



Sécurité des produits de consommation
902-1550 avenue d'Estimauville
Québec (Québec) G1J 0C5

Consumer Product Safety
902-1550 d'Estimauville Avenue
Québec (Québec) G1J 0C5

Téléphone (418) 648-4327
Télécopieur (418) 649-6160

Phone (418) 648-4327
Fax (418) 649-6160

Québec City, June 9, 2016

RE: Safety of free-standing clothing storage units over 30 in. (762 mm) in height in Canada

To Whom It May Concern;

The purpose of this letter is to inform you that the Consumer Product Safety Program (CPSP) of Health Canada will be conducting compliance verification activities for free-standing clothing storage units, such as chests, door chest, and dressers, over 30 in.(762 mm) in height imported or manufactured in Canada. One of the ways Health Canada may do this is to sample free-standing clothing storage units over 30 in. (762 mm) in height and test them to the performance criteria of a consensus-based safety standard. Your establishment may be contacted by Health Canada inspectors in the future for this purpose.

The *Canada Consumer Product Safety Act* (CCPSA) came into force in June 2011: <http://laws.justice.gc.ca/eng/acts/C-1.68/index.html>. The purpose of this Act is to help protect the public by addressing or preventing dangers to human health or safety posed by consumer products in Canada. The CPSP administers and enforces the CCPSA and its associated regulations.

Paragraphs 7(a) and 8(a) of the CCPSA prohibit the manufacture, import, advertising, or sale of a consumer product that is a “danger to human health or safety.” Such dangers include unreasonable hazards, existing or potential, which may reasonably be expected to cause death or injury. Section 12 of the CCPSA authorizes the Minister of Health to require that manufacturers or importers of consumer products conduct tests or studies, compile information, and provide this information to the Minister. Relevant excerpts from the CCPSA are attached as Appendix A.

To determine if a product poses a danger to human health or safety, Health Canada considers various factors, including whether or not a product meets the performance criteria of a consensus-based safety standard. Meeting the performance criteria of a standard does not automatically mean a product is safe, but failing to meet the performance criteria in a standard is a strong indicator that a product may pose a danger to human health or safety. For more information on the concept of a danger to human health or safety, please see our guide at the following link:

<http://www.hc-sc.gc.ca/cps-spc/pubs/indust/cons-prod-danger/index-eng.php>

Health Canada's data from incident reports and risk assessments indicate that free-standing clothing storage units over 30 in. (762 mm) in height can tip over and cause serious injuries, such as internal organ injury, concussion, suffocation, and death, particularly in young children. Currently, there are no specific regulations under the CCPSA that address the tip over hazard of free-standing clothing storage units over 30 in. (762 mm) in height. The purpose of the ASTM F2057 – 14 Standard Safety Specification for Clothing Storage Units is to reduce injuries and

deaths of children from hazards associated with tip over of free-standing clothing storage units, such as chests, door chests, and dressers, over 30 in. (762 mm) in height. Therefore, Health Canada will consider compliance with the performance criteria from this standard when determining whether or not a free-standing clothing storage unit over 30 in. (762 mm) in height poses a danger to human health or safety. Free-standing clothing storage units over 30 in. (762 mm) in height on the Canadian marketplace may be sampled and tested by Health Canada to the performance criteria outlined in the table below:

***ASTM F2057 – 14 Standard Safety Specification for Clothing Storage Units over 30 inches in height**

Hazard	Performance Criteria – Section of the Standard
Instability/Tip over	4.1, 4.2, and 4.3
Tipover	4.4 and 4.5
Warning label requirements**	4.6

* Copies of the ASTM F2057 – 14 Standard Safety Specification for Clothing Storage Units can be ordered from ASTM International online at www.astm.org.

** Please note that even though the ASTM F2057 – 14 Standard Safety Specification for Clothing Storage Units only specifies warning labels in English, in Canada all labelling is required in both official languages, English and French.

Health Canada is aware of two other furniture safety standards: the BS EN 14749: 2005 and the ANSI/BIFMA X5.9-2012. The Risk Assessment Division of Health Canada reviewed the performance criteria in the BS EN 14749:2005 and ANSI/BIFMA X5.9-2012 standards. It was determined that these two standards did not adequately address the tip over hazards of free-standing clothing storage units, and are not equivalent to ASTM F2057-14. The ASTM F2057-14 standard was found to have more stringent performance criteria to address the tip over hazard. Therefore, Health Canada will be using the ASTM F2057-14 standard to assess the tip over potential of free-standing clothing storage units over 30 in. (762 mm) in height in Canada.

Products that do not meet the performance criteria of the ASTM F2057-14 standard are subject to compliance and enforcement actions which may include seizure, orders to take corrective action, mandatory recall of products, administrative monetary penalties and criminal prosecution. Importers, manufacturers or retailers of free-standing clothing storage units over 30 in. (762 mm) in height are responsible for the safety of the products they market in Canada. One way to help make products safe is to test the product before marketing it.

If you have any questions about this letter or about the CCPSA, please contact the CPSP by phone at 1-866-662-0666 or by email at Quebec.Prod@hc-sc.gc.ca

Appendix A – Relevant Excerpts from the CCPSA

Paragraphs 7(a) and 8(a) state:

7. No manufacturer or importer shall manufacture, import, advertise or sell a consumer product that

(a) is a danger to human health or safety;

[...]

8. No person shall advertise or sell a consumer product that they know of time (a) is a danger to human health or safety;

“Danger to human health or safety” is defined in section 2 of the CCPSA as follows:

“Danger to human health or safety” means any unreasonable hazard – existing or potential – that is posed by a consumer product during or as a result of its normal or foreseeable use and that may reasonably be expected to cause the death of an individual exposed to it or have an adverse effect on that individual’s health – including an injury – whether or not the death or adverse effect occurs immediately after the exposure to the hazard, and includes any exposure to a consumer product that may reasonably be expected to have a chronic adverse effect on human health.

Section 12 of the CCPSA states:

12. The Minister may, by written notice, order any person who manufactures or imports a consumer product for commercial purposes to

(a) conduct tests or studies on the product in order to obtain the information that the Minister considers necessary to verify compliance or prevent non-compliance with this Act or the regulations;

(b) compile any information that the Minister considers necessary to verify compliance or prevent non-compliance with this Act or the regulations; and

(c) provide him or her with the documents that contain that information and the results of the tests or studies in the time and manner that the Minister specifies.