

Information Collection Request (ICR)
Safety Standard for Sling Carriers
Supporting Statement

A. Justification

1. *Information to be collected and circumstances that make the collection of information necessary*

Section 104(b) of the Consumer Product Safety Improvement Act of 2008 (CPSIA), Public Law 110-314, 122 Stat. 3016 (August 14, 2008), requires the Consumer Product Safety Commission (“Commission” or “CPSC”) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be “substantially the same as” applicable voluntary standards or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product. As directed by this statutory requirement, the Commission has issued a safety standard for sling carriers incorporating by reference, with one modification, the voluntary standard for sling carriers issued by ASTM International, ASTM F2907-15.

Sections 8 and 9 of ASTM F2907-15 contain requirements for marking, labeling, and instructional literature that are disclosure requirements, thus falling within the definition of “collections of information” at 5 C.F.R. § 1320.3(c). Section 8 of ASTM F2907-15 requires that all sling carriers display:

- Each product and the shipping container must have a permanent label or marking that identifies the name of the manufacturer, importer, distributor, or seller and the principle place of business (city, state, and mailing address, including zip code or telephone number)
- Model number, stock number, catalog, item number, or other symbol that identifies the specific sling carrier
- A permanent code mark or other product identification shall be provided on the carrier and its retail package. The code will identify the date (month and year at minimum) of manufacture.
- Minimum and maximum recommended child’s weight for the carrier

Section 9 of ASTM F2907-15 requires all firms supplying sling carriers to provide easy-to-read and understandable instructions regarding assembly, adjustment, restraint system (if applicable), maintenance, cleaning, storage and use.

2. *Use and sharing of collected information*

The information required in sections 8 and 9 of ASTM F2907-14 is intended to address safety issues that might arise with the product. The information required in section 8 of ASTM F2907-15 is intended to help the CPSC and the consumer identify the firm and the product, should a safety issue arise. The instructional literature required by section 9 ASTM F2907-15 is

meant to prevent safety problems by providing assembly, maintenance, and use information to consumers.

3. *Use of information technology (IT) in information collection*

Information technology will not be used in these requirements. In the final rule, manufacturers are required to provide labeling, marking, and instructional literature according to ASTM F2907-15. This disclosure is provided with the purchase of the product.

4. *Efforts to identify duplication*

Information being disclosed is manufacturer and product specific. To the extent that firms do not already comply with the voluntary standard, information provided by these requirements is not available through any other agency, organization, or individual.

5. *Impact on small businesses*

The costs of marking, labeling, and instructional literature associated with the standard for sling carriers may impact some small firms. However, the statute requiring this action does not contain an exemption for small firms.

As described in section 12 below, there are 400 firms known currently to be supplying sling carriers in the United States. Based on U.S. Small Business Administration guidelines, 399 are categorized as small firms.

6. *Consequences to federal program or policy activities if collection is not conducted or is conducted less frequently*

Without the marking, labeling, and instructional literature requirements, the level of noncompliance and consumer misuse could increase significantly, resulting in an increase in the number of product-related deaths and injuries.

The lack of marking and labeling could complicate CPSC efforts to locate and recall noncomplying products and result in an increase in the number of product-related deaths and injuries.

7. *Special circumstances requiring respondents to report information more often than quarterly or to prepare responses in fewer than 30 days*

There are no special circumstances that will require respondents to produce labels or instructional material more often than quarterly or in fewer than 30 days.

8. *Consultation outside the agency*

The CPSC consulted several manufacturers to obtain their views on the information collection burden associated with the marking and label requirements and instructional literature

requirement. Additionally, the preamble to the proposed rule published on July 23, 2014 (79 FR 42724) discusses the information collection burden and invites public comment on the CPSC's estimates. CPSC received one comment regarding the PRA burden estimate, which has been incorporated into the final rule estimate.

9. *Decision to provide payment or gift*

There is no payment or gift provided to respondents.

10. *Assurance of confidentiality*

There is no assurance of confidentiality. The information in the mark, label, and instructional literature is not confidential.

11. *Questions of a sensitive nature*

There are no questions of a sensitive nature.

12. *Estimate of hour burden to respondents*

Section 8 of ASTM F2907–15 requires that the name and the place of business (city, state, mailing address, including zip code, or telephone number) and Web site, if applicable, of the manufacturer, distributor, or seller be marked clearly and legibly on each product and its retail package. Section 8 of ASTM F2907–15 also requires a code mark or other means that identifies the date (month and year, as a minimum) of manufacture.

