



**U.S. CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MARYLAND 20814**

**COMMISSIONER NANCY A. NORD**

**Statement on the Commission's vote to issue an  
administrative complaint against Baby Matters, LLC**

December 5, 2012

The Commission has voted to issue an administrative complaint against Baby Matters, LLC, the manufacturer of the Nap Nanny, an infant recliner. My heart goes out to the parents and families of children who are injured or lose their lives in incidents associated with consumer products. Yet not every incident that occurs in the presence of a product was necessarily caused by that product. Properly identifying and addressing a causal link is a key responsibility of the Commission. I joined my colleagues in voting to issue the complaint because I believe that the legal theory described in the complaint concerning the reasonably foreseeable misuse of Baby Matters' products deserves a thorough vetting by an administrative law judge. This concept remains nebulous and incompletely defined even as the agency has dealt with it over the years. Should this case come up for the Commission's consideration, I look forward to reviewing the facts and considering the legal arguments of all parties.