M	Injury
070828CCC2757 Helena, AL	8/20/07	14 mos / F	Fatal
080122HNE3082 Crystal Lake, IL	1/17/08	3 yrs/ M	Fatal
090204CCC1402 Essex, MD (Baltimore), MD)	7/5/08	4 yrs/ M	Fatal
090602CCC3635 Phoenix, AZ	3/1/09	2.5 yrs / M	Injury
090410CCC2531 Ft. Benning, GA	4/8/09	5 yrs / F	Injury
090528CCC3624 Garland, TX	4/29/09	3 yrs/M	Fatal
090817CNE4677 Gaithersburg, MD Washington, DC	8/9/09 (DC - 8/11/09)	2 yrs / M	Fatal
100217CCC3328 Colorado Springs, CO	1/30/10 or 1/31/10	2 yrs / F	Injury
100219CCC2387 X1020251A Saltillo, MS	2/14/10	3 yrs / M	Injury

Case #	Date	Age/ Sex	Outcome
100519CWE2035 CPSC Release #11-036, 11/10/2010 Cedar Falls (Iowa City), IA	5/16/10 (5/25/10)	22 mos / M	Fatal
100708CWE2246 Great Falls, MT	6/9/10	3 yrs / F	Fatal
100915CBB3131 X1090325A League City (Dickinson), TX	9/10/10	5 yrs / M	Injury - Severe
101123CCC2136 Medway (New Carlisle) (Dayton), OH	10/30/10	21 mos / F (DC - 18 mos / F)	Fatal
101104CCC1094 Burlington (Burlington TWP), NJ	11/2/10	22 mos / F	Injury - Severe
110103CCC3322 Albany, OR	11/10/10	4 yrs / M	Injury
110103CCC3319 Spring, TX	12/31/10	12 mos / F	Injury
110601CNE0001 Richlands (Camp Lejuene), NC	3/3/11	2-½ yrs / F	Injury - Severe
110315CCC1402 Ellicott City (Columbia) (Baltimore City), MD	3/5/11 (DC- 3/11/11)	11 mos / F	Fatal
110404CCC2425 Delavan (Geneva), WI	3/18/11	20 mos / M	Fatal
111206CCC3198 Seattle, WA	8/27/11	2 yrs / M	Fatal

Case #	Date	Age/ Sex	Outcome
111018CCC2027 Bonaire, GA	10/4/11	3 yrs / M	Fatal
120918HWE3109 Kenosha, WI	9/3/12	5 yrs / M	Fatal

A(2) Incidents occurring on the separate tilt cords (not pull cords) of horizontal blinds

Case #	Date	Age/ Sex	Outcome
080915HNE3763 Miramar (Pembroke Pines), FL)	9/13/08	3 yrs / M	Fatal
090728CCC2797 Rockford, IL	3/5/09	2 yrs / M	Injury
100308CCC2444 Elk River, MN	3/5/10	4 yrs / M	Injury
120727CCC2904 Clarksville, TN	7/10/12	3 yrs/F	Fatal

Injury Data Table B (1996 -2012 w/2010 to 2012 incomplete): Window Coverings - Incidents on window coverings with looped pull cords but involving wrap-around or knot in loop cord

29 incidents total

B(1) Wrap-Around Incidents includes one that may be a combination cord joiner/wrap around (16 total, 8 fatal, 1 severe injury, 6 other injuries, 1 no injury)

Case #	Date	Age/ Sex	Outcome
960304HCN0685 Veedersburg (Crawfordsville), IN	2/6/96 or 2/5/96 or 2/7/96	4.5 yrs/ F or 3 yrs / F	Fatal
961107CCC5040 Hunt Valley (Baltimore), MD	9/16/96 or 9/1/96	2 yrs/ F	Fatal
980305CBB5364 Eddyville, IA	2/4/98	2.75 yrs /M	Fatal
H0130329A Ft. Leavenworth, KS	2/1/01	3 yrs / M	Injury
010625CCN0689 Michigan City, IN	6/7/01	4 yrs / M	No injury
020417CEP9003 Everett, WA	3/28/02	22 mos / M	Injury
030515CEP9003 Lake Stevens, WA	3/13/03	3 yrs / M	Injury
030723CCC1740 Philadelphia, PA	3/29/03	10 mos / F	Fatal
050407CCC3309 Broomfield, CO	3/17/05	4 yrs/ M	Injury
101210CCC1179 X10C0115A La Plata, MD	10/11/05	13 mos / M	Injury - Severe

