



U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

John Gibson Mullan
Director
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JUL 23 2008

Dear: Manufacturer/Importer/Retailer:

The U.S. Consumer Product Safety Commission (CPSC), an agency of the United States Government, enforces the Flammable Fabrics Act (FFA) and is responsible for protecting the public from the hazards of dangerously flammable items of wearing apparel, fabric and interior furnishings. Two of the standards that address the flammability of apparel under the FFA are the Standards for the Flammability of Children's Sleepwear, 16 C.F.R. Parts 1615 and 1616.

The children's sleepwear standards were developed to prevent children's sleepwear from igniting due to exposure to ignition sources such as matches/lighters, candles, ranges, stoves, space heaters, and fireplaces. Most of the incidents occurred while children were awake and wearing sleepwear or sleep-related items during the evening before bedtime or in the morning around breakfast time.

The Commission's regulations define the term "children's sleepwear" to include any product of wearing apparel [in sizes 0- 14], such as nightgowns, pajamas, or similar or related items, such as robes, intended to be worn **primarily for sleeping or activities related to sleeping**, except: (1) Diapers and underwear; (2) "Infant garments," sized for a child nine months of age or younger; and (3) "Tight-fitting garments" that meet specific maximum dimensions.

The CPSC staff views "loungewear" as garments worn primarily for sleep-related activities. Therefore, "loungewear" must comply with the children's sleepwear standards. This letter of guidance and interpretation was sent to the industry in December 1996 and has been posted on our website since that date. The staff intends to take enforcement action against firms that market loungewear items that do not comply with the children's sleepwear standards (16 C.F.R Parts 1615 and 1616).

The CPSC staff bases this position on the children's sleepwear standards and their background, the literature on the definition and trends regarding loungewear, a review of a number of catalogs to see what types of garments are being marketed as "loungewear," where in stores and catalogs "loungewear" is generally marketed, and discussing the issue with manufacturers and importers of children's sleepwear and underwear.

Please contact Marilyn Borsari at 301.504.7619, if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "John Gibson Mullan". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

John Gibson Mullan