

Five Infant Deaths Prompt CPSC Sue Nap Nanny Manufacturer

U.S. Consumer Product Safety Commission

WASHINGTON, Dec. 5, 2012 -- In an effort to prevent children from suffering further harm, U.S. Consumer Product Safety Commission (CPSC) staff filed an administrative complaint today against Baby Matters, LLC, of Berwyn, Pa., the manufacturer of Nap Nanny® and Nap Nanny ChillT infant recliners.

The complaint alleges that the Nap Nanny Generation One and Two, and Chill model infant recliners contain defects in the design, warnings and instructions, which pose a substantial risk of injury and death to infants. The Commission voted 3-0 to approve the filing of the complaint, which seeks an order requiring that the firm notify the public of the defect and offer consumers a full refund. CPSC is aware of four infants who died in Nap Nanny Generation Two recliners and a fifth death involved the Chill model. To date, CPSC has received a total of over 70 additional incident reports of children nearly falling out of the product. The staff alleges that the products create a substantial risk of injury to the public.

CPSC staff filed the administrative complaint against Baby Matters, LLC after discussions with the company and its representatives failed to result in an adequate voluntary recall plan that would address the hazard posed by consumer use of the product in a crib or without the harness straps being securely fastened.

In July 2010, CPSC and Baby Matters, LLC issued a joint recall news release to announce an \$80 coupon to Generation One owners toward the purchase of a newer model and improved instructions and warnings to consumers who owned the Generation Two model of Nap Nanny recliners. At the time of the July 2010 recall, CPSC was aware of one death that had occurred in a Nap Nanny recliner and 22 reports of infants hanging or falling out over the side of the Nap Nanny even though most of the infants had been placed in the harness. Subsequently, despite the improvements to the warnings and instructions, the complaint alleges that additional deaths using Nap Nanny recliners have been reported, including one in a Chill model.

The Nap Nanny is a portable infant recliner designed for sleeping, resting and playing. The recliner includes a shaped foam base with an inclined indentation for the baby to sit and a fitted fabric cover with a three point harness. Five thousand Nap Nanny Generation One and 50,000 Generation Two models were sold between 2009 and early 2012 and have been discontinued. One hundred thousand Chill models have been sold since January 2011. All were priced around \$130.

CPSC is charged with protecting the public from unreasonable risks of injury or death associated with the use of the thousands of consumer products under the agency's jurisdiction. Deaths, injuries, and property damage from consumer product

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incidents cost the nation more than \$900 billion annually. CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard. CPSC's work to ensure the safety of consumer products-such as toys, cribs, power tools, cigarette lighters, and household chemicals-contributed to a decline in the rate of deaths and injuries associated with consumer products over the past 30 years. Under federal law, it is illegal to attempt to sell or resell a recalled product.

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