Case #	Date	Age/ Sex	Outcome
051206CCC3182 Bothell (King County), WA	12/1/05	18 mos / F 12 mos	Fatal
080530CCC2699 Loganville (Snellville), GA	5/17/08	14 mos / M	Fatal
080625CCC3646 Mesa, AZ	6/9/08	12 mo/ M (15 mo M)	Fatal
090407CCC3500 Oklahoma City, OK	3/29/09	8 mos / M	Fatal
X09B0059A 11/4/09 email to PWBS Lynden, WA	11/4/09	3½ yrs / M	Injury
120501CCC1644 Jacksonville, NC (Camp LeJeune)	4/13/12	2 yrs / M	Injury

B(2) Incidents involving a knotted or /tangled cord above manufacturer created loop - where child caught in loop above knots
(13 incidents - 10 fatal, 1 severed injury, 2 other injuries)

Case #	Date	Age/ Sex	Outcome
980109CCC2177 Mendota Heights (St. Paul), MN	11/27/97 or 12/01/96 (DC)	20 mos / F	Fatal
980326CCC0231 Miami, FL	2/28/98	20 mos / F	Fatal
980528CCC6842 Tacoma, WA	05/14/98	3 yrs/ M	Fatal
981222CCC2128 Roseville (Columbus), OH	9/1/98	5 yrs/ F	Fatal
001013CBB0041 Antrim (Peterborough) (Manchester), NH	10/26/98	17 mos / F or 16 mos / F	Fatal
001102CNE5849 Willingboro, NJ	11/1/00	13 mos / M or 14 mos / M	Fatal
010510CNE6334 Fayetteville, NC	5/8/01	3 yrs / M	Fatal
010723CCC2641 I0170330A Utica, MI	7/21/01	4 yrs / M	Injury
020604CNE7347 Richmond, VA	5/28/02	17 mos / M (or 19 mos/ M)	Fatal
030402CCC1421 Union City (Union), TN	2/27/03	3 yrs / M (2 days short of 3rd b'day)	Fatal
040722CCC2648 Ennis (Waxahachie), TX	7/6/04	2.5 yrs / M	Fatal
041119CCC2143 Wildwood (Chicago), IL	9/30/04	2 yrs / M	Injury

Case #	Date	Age/ Sex	Outcome
Sheriff's Report, Photo & parents depositions Shelton, WA	11/13/08	3 yrs / F	Injury - severe

Injury Data Table C (1996- 2012 w/20120 - 2012 data set incomplete) - Window Coverings
Continuous loop incidents where there is a tension device present that was not installed/pulled out of wall or broken

(5 confirmed incidents followed by sub-table of listed but not counted 1 possible unverified incident - all 6 incidents are fatal)

Case #	Date	Age/ Sex	Outcome
021016CCC3022 Wheatland, WY	1/7/02	3 yrs/ F	Fatal
050804CCC1029 Portsmouth (Yorktown) (Langley AFB), VA	7/5/05 7/15/05 7/17/05	3 yrs / M	Fatal
060811CCC3785 San Bernadino, CA	7/30/06 (DC - 8/7/06)	18 mos / M (17 mos)	Fatal
090921CCC1076 Norfolk, VA	9/11/09	3 yrs / M	Fatal
110516CCC3728 Mill Creek, WA	4/8/11	5 yrs/M	Fatal

Possible but unverified incidents:

Case #	Date	Age/ Sex	Outcome
060830CCC1755 Virginia Beach (Norfolk), VA	12/31/05	2 yrs / M	Fatal

Injury Data Table D (1996 -2012 w/2010 to 2012 data set incomplete): Window Coverings
Other incidents caused by a cord that met the standard - such as reverse inner cord incidents, caught in cord joiner loop on multi-corded window coverings
6 incidents total (5 fatal, 1 injury)

Case #	Date	Age/ Sex	Outcome
990325CCC0369 Whiteville, NC	1/3/99	1 yr/ F	Fatal
000714CNE5665 Irvington, NY Mt. Pleasant, NY	3/17/00 or 3/18/00	2 yrs/ M	Fatal
060124CCC1326 Orlando, FL	1/3/06	2 yrs / M (3 yrs)	Injury
081112HWE7844 Wahiawa, HI Schofield Barrack, U.S. Army Military housing	4/8/08	3 yrs / M	Fatal
090121CCC2276 Sartell, MN	12/29/08 (12/30/08)	2 yrs / M	Fatal
090921CCC1076 Norfolk, VA	9/11/09	3 yrs / M	Fatal

