

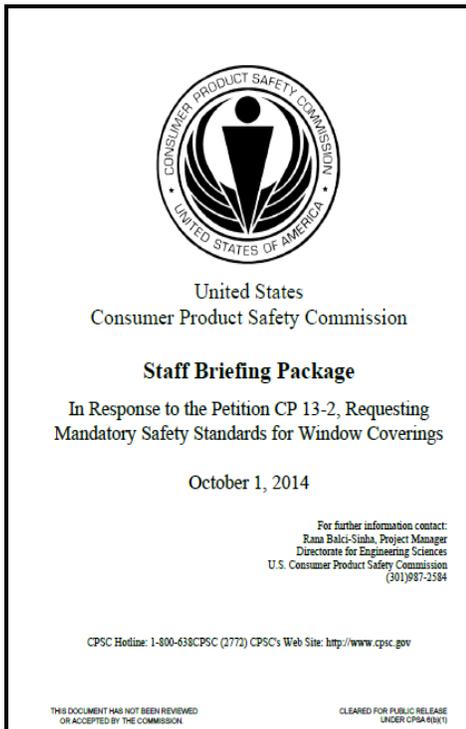


## Child Safety as it relates to Custom Fabric Roman Window Shades

Merrill Y. Landis, Ltd. has been actively involved with understanding and implementing the Child Safety Standards for the Window Covering Industry since 2010 when the “Provisional American National Standard for the Safety of Corded Window Coverings” was implemented. There was a lot of confusion and misinformation in the early years which to some extent still exists. This overview of the current state of these standards is intended to inform our customers of what is currently happening and to help plan for the future.

The current Standards are “Voluntary.” In the case of the “American National Standards Institute” (ANSI) Standards, “Voluntary” does not mean we can choose to follow them or not. It means that we, as an industry, were given the legal right to compose and develop our own standards without any government intervention. This means that as an industry we had the right to design, improve and implement standards that insure the safe operation of our products.

In 2014 the consumer advocacy groups filed a petition with the Consumer Product Safety Commission (CPSC). According to the petition, the advocacy groups and human factor experts felt that the process to voluntarily implement standards had failed 6 times over 30 years so they requested that the CPSC approve a mandatory rule.



The basic issue presented in the petition is as follows:

### II. Issue

The petitioners claim that the voluntary standard for corded window coverings, *ANSI/WCMA A100-1-2012, American National Standard for Safety of Corded Window Covering Products* (ANSI standard or voluntary standard), remains inadequate and continues to permit window coverings with hazardous accessible cords that injure and kill young children.<sup>3</sup> The petitioners state that of the 250 incidents investigated that reportedly occurred from 1996 through 2012, 102 of the injuries and deaths (approximately 40%) would not have been prevented by the current voluntary standard. The petitioners believe that this ratio represents an unreasonable risk of injury to young children who become entangled on corded window coverings. The petitioners also claim that substantial noncompliance with the voluntary standard exists in the industry, and they refer to a minimum of 16 recalls since 2007, which involved window coverings that do not comply with the existing voluntary standard. Moreover, petitioners assert that feasible and economically viable safer solutions are currently available in the market, including cordless blinds and cord covers (*e.g.*, rigid cord shroud). Based on the foregoing, the petitioners ask the Commission to promulgate a mandatory standard that:

- (1) prohibits any window covering cords, if a feasible cordless alternative exists, and**
- (2) requires that all cords be made inaccessible through the use of passive guarding devices, if no feasible cordless alternative exists.**

## **On October 1, 2014 the CPSC voted unanimously to make the current “American National Standard for Safety of Corded Window coverings” Mandatory.**

In the case of Mandatory ANSI Standards, the government will enact legislation that will set the standards for the industry. In a mandatory system the industry must follow the government’s guidelines or rules for safety standards in our industry which will include penalties for non-compliance.

To a certain extent, the actions taken by the advocacy groups were fueled by the resentment within our industry concerning the standards. It is the position of Merrill Y. Landis, Ltd. that the two requests in the October 1, 2014 petition are reasonable.

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- (2) requires that all cords be made inaccessible through the use of **passive guarding** devices, if no feasible **cordless** alternative exists.”

In plain English, if the United States and Canada continue to experience child strangulation on corded window coverings at a rate of more than one a month it seems reasonable to not use cords where cordless alternatives are available. In addition, when cordless alternatives are not available, the cords should be made inaccessible through the use of passive guarding devices.

This legislation will apply to the following Corded Window Covering Product Groups:

1. Horizontal Blind
2. Cellular Shades
3. Pleated Shades
4. Roller Shades
5. Roll-up Blind
6. Roman Shades
7. Vertical Blinds
8. Drapery Rods

Merrill Y. Landis, Ltd. (MYL) feels that these two requests are reasonable in the products we manufacture. The following information refers to the manufacture of Custom Fabric Roman Shades which would include Romans, Balloons, Austrians, etc. The “Window Coverings Manufacturers Association” (WCMA) has been representing our industry in these negotiations over the years. As Window Covering Manufacturers we need to support the WCMA in their effort to make compliant Child Safe Window Covering Standards that meet the government mandate being discussed. However, as responsible members of the industry we want to have a voice in the development of standards that affect us. The standards need to make sense and comply with the government future mandates. Our comments will be directed at the products we manufacture which are found under the category of Custom Fabric Roman Shades.