There are 400 entities supplying sling carriers to the U.S. market. All firms are assumed to use labels already on both their products and their packaging, but they might need to make some modifications to their existing labels. The estimated time required to make these modifications is about 1 hour per model. Each entity supplies an average of three different models of sling carriers; therefore, the estimated burden associated with labels is 1 hour per model x 400 entities x 3 models per entity = 1,200 hours. We estimate the hourly compensation for the time required to create and update labels is \$33.29 (U.S. Bureau of Labor Statistics, "Employer Costs for Employee Compensation," September 2016, Table 9, total compensation for all sales and office workers in goods-producing private industries: <http://www.bls.gov/ncs/>). Therefore, the estimated annual cost to industry associated with the labeling requirements is \$39,948 (\$33.29 per hour x 1,200 hours = \$39,948).

Section 9 of ASTM F2907 requires instructions to be provided with each sling and for these instructions to include some standard content, including information on contacting the manufacturer, assembly, adjustment, restraint systems (if applicable), maintenance, cleaning, storage, and use. The final rule also requires instructions to contain images of each manufacturer's recommended carrying position, all warnings that are required to be on the product, and additional safety-related instructions and information, such as the minimum and maximum weight of the child for which the sling is intended, the importance of checking for damaged seams and hardware, and never using the sling when balance or mobility is impaired.

Sling carrier manufacturers that already provide such information, estimated by the BCIA to be at about one-third of the industry, or approximately 135 manufacturers, may have to modify their existing instructions to make sure the instructions have all the content required by ASTM. The additional effort would probably be modest, estimated at 5 hours, if estimates for revisions to instructions for other children's products are comparable. Using an hourly rate of \$33.29 to calculate these costs, the total compensation for sales and office workers in private industry in goods-producing industries would amount to about \$166 (\$33.29 per hour × 5 hours) per firm. Total hourly burden for these firms would be 675 hours (135 firms x 5 hours).

The BCIA estimated that firms that had not previously prepared instructions would require 30 to 60 hours of labor, and possibly outside advice, as well. If the remaining 265 firms require 45 hours, on average, then the impact per firm would be about \$1,500 (\$33.29 per hour × 45 hours). Total hourly burden for these firms would be 11,925 hours (265 firms x 45 hours). The cost could average \$166 for firms that already provide the literature and \$1,500 for those that do not. Once the literature has been created, it would not have to be modified, unless the manufacturer makes changes to a model that render portions of the literature obsolete. The cost of subsequent modifications to the literature is likely to be less than the cost of its initial design.

Total hourly burden for instructional literature is 12,600 hours. Total hourly burden for the collection is 13,800 hours (1,200 for labeling + 12,600 for instructional literature). Based on this analysis, the standard for sling carriers would impose a burden to industry of 13,800 hours at a cost of \$459,402 (13,800 x \$33.29) annually.

13. *Estimates of Other Total Annual Cost Burden to Respondents or Record Keepers*

There are no costs to respondents beyond those presented in Section A.12. There are no further operating, maintenance, or capital costs associated with the collection.

14. *Estimate of annualized costs to the federal government*

The estimated annual cost of the information collection requirements to the federal government is approximately \$3,780, which includes 60 staff hours to examine and evaluate the information as needed for Compliance activities. This is based on a GS-12 level salaried employee. The average hourly wage rate for a mid-level salaried GS-12 employee in the Washington, DC metropolitan area (effective as of January 2017) is \$43.43 (GS-12, step 5). This represents 68.6 percent of total compensation (U.S. Bureau of Labor Statistics, "Employer Costs for Employee Compensation," September 2016, Table 1, percentage of wages and salaries for all civilian management, professional, and related employees: <http://www.bls.gov/ncs/>). Adding an additional 31.4 percent for benefits brings average hourly compensation for a mid-level salaried GS-12 employee to \$63.32. Assuming that approximately 60 hours will be required annually, this results in an annual cost of \$3,780.

15. *Program changes or adjustments*

This is a new information collection request.

16. *Plans for tabulation and publication*

Not applicable.

17. *Rationale for not displaying the expiration date for OMB approval*

Not applicable.

B. *Collection of Information Employing Statistical Methods*

Not applicable.