Injury Data Table E (1996 - 2012 w/2010 to 2012 dataset incomplete): Window Coverings - Incidents caused or partially caused due to failure of manufacturer to comply with the voluntary standard

7 incidents (4 fatal, 3 non-fatal)

Case #	Date	Age/ Sex	Outcome
060602CCC1567 CPSC Release # 09-329 Pensacola, FL	5/19/06	4 yrs / F	Fatal
080702CCC1707 CPSC Release #09-051 Bristol, CT	6/26/08 (RI - N 10/21/08)	2 yrs / F	Injury
090921CCC1073 CPSC Release # 09-325 (8/26/09) Philadelphia, PA	1/1/09	2 yrs/M	No Injury
090901CCC3939 CPSC Release #10-307 Tacoma, WA	5/1/09	5 yrs / M	Injury
090710CCC3731 police reports, photos, ME report Mesa, AZ	5/21/09	2 yrs 5 mos/ F	Fatal
090629CNE4548 CPSC release 12-273 Commerce Township, MI	6/26/09	2 yrs / F	Fatal
N1010309A; X1010430A 1008003099 Firestone, CO	1/21/10	3 yrs / M	Fatal

Exhibit 2

Standard is Not Adequate Because Manufacturers Are Ignoring The Voluntary Standard

Compiled by Safety Behavior Analysis, Inc. (4/26/13)

There are numerous recalls (16) involving blinds that were not manufactured in compliance with the voluntary standard. Most of these non-compliances (13 of 16) appear to have been found as a by-product of CPSC's 2008-2010 focus on roman shade & roll-up shade inner cord/lifting loop issues. While checking on manufacturers products for roman shade back cord hazards, and roll-up shade lifting loop issues; CPSC caught other violations of the voluntary standard including looped pull cords, no inner cord stops, no tension devices provided with continuous loop products and/or failure to attach a tension device to a continuous loop cord. Almost all of these violations were for standard requirements that were passed with the first voluntary standard in 1996. Many of these violations went on for years and in one case 2 decades before they were caught and recalled.

CPSC Release/ Recall #	**Recall Date:**	**Violation of Voluntary Standard**	**Year vol standard req. passed**	**Dates manufactured and/or sold**	**Length of time made/sold in violation of the Standard**
#07-262	8/3/2007	CPSC and Springs Window Fashions announce recall of Basic Blinds ® Window Blinds sold exclusively at Lowes which "have a pull cord that is looped, posing a strangulation hazard to young children. CPSC File No. RP070430, p. 75 et seq.	1996	Manufactured November 2006 to July 2007.	8 months
#09-051	11/20/2008	"Near Strangulation of Child Prompts Recall to Repair Window Blinds by Green Mountain Vista"Roller Shades have a continuous looped bead chain that was either sold without a tension device or tension device not attached to the continuous looped cord.	1996	Sold nationwide from June 2005 through September 2008	over 3 years

CPSC Release/ Recall #	Recall Date:	Violation of Voluntary Standard	Year vol standard req. passed	Dates manufactured and/or sold	Length of time made/sold in violation of the Standard
#09-090	1/13/2009	Risk of Strangulation Prompts Recall of Window Blinds Sold at Cost Plus and World Market Stores nationwide from February 2006 through August 2008. Roman Shades and Roll-up blinds have a looped pull cord	1996	sold nationwide from February 2006 through August 2008.	2 ½ years
#09-329	8/26/2009	"Strangulation Death of a Child Prompts Recall To Repair Window Blinds By Vertical Land" Hazard: Horizontal Blinds: The blinds do not have inner cord stop devices to prevent the accessible inner cords from being pulled out.	2002	sold in Panama City and Pensacola, Fla. from January 1992 through December 2006	4 years
#09-325	8/26/2009	"Near Strangulation Prompts Recall of Roman Blinds; Sold Exclusively at IKEA" MELINA Roman Blinds have a continuous looped pull cord that did not have the tension device attached or was sold without a tension device.	1996	sold nationwide from August 2006 through June 2008.	1 yr, 10 mos.
#09-328	8/26/2009	"Risk of Strangulation Prompts Recall to Repair Roller Shades by Lutron Shading Solutions Roller shade apparently sold without either without a tension device or without a tension device attached to the continuous looped bead chain.	1996	Sold January 2000 through April 2009	9 yrs, 3 mos

