



Consumer Product Safety Program
Suite 674, 220 – 4th Avenue SE
Calgary, Alberta
T2G 4X3

July 31, 2014

RE: Playpens Market Survey Project 2014

The purpose of this letter is to provide information regarding the classification of consumer products under the *Canada Consumer Product Safety Act (CCPSA)*'s *Playpens Regulations* and *Cribs, Cradles and Bassinets Regulations*, and the potential impact upon your company's products.

Health Canada's Consumer Product Safety Program is responsible for the administration and enforcement of the CCPSA and its Regulations. The CCPSA prohibits the manufacture, importation, advertisement or sale of consumer products that are a "danger to human health or safety". Some products have specific regulations under the CCPSA, including playpens and cribs, cradles and bassinets. For more information on the CCPSA please consult our website at: <http://www.hc-sc.gc.ca/cps-spc/legislation/acts-lois/ccpsa-lcspc/index-eng.php>.

In Spring 2014, Health Canada conducted a national market survey project that involved a review of playpens to gather intelligence on the marketing, labelling and designs of playpens and their accessories currently sold, imported or advertised in Canada. This survey included playpens that were sold at retail locations, on the internet and in catalogues. Not all playpens on the market were examined and no playpens were tested at Health Canada's Product Safety Laboratory.

Product Classification

Industry members, public health officials and consumers have expressed confusion regarding the products that fall under the definition of a playpen in the *Playpens Regulations*. Some playpen models are referred to by the manufacturer as "portable cribs", or other sleep related names. This contradicts other labelling that appears on the product. Portable cribs must meet the *Cribs, Cradles and Bassinets Regulations*. A portable combination crib/playpen is required to meet both the *Cribs, Cradles and Bassinets Regulations* and the *Playpens Regulations*.

A product is classified as a playpen when its primary function is to provide playing accommodation for a child. A product is classified as a crib, cradle or bassinet when its primary function, in a stand-alone mode, is to provide sleeping accommodation for an unattended child.

Playpen sleep accessories are removable accessories that typically attach to the top rail of a playpen. These accessories must meet the applicable requirements of the *Cribs, Cradles and Bassinet Regulations* if they can be used in a stand-alone mode once they are detached from the playpen because they meet the definition of “crib”, “cradle” or “bassinet”. The *Cribs, Cradles and Bassinets Regulations* do not apply to sleep accessories intended to attach to a playpen if they cannot be used as a stand-alone unit when detached from the playpen. In addition, all playpen accessories are subject to the *Playpens Regulations*.

Many products have a list of suitable functions, such as playing, soothing and resting, as part of the product’s packaging, labelling, instructions or advertisement. However, cribs, cradles and bassinets are required to meet a strict minimum set of safety requirements in order to ensure that they provide adequate protection for an unsupervised child. There are other children’s products in which a baby may potentially fall asleep, but these products are not required to meet the same set of strict requirements as cribs, cradles and bassinets. Therefore, these products are not suitable as sleeping environments for unsupervised babies. Supervision must be provided at all times when using other baby products, such as infant swings or bouncer seats. An infant swing, bouncer seat or infant seat that rocks may be used to soothe a baby, and there is the potential that a baby may fall asleep in these products, but they should not be promoted for unsupervised use unless they meet the *Cribs, Cradles and Bassinets Regulations*.

To determine if the primary function of a product is to provide sleeping accommodation and, therefore, is under the scope of the *Cribs, Cradles and Bassinets Regulations*, the following factors are considered:

Name	The product’s name includes: (i) “crib”, “cradle”, or “bassinet” in the title; (ii) its title makes reference to sleep, such as “sleeper” or “baby bed”, or; (iii) the product’s name is synonymous with the term used for crib, cradle or bassinet, such as “cot” or “Moses basket”, in another jurisdiction.
Marketing	The pictures on the product’s packaging, instruction manual or advertisement of the product show: (i) an unattended infant sleeping in the product, or; (ii) the product placed next to or in the caregiver’s bed (implying that the product can be used for overnight sleep).
Listed Use Functions	The product’s primary listed function, when in the stand-alone mode, is linked to sleep (including napping, which is defined as sleeping briefly, especially during the day), and/or there are multiple references related

	to sleep on the product’s packaging, labelling, instructions or advertisement.
Recommended Use	The product is promoted as a sleeping environment for an unsupervised baby.
Appearance	The product falls under the scope of the traditional definition of a crib, cradle or bassinet, regardless of its name. It should be noted that while a rocking or swinging feature is traditionally linked to cradles and bassinets, it is not a necessary feature in order for a product to be classified as either a cradle or bassinet.

Please note that all of the factors listed above will be taken into consideration when determining if a product’s primary function is to provide sleeping accommodation. However, it is not necessary for all factors to be met in order to classify a product as intended for sleep. For example, it is not possible to circumvent the requirements for cribs by stating that supervision must be provided at all times when using a product that includes “crib” within its product name.

Actions Required by Your Establishment

Health Canada requires that all consumer products that are manufactured, distributed, imported, advertised or offered for sale on the Canadian marketplace comply with the appropriate regulatory requirements. A multi-purpose product is required to meet all applicable regulations.

Health Canada will be taking proactive measures in the near future to verify compliance of playpens imported or made available on the Canadian market. Failure to meet the requirements set out in the regulations may lead to enforcement actions taken by Health Canada, such as stop sale/distribution, consumer recall, etc.

Test methods are available from the Product Safety Laboratory on request. Your company is encouraged to request the following test methods:

- M08, Test Method for Playpens;
- M12-1, Test Method for Cribs;
- M12-2, Test Method for Cradles, and;
- M12-3, Test Method for Bassinets.

Please request test methods using the contact information below:

Quality System Manager
Product Safety Laboratory
Health Canada
Postal Locator: 6402A1
1800 Walkley Road
Ottawa, Ontario
CANADA
K1A 0L2

Phone: 613-952-3645
Fax: 613-954-8515
E-mail: PSL-LSP@hc-sc.gc.ca
<http://www.hc-sc.gc.ca/cps-spc/prod-test-essai/method-engin-ingen-eng.php>

Note: These methods are provided to facilitate laboratory procedures only. It is the trader's responsibility to ensure that the product is tested according to, and meets the requirements of, the *Canada Consumer Product Safety Act* and its Regulations.

For more information on regulatory requirements, please see:

Playpens Regulations (http://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._932/FullText.html)
Cribs, Cradles and Bassinet Regulations (<http://laws-lois.justice.gc.ca/eng/regulations/SOR-2010-261/FullText.html>)

Should you have any questions about the aforementioned activities, please contact:

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I would like to thank you for your continued co-operation.

Sincerely,



Kimberley Kyrlyiuk