



November 16, 2016
Ohio House Finance Sub Committee on Health and Human Services
Testimony of Steven Marton, BreathableBaby

Chairman Sprague, Ranking Member Sykes, and members of the House Finance Subcommittee on Health and Human Services, my name is Steve Marton and I am here today on behalf of BreathableBaby. Thank you for the opportunity to discuss our company's efforts in the area of safe sleep.

BreathableBaby is a small company that manufactures mesh liners as an alternative to crib bumpers to prevent limb entrapments in cribs. Limb entrapment is a common issue that many new parents face when their infant begins to move around the crib. Mesh liners prevent fractures, dislocations, and bruises that have been associated with limb entrapment and also improve the quality of life for new parents and infants by preventing sleep interruptions. Mesh liners provide these benefits without posing a risk of suffocation. The American Academy of Pediatrics (AAP) and three of the most prominent national child and consumer advocacy organizations (Kids in Danger, Consumer Federation of America, and Consumers Union) recently acknowledged that there is no data and no known suffocation incidents associated with mesh liners.

With respect to the proposed bill, which would ban the sale of crib bumpers, we again urge you to explicitly exclude "mesh liners" from any such ban. Traditional crib bumpers and mesh liners are two distinct product categories and should be examined, considered, and treated differently as you consider this bill.

The U.S. Consumer Product Safety Commission (CPSC) recently voted to pursue a federal ban on traditional crib bumpers with a categorical exclusion for permeable mesh products. At the state level, the four states that have considered or passed legislation to ban the sale of crib bumpers have all explicitly excluded mesh liners from the definition of a crib bumper.

The defining characteristics of mesh liners are (1) a minimum level of air permeability for liner materials and (2) specified acceptable locations and measurements for any materials that do not meet the minimum level of air permeability. The combination of these two characteristics enable the mesh crib liner to serve its purpose of protecting babies from arm and leg entrapment in crib slats while also mitigating the risk of suffocation that may occur with traditional crib bumpers.

Our products have been evaluated by reputable third parties in safety testing for Suffocation and Hazard Design Analysis and have undergone rigorous testing by an independent laboratory. Notably, findings made by the Chief of Pulmonary Medicine in the Department of Pediatrics at the Virginia Commonwealth University Children's Hospital concluded that mesh liners are safe because they do not present a significant restriction to infant breathing airflows and there is no reason to believe they would increase the risk of suffocation hazards for infants. This study, as well as the feedback from parents who have experienced the utility of these products first hand, is attached to my testimony.

I ask this committee to consider similar language to what has been considered in states around the country and at the federal level as it pertains to mesh liners. Thank you for your time and consideration, I welcome your questions.

BreathableBaby, LLC

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