

Update on Corded Products Standards

There has been much discussion in the last month about the 2nd Provisional ANSI/WCMA A.100 Corded Window Covering Products Standard. Though we do not claim to be the authority on this matter, we have been following it closely. We even attended a recent stakeholders meeting at the Consumer Product Safety Commission. If you are selling and/ or fabricating corded window products (isn't that about all of us) we can't stress enough how important it is to read the standard, discuss it with our legal counsel and apply what you have learned to your terms, conditions and business practices to meet compliance. Lowe's just recalled 11 million products- 6 million roman shades and 5 million roll ups. These are not just imported stock items; the price range on the recall is between \$10 and \$1800. Please, as professionals do your due diligence as it applies to your business model.

I Still have Questions

As an expert in the window covering industry that is selling and fabricating Roman and Rollup shades regularly, I am always asked the following questions. We hope that the answers shed some light on the subject.

I am just a small independent workroom, not one of the big three manufacturers. This standard doesn't affect me or does it?

The Consumer Product Safety Commission (CPSC) requires all manufacturers of window covering products to comply.

Is this mandatory? I've heard it's voluntary?

This is a standard, not a law. *Voluntary* refers to the ANSI consensus process, not to whether manufacturers/ fabricators have to comply. But, the CPSC has made it clear that to sell products you must comply with ANSI standards in effect at the time- that is the ANSI 2nd Provisional Standard published on Sept. 3, 2010. A side note – most liability insurance policies have a clause that refers to manufacturing to industry standards to keep insurance in effect.

Is this standard only for Roman shades?

No, the second provisional standard, titled the "American National Safety Standard for Corded Window Covering Products," covers **ALL** corded window covering products – anything with a cord. There will certainly be more standards on other product categories coming.

So, what happens if I choose not to comply?

There is always potential liability, and the CPSC has the enforcement authority over the standard. So, if you choose to engage in non-compliance, then please speak with your own legal counsel about ramifications of that behavior. Don't overlook insurance issues either; speak with your insurance professional to discuss how non-compliance affects your coverage. The CPSC indicated in the stakeholder's meeting of November 9th that

they are looking at the consequences of non-compliance and expect to issue a statement regarding the consequences in December.

Can my clients sign a waiver to get me off the hook?

That needs to be determined between each individual and their legal counsel as to what their liability would be under those circumstances.

What if I only sell or fabricate to customers that don't have children or the windows are out of reach or they are motorized?

Here are the facts: This is a PRODUCT standard and there are no exceptions to compliance based on the environment it is installed in.

When does all this go in effect?

There are 2 manufacturing compliance dates in the Voluntary Corrective Action Plan. They are March 3, 2011 (6 months from publication of standard) and December 3, 2010.

If you are manufacturing roman shades with breakaway devices and continuous loop and bead chain products with tension devices you have until March 3, 2011 to be in manufacturing compliance for a tension device that complies and renders the shade partially inoperable when the tension device is not properly installed.

Also, If you are using break away devices as a compliance path for roman shades, you have until March 3, 2011 to change the design and comply with the standard.

If you are considering a liner or shroud device or some other method to comply with the roman shade requirements of Section 4.5, those manufacturing changes should be in place by December 3, 2010 (these designs need to meet the requirements of Appendix C or D). This means that to be in compliance you have had your fabricated shade tested and using the fabrication technique as of December 3rd. Anything Else I Should Know?

If we choose to use one or more of the products being marketed as tested and compliant and if we use their specifications for making our product, do we have to have our completed Roman shades tested?

Our understanding is YES, because the NEW standard is a PERFORMANCE requirement; not a PRESCRIPTIVE (meaning parts or how-tos that meet the standard), so to be considered safe, the working shade must be tested per procedures outlined in standards.

We contacted Bureau Veritas, a testing lab for window coverings, about testing as it relates to components and the completed shade. Here's their answer.

“The standard indicates different requirements that the final window blind product must be in compliance with. It is not a prescriptive requirement but rather a performance based requirement. So for example, it does not indicate to use X style cord guides spaced Y distance apart in order to comply with the standard. Rather, it specifies that the final product must not have a hazardous loop when tested to the requirements

outlined in the standard. So one of the options may comply with the standard when tested on that manufacturer's product, but how it is applied to your product, the spacing, etc. could change those results. One design that works on one blind may not work on another blind. Spacing of the attachment points or cord guides could certainly change the outcome of the testing as well as even the blind material used. The testing for a Roman shade involves trying to insert a head probe test fixture. If the blind material is very rigid and the loop opening is fairly small, the blind may not flex and allow the head probe to pass through. However, if the same spacing is used, but a lightweight, pliable material is used in place of the rigid material, the head probe may be able to pass through, therefore making the product noncompliant."

What other things should I be aware of in the standard?

Don't overlook the labeling requirements. There are two. One is labeling the product's potential hazards and another giving the product origins.

Hazards- "Manufacturers shall provide, on all window covering products with cords that are accessible, warnings about the potential dangers of these products to young children. All warning labels and hang tags shall adhere to ANSI Z535 standards (see Appendix B), and shall be provided in both English and Spanish. If a single long label containing both languages is used instead of two separate labels, only one set of pictograms is required. "

Product Origins- "There shall be a permanent label or marking on each finished corded window covering product that identifies the name, city, and state of the U.S. manufacturer or importer or distributor or fabricator or seller, and the year of manufacture."

Resources for More Information

Testing

Bureau Veritas
Jeff Sendlak
(716) 505-3668
jeff.sendlak@us.bureauveritas.com

Components

Rollease <http://www.rollease.com/tension.html>

Rowley Company <https://www.rowleycompany.com/welcome.asp>

Tech Styles <http://www.tech-styles.net>

"Compliant Shades"

Merrill Landis www.mylltd.com

Safe T Shade 877-907-2338

Besides their lift band shade; Safe T shade is introducing a retrofit kit for beaded chain shades in early 2011

ANSI Standard

www.wcmanet.org - there is a \$36.00 charge for standard

Read only version of standard - <http://www.windowcoveringsassociation.org/>

More information and Questions answered

WFCP/WCAA/CHF Webinar 1 <http://wcaa.wistia.com/projects/24091>

WFCP/WCAA/CHF Webinar 2 <http://wcaa.wistia.com/projects/24200>

WFCP /WCAA/CHF Webinar 3 <http://www.debbarrett.com/recallfollowup.wmv>

WCMA/CPSC Stakeholders Meeting : <http://www.cpsc.gov/webcast/previous.html>