



May 3, 2021

Chair Chuck Riley  
Senate Business and Labor Committee  
Oregon Legislature  
Salem, OR 97301

Re: House Bill 3379 - Support

Dear Senator Riley and Members of the Committee:

On behalf of BreathableBaby, LLC, a small, privately-held manufacturer of mesh crib liners located in Minnesota, I am submitting this letter in support of HB 3379. As introduced, HB 3379 would ban the sale of padded crib bumpers in the Oregon, while continuing to allow mesh liners to be sold in the marketplace.

As an advocate for improved safety standards, BreathableBaby has actively participated in improving ASTM's voluntary standards and has offered support for mandatory standards proposed by the United States Consumer Products Safety Commission (CPSC). Furthermore, because crib bumpers pose a demonstrable and significant hazard to sleeping infants, as Dr. NJ Scheers and Dr. Bradley Thach reported in the *Journal of Pediatrics* in 2016,<sup>1</sup> BreathableBaby supports legislation to remove these dangerous products from the commercial marketplace. Specifically, BreathableBaby supports HB 3379 and its prohibition of "manufacturing, retrofitting, selling, leasing, subletting or placing into the stream of commerce any crib bumper pads or crib equipped with crib bumper pads."

In addition to fully supporting a statutory ban on these dangerous products, BreathableBaby supports the exclusion of mesh liners from the bill's definition of "crib bumper." BreathableBaby believes this is a reasonable and important recognition of the lack of evidence that mesh liners pose a danger to the public. In an article published in the peer-reviewed *Maternal and Child Health Journal*, Drs. Scheers and Thach (as well as Drs. Chauncey Dayton and Mary Batcher) concluded that, while crib bumpers remain a significant safety risk, there is no similar evidence showing mesh liners are dangerous to sleeping infants.<sup>2</sup> Without a safe alternative to crib bumpers, parents who want to protect their infants from limb entrapment may seek dangerous make-shift solutions such as cardboard slats or rolled up blankets – a concern

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<sup>1</sup> Crib Bumpers Continue to Cause Infant Deaths: A Need for a New Preventive Approach, *Journal of Pediatrics*, NJ Scheers (February 2016) (Link: [https://www.jpeds.com/article/S0022-3476\(15\)01284-6/fulltext](https://www.jpeds.com/article/S0022-3476(15)01284-6/fulltext))

<sup>2</sup> Reports of Injury Risks and Reasons for Choice of Sleep Environments for Infants and Toddlers, *Maternal and Child Health Journal*, NJ Scheers (June 2019) (Link: <https://link.springer.com/article/10.1007/s10995-019-02803-7>)

echoed by Dr. Jonathan Midgett, then the Senior Science Advisor to CPSC Commissioner and former Chairman Elliot Kaye.<sup>3</sup>

BreathableBaby was founded in 2002 on the very premise that padded crib bumpers were unsafe and has since sold over 5 million mesh liners without a single reported incident in which our product was the cause of any injury or posed any risks to infant. This impeccable record of safety is why New York, Ohio and Maryland passed laws that banned crib bumpers while excluding mesh liners, and why other states including Oklahoma, Missouri and Vermont have proposed similar bills. In addition, the City of Chicago, Illinois, and Watchung, New Jersey, similarly prohibited the sale of padded crib bumpers and not mesh liners. We look forward to Oregon joining the list of states addressing this important issue.

Thank you for your work on protecting infants and families from the dangers of crib bumpers. BreathableBaby remains committed to providing safe and affordable mesh liners as an alternative to these dangerous products. If I can be of further assistance to your legislative efforts on this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Loesch', written in a cursive style.

Jennifer Loesch  
Chief Executive Officer  
BreathableBaby, LLC

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<sup>3</sup> Cluttered Cribs and Infant Safety: Policy Implications of Selling and Using Padded Crib Bumpers and Messaging about Safe Sleep Environments for Babies, Dr. Jonathan Midgett (September 2016)(Link: <https://cpsc.gov/s3fs-public/CBStatement.pdf?dhFXWQNHUqQ2yV4xuY654JrJ3K0Towc>).