CPSC Release/ Recall #	**Recall Date:**	**Violation of Voluntary Standard**	**Year vol standard req. passed**	**Dates manufactured and/or sold**	**Length of time made/sold in violation of the Standard**
#10-074	12/15/2009	Risk of Strangulation Prompts Recall of Roman Shades by Draper Inc. Roman shade with continuous loop clutch operation system. In addition to exposed inner cords, there was either no tie-down provide and/or the tie-down was not attached to the shade.	1996	Sold nationwide form March 2000 through September 2009.	9 yrs, 6 mos.
#10-071	12/15/2009	"Near Strangulation Prompts Recall to Repair Roman and Roller Shades Sold at Pottery Barn, Pottery Barn Kids, and PB Teens" Roller shade without tension device attached.	1996	sold January 2003 through October 2009.	6 yrs, 10 mos.
#10-070	12/15/2009	"Risk of Strangulation Prompts Recall to Repair Matchstick Roll-up Shades by International Merchandise; Sold Exclusively at Big Lots" Looped pull cords	1996	from January 2009 through June 2009.	6 mos.
#10-711	12/17/2009	"Risk of Strangulation Prompts Recall to Repair Faux wood blinds by American Vintage Group." Hazard: Strangulation can occur when a child places his/her neck between the cords of the pull **cord above the breakaway device and the device fails to breakaway**.	1996	Sold in Texas from April 2009 through September 2009.	6 mos
#10-149	3/2/2010	"Risk of Strangulation Prompts Recall to Repair Roman Shades by Lutron Electronics" Sold without tension device attached to continuous looped cord.	1996	Sold nationwide from January 2000 through August 2009.	9 yrs, 8 mos

CPSC Release/ Recall #	Recall Date:	Violation of Voluntary Standard	Year vol standard req. passed	Dates manufactured and/or sold	Length of time made/sold in violation of the Standard
#10-261	6/10/2010	"IKEA Recalls Roller Blinds, all Roman Blinds and all Roll-up Blinds Due to Risk of Strangulation" This recall involves roller blinds that do not have a tension device attached to the bead chain, all Roman blinds and all roll-up blinds.	1996	Sold nationwide from January 1998 through June 2009.	11 yrs, 6 mos
#10-307	7/22/2010	"Near Strangulation Prompts Recall of Roman and Roller Shades by Smith+Noble" This recall involves all roller shades that do not have a tension device attached to the continuous loop cord and all custom, made-to-order Roman shades.	1996	Sold nationwide from 1998 through April 2010.	12 yrs
#11-306	11/10/2010	"Strangulation Death of a Child Prompts Recall of Roman Shade, Roll-up Blinds, and Roller Blinds by Hanover Direct Domestications" This recall involves all styles of Roman shades with inner cords, all styles of roll-up blinds, and roller blinds that do not have a tension device.	1996	Sold from January 1996- through October 2009.	13 yrs, 10 mos
#12-273	9/6/2012	"Death of Child Prompts Recall of Window Blinds by Blind Xpress Two-year-old strangles in cord" This recall involves all Blind Xpress custom-made vertical blinds that do not have a cord-tensioning device that attaches to the wall or floor, as well as all horizontal blinds that do not have inner cord stop devices.	1996 (attached cord tension device) 2002 (inner cord stops)	Sold in Michigan, Ohio and Indiana from January 1995 through December 2011.	Vertical blinds 22 yrs horizontal blinds 9 yrs

CPSC Release/ Recall #	Recall Date:	Violation of Voluntary Standard	Year vol standard req. passed	Dates manufactured and/or sold	Length of time made/sold in violation of the Standard
#13-707	11/21/2012	Hunter Douglas Recalls to Repair Custom Cellular and Pleated Window Coverings Due to Strangulation Hazard. No incident. Some of the cords inside the breakaway cord stop were tied in a single knot which can prevent the cord stop from functioning as designed to break away. A child can become entangled in a cord loop and strangle. Standard cordlock top-down/bottom-up Duette and Applause honeycomb shades; standard cordlock top-down/bottom-up Hunter Douglas pleated shades; Hunter Douglas Brilliance Privacy View pleated shades and standard cordlock Duette and Applause Duolite shades	1996	Sold nationwide from January 2011 through August 2012.	1 yr, 8 mos.