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AHFA Seeks Judicial Review of CPSC Rule for Clothing Storage Furniture

HIGH POINT, N.C. – Today the American Home Furnishings Alliance filed a petition for judicial review of the U.S. Consumer Product Safety Commission’s [Safety Standard for Clothing Storage Units](#), seeking to have the rule vacated. The petition was filed in the U.S. Court of Appeals for the Fifth Circuit. Also joining the petition are the [Mississippi Manufacturers Association](#) and [Mississippi Economic Council](#).

AHFA supports a mandatory furniture stability rule to reduce the number of injuries and deaths associated with furniture tipping over on young children. However, AHFA maintains that the complexity of the performance testing requirements in the CPSC rule will make it unenforceable.

AHFA also has outlined compliance costs that are not reflected in the rule’s cost/benefit analysis. The impact of these additional costs will be most acute among producers of lower-price products but will be reflected in higher costs of all clothing storage furniture. As a result, the CPSC rule will make new, compliant furniture cost-prohibitive for many American families.

Finally, the CPSC rule is focused on creating a new “stability rating” for clothing storage furniture that the agency states will help consumers distinguish “more stable” products from “less stable” products. AHFA maintains that stability testing should provide consumers with an assurance of *compliance*, rather than a sliding scale of “more” or “less” stable. Further, the hangtag required by the rule for the purpose of displaying the new stability rating fails to provide consumers with information to help them understand the rating.

The Safety Standard for Clothing Storage Units drafted by the CPSC gives home furnishings manufacturers and importers until May 24, 2023, to engineer and test their products to meet the rule’s minimum stability requirements and to add the required warning label and hangtag to all covered units.

The standard applies to freestanding chests, dressers, armoires and bureaus but is not limited to furniture that is marketed for “clothing storage.” Any furniture that is 27 inches or more in height and meets the rule’s storage and weight criteria falls within the scope of the standard.

The CPSC rule opposed by AHFA is not without an effective alternative. “A broad group of stakeholders including parents, consumer advocates, industry and child safety experts has collaborated on a stability standard for clothing storage furniture that will protect children and provide consumers with the assurance of compliance they deserve,” said AHFA CEO Andy Counts. “All parties should come together to ensure passage of the [STURDY Act](#), which would pave the way for the CPSC to enact this alternative mandatory stability standard.”

The STURDY Act has already achieved unanimous approval in the Senate. It now awaits House approval.

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The American Home Furnishings Alliance, based in High Point, N.C., represents more than 200 leading furniture manufacturers and distributors, plus about 150 suppliers to the furniture industry worldwide.