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S.65

Introduced by Senators Lyons, Ingram and McCormack

Referred to Committee on Health and Welfare

Date: January 31, 2019

Subject: Commerce and trade; consumer protection; child safety

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

An act relating to banning baby bumper pads

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

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

Subchapter 1B. Children's Product Safety

§ 2470a. ~~DEFINITION~~ DEFINITIONS

As used in this subchapter:

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

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

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

(2)(A) "children's Children's product" means a product that is designed
or intended for the care of, or use by, children under six years of age (whether

1 or not it is also designed or intended for the care of or use by children six years
2 of age or older), and the product is designed or intended to come into contact
3 with the child while the product is used.

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

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

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

10 § 2470b. UNSAFE CHILDREN’S PRODUCTS; PROHIBITION

11 * * *

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

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

