



February 13, 2025

VIA EMAIL AND FIRST-CLASS MAIL

Alberta E. Mills
Secretary of the Commission
U.S. Consumer Product Safety Commission
Washington, D.C. 20207
amills@cpsc.gov

Re: Request for Immediate Vote on Part of Commissioner Boyle's Proposal to Send a Letter to Retailers Regarding Commissioner Trumka's Statements about Weighted Infant Sleep Products

Dear Secretary Mills,

We are writing to urgently request that the U.S. Consumer Product Safety Commission ("CPSC") promptly vote on part of Commissioner Boyle's proposed course of action, regarding Commissioner Trumka's Statements, to send a letter to all retailers clarifying the legal status of weighted infant sleep products. This request is in direct response to Commissioner Boyle's proposed course of action regarding Nested Bean's November 11, 2024 request for retraction under the Consumer Product Safety Act ("CPSA") Section 6(b)(7), following Commissioner Trumka's damaging and inaccurate statements regarding weighted infant sleep products.

As you are aware, Commissioner Boyle proposed a legally sound and appropriate response to the situation, which included notifying retailers that Commissioner Trumka's statements were not made on behalf of the CPSC, do not reflect the Commission's official position, and do not constitute any formal action such as a recall, stop sale, or ban. This clarification is essential to correcting the misunderstanding caused by Commissioner Trumka's comments and mitigating the harm to small businesses like Nested Bean, who have suffered severe consequences as a result of these unsupported statements.

The relevant part of [Commissioner Boyle's proposal](#) to take other action is:

Regarding the request related to Commissioner Trumka's Statements, the Commission directs the General Counsel to send a letter to all retailers who received letters from Commissioner Trumka related to weighted infant blankets. The letter shall confirm that Commissioner Trumka's communications were not made on behalf of the Commission, do not represent official action by the Commission, and do not constitute a recall, stop sale, or any other determination by the Commission.

Correcting the retailers' understanding that they are *not* under a legal obligation to remove weighted infant sleep products from their sites and shelves because there has *not* been a recall, stop sale, or ban on weighted infant sleep products is imperative to rectify this gross abuse of government power.

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We understand that the [outcome of the Commission's vote](#) on Nested Bean's November 11, 2024 request, was 0-1-1-2, with the 1 and 1 representing separately proposed courses of action. However, because there was not a separate vote taken on Boyle's proposal, significantly, the part of Boyle's proposal to send a letter to retailers, we are requesting one now.

Therefore, we respectfully request that the CPSC hold a vote on the part of Commissioner Boyle's proposal, regarding Commissioner Trumka's Statements, to send a letter to all affected retailers. It is our firm belief that the Commission must act without further delay to vote on this particular action to send a clarifying letter. The failure to do so only perpetuates the unjust and incorrect narrative surrounding weighted infant sleep products, further harming businesses and confusing retailers. The Commission's failure to act promptly only prolongs the damage already done. Given the severity and urgency of this matter, we request that the Commission take action on this issue within 30 working days.

We look forward to your swift response and an expedited resolution of this matter.

Very truly yours,


Loren A. Seehase
Senior Counsel