



## Implementation of the STURDY Act: Determination Regarding ASTM F2057-23 and Draft Direct Final Rule

The STURDY Act requires the U.S. Consumer Product Safety Commission (CPSC) to determine whether “a voluntary standard exists that meets the requirements” Congress specified in the statute for protecting children against tip-overs of clothing storage units (CSUs).

If the CPSC determines that a voluntary standard exists that was published within 60 days after STURDY’s enactment, was developed by ASTM International or another appropriate organization, and meets STURDY’s requirements for protecting children up to 72 months of age from injury or death from tip-overs of CSUs, then the Commission must, within 90 days of its determination, “promulgate a final consumer product safety standard” adopting the voluntary standard.

On February 6, 2023, ASTM International published a revised version of Standard Safety Specification for Clothing Storage Units, ASTM F2057-23. CPSC staff advised that the Commission could determine that ASTM F2057-23 satisfies STURDY’s requirements.

If the Commission so determines, then the Office of the General Counsel will recommend publication of a draft direct final rule that adopts the performance requirements of ASTM F2057-23 in 16 CFR Part 1261, in place of the current Part 1261 requirements that otherwise will take effect on May 24, 2023.

With no significant public comments, the direct final rule would be effective for CSUs manufactured starting 120 days after its publication in the Federal Register. The draft Federal Register document also stays implementation of the current Part 1261 requirements, so that they will not take effect on May 24, 2023.

### Dates:

The rule is effective 120 Days after Federal Register publication, unless the Commission receives a significant adverse comment by 30 Days after Federal Register publication. If the Commission receives such a comment, it will publish a notice in the Federal Register, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of 120 Days after Federal Register publication. The CSU rule promulgated by CPSC on November 25, 2022, is stayed as of the Federal Register publication.

### How Does this Impact You? Contact Us to Discuss

Bureau Veritas can help verify that your products will meet your customer’s expectations as well as all applicable regulations.

If you have any questions on these final rules, please contact your customer service representative or email: [cps.info@us.bureauveritas.com](mailto:cps.info@us.bureauveritas.com).

Bureau Veritas Consumer Products Services, Inc. (“BVCPS”) provides the information in this client bulletin as a resource of general information. It does not replace any applicable legal or regulatory requirements and is provided “as is.” BVCPS will not be liable for any indirect, special, punitive, consequential or other damages (including without limitation lost profits) of any kind in connection with this client bulletin. BVCPS DISCLAIMS ALL REPRESENTATIONS AND WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, IN CONNECTION WITH THIS CLIENT BULLETIN.