



December 6, 2016

The Honorable Ryan Smith
Chairman
House Finance Committee
77 S. High St., 13th Floor
Columbus, OH 43215

Re: SB 332 – Prohibition on Manufacturer of Baby Products

Dear Chairman Smith,

I write to express concern with portions of Senate Bill 332 (-13 version pending in Finance).

New language is contained in the bill, beginning on line 1683, that prohibits the manufacture of a certain product in Ohio. The baby product(s) in question are not prohibited by the federal government, nor by some other states. While there may be a legitimate debate over the safety of products in question, the imposition of state-by-state limitations on the manufacture of a specific product is unwise and sets bad precedent.

Advocates who manufacture baby bumper pads and related products have testified before the Committee and presented expertise that policy makers will want to understand before going to the extreme step of banning the production of a certain product within our state boundaries.

In order to prevent an unwise precedent, please consider removal of "manufacture" and "manufacturing" from the new language contained in R.C. 3713.021 (see attached). In its current form, the new permanent law would prohibit certain products from being manufactured in Ohio.

Manufacturers are supportive of childhood safety, however when product safety limitations justify regulation of the manufacturer, a uniform federal regulation is always preferable to a patchwork of state laws that can disadvantage states. I thank you for considering these perspectives to maintain Ohio's manufacturing competitiveness.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ryan Augsburger".

Ryan Augsburger
Vice President and Managing Director of Public Policy Services

sell the article of bedding or stuffed toy. 1682

Sec. 3713.021. (A) No person shall recklessly ~~manufacture,~~ 1683
offer for sale, sell, deliver, or possess for the purpose of 1684
~~manufacturing,~~ selling, or delivering a crib bumper pad. 1685

(B) The superintendent of industrial compliance shall 1686
issue a notice of violation to any person found to have violated 1687
division (A) of this section. 1688

Sec. 3713.022. (A) No person shall recklessly manufacture, 1689
offer for sale, sell, deliver, or possess for the purpose of 1690
manufacturing, selling, or delivering a mesh crib liner intended 1691
for placement between a crib mattress and one or more of the 1692
crib's inner sides that does not comply with consumer product 1693
safety standards governing such liners that are promulgated 1694
after October 9, 2016, by the United States consumer product 1695
safety commission (pursuant to section 104 of the "Consumer 1696
Product Safety Improvement Act of 2008," 15 U.S.C. 2056a, as 1697
amended) for the purpose of ensuring sufficient permeability and 1698
breathability so as to prevent infant suffocation. 1699

(B) In the absence of standards described in division (A) 1700
of this section, no person shall, beginning three years after 1701
the effective date of this section, recklessly manufacture, 1702
offer for sale, sell, deliver, or possess for the purpose of 1703
manufacturing, selling, or delivering a mesh crib liner. 1704

(C) The superintendent of industrial compliance shall 1705
issue a notice of violation to any person found to have violated 1706
division (A) or (B) of this section. 1707

Sec. 3713.99. (A) Whoever violates division (A), (B), or 1708
(D) of section 3713.02 of the Revised Code is guilty of a 1709
misdemeanor of the fourth degree. 1710