The 2010 standards caused a huge financial strain on our company as well as many manufacturers across the country. The increased cost of production was almost impossible to recoup in an industry suffering from an economic downturn. Even more, we had to compete with off shore manufacturers that were flooding the market with cheaper acceptable alternatives to Custom Window Treatments. As if that was not challenging enough, many of our customers simply decided to not deal with it and refused to sell Custom Roman Shades. We do not want to have a repeat of this confusion and financial stress when the new mandated standards appear.

As often happens, American ingenuity and competition resulted in an evolution of products and solutions to the safety issue which helped us come full circle. We can now meet the wishes of the advocacy groups, the customers, the designers and the workrooms. We can now make a quality Custom Fabric Roman Shade using pre-2010 methods and return to 2010 production times.

Custom Fabric Roman Shades have two different types of cord systems that we need to be concerned with:

- **Operating Cords** which are the side cords that are manually pulled to operate the shade
- **Lift Cords** which are the cords on the back of the shade running through the rings

It may not be safe to assume that the CPSC will settle on standards that meet the Advocacy group's two requests, but MYL feels that we should move in that direction for two reasons. It is the right thing to do and it is a way to set our products apart from the competition. As we and our customers make this transition it will get us ready for whatever comes with the new mandatory standards.

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Merrill Y. Landis, Ltd. currently offers a wide range of systems. However, the following systems are the ones that we believe will make it through the mandatory standard revisions process.

### Operating Systems

- **Request #1 - requires us to use cordless option if it is available:**
  - This is applicable to the Operating System Cords on a Custom Fabric Roman Shade. Currently the voluntary standards allow Cord & Cleat, Cord and Lock, Continuous Cords, Springs and Electric Motors. It does not take too much imagination to see that Cord & Cleat, Cord and Lock, and Continuous Cords are not going to make the cut. Springs, and Electric Motors are viable options that meet this requirement. Not only are they existing Cordless options, the Spring option is the same price range as the Continuous Cord option. Therefore there is not an unreasonable increase in cost.
- **Request #2 - states that if a cordless option is not available, the system cords must be inaccessible:**
  - This requirement is met for the Operating Systems through Safe-T-Shade ProLift Max and Premier. They have a Continuous Cord which is encased in a plastic or metal wand. This inaccessible Operating System will most likely pass the Advocacy Group's request and be allowed

### Lift Systems

- **Request #1 – requires us to use cordless option if it is available:**
  - As far as a cordless lift system goes there is only one system available. That is the Safe-T-Shade Wide-Band Cordless Lift System. The shade is lifted using a Wide Band Lift System and a series of horizontal ribs that cause the shade to fold and stack like a corded shade. The Safe-T-Shade Lift System can be used with any of the cordless operating systems to make a 100% Cordless Custom Shade which does not need warning labels.
- **Request #2 – states that if a cordless option is not available, the system cords must be inaccessible:**
  - In the current standards the Lift Cords have to be encased in a shroud or some device that does not allow a deadly loop to form. There is no reason to think that the current choices in shrouding the lift cords will change.
  - We currently have three Lift System options available: Ladder Shroud, the Loop Shroud and the Safe-T-Shade Ring Locks.
  - **As of April 15, 2015 the Safe-T-Shade Ring Locks became the standard shrouding product at MYL.** If the Ladder Shroud is desired, it will have to be specified. One of the biggest factors of non-compliance has been the appearance of the Shroud. Customer and Designer feedback tell us that the Shroud gives an unacceptable appearance to the road. The unsightly Lift Cord Shroud can be replaced with the Safe-T-Shade Ring Locks. The Ring Locks allow us to go back to the pre-

2010 appearance of the Lift Cords. The Ring Locks are invisible to the road. The Ring Locks also restore our manufacturing procedures back to pre-2010 process rates which results in a substantial savings in production costs.

- Another option is our MYL Shield Lift System. This system uses cords and shroud on the back of the shade. We add another layer over the lift cords called the MYL Shield. This roller fabric shield sandwiches the cords between the Fabric Roman Shade and the shield for safety. It also hides all rings, shrouds and cords to give a nice clean look from the road.

Below is a user friendly chart listing **Child Safe Custom Fabric Roman Window Shade Options** currently available through Merrill Y. Landis, LTD.

Please contact **MYL Marketplace** for further clarification  
**mylmarketplace@mylltd.com** or **215-723-8177 Ext. 203 or 224**

Cordless Operating System Options		Approved Lift System Options	
	<i>EasySpring Plus</i> Spring Roller System		<i>RollEase Ladder Shroud</i>
	<i>Safe-T-Shade ProLift &amp; Premier</i>		<i>Safe-T-Shade Ring Locks</i>
	<i>Somfy Motors</i>		<i>JK Loop Shroud MYL Shield MYL 100% Cordless</i>

**A SPECIAL NOTE:** There is talk that the new mandatory Standards will include a Re-Call that would cause workroom manufacturers to retrofit all existing Shades. Please make note that Safe-T-Shade Ring Locks are ideal for retrofitting the lift cords on the job or in the workroom. Some designers are offering to retrofit existing shades as a new service.

It is my hope that this White Paper has helped to clarify the position Merrill Y. Landis, Ltd. is taking in regard to the Custom Window Covering Child Safety Issue.

Sincerely,

Steve Landis, Pres/CEO  
**Merrill Y. Landis, Ltd.**