



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites	
------	------------------	----------------	--------------	-----------------	------------------	--------------	--

Code: Section:

[Up^](#) [Add To My Favorites](#)

HEALTH AND SAFETY CODE - HSC

DIVISION 20. MISCELLANEOUS HEALTH AND SAFETY PROVISIONS [24000 - 27007] (*Division 20 enacted by Stats. 1939, Ch. 60.)*

CHAPTER 4.7. Infant Safety [24500 - 24522] (*Chapter 4.7 added by Stats. 1994, Ch. 1176, Sec. 2.)*

ARTICLE 1. Infant Crib Safety Act [24500 - 24506] (*Article 1 added by Stats. 1994, Ch. 1176, Sec. 2.)*

24500. This article shall be known and may be cited as the Infant Crib Safety Act.

(*Added by Stats. 1994, Ch. 1176, Sec. 2. Effective January 1, 1995.*)

24501. As used in this article, the following terms have the following meanings:

- (a) "Infant" means any person less than 35 inches tall and less than three years of age.
- (b) "Crib" means a bed or containment designed to accommodate an infant.
- (c) "Full-size crib" means a full-size crib as defined in Section 1508.3 of Title 16 of the Code of Federal Regulations regarding the requirements for full-size cribs.
- (d) "Non-full-size crib" means a non-full-size crib as defined in Section 1509.2(b) of Title 16 of the Code of Federal Regulations regarding the requirements for non-full-size cribs.
- (e) "Person" means any natural person, firm, corporation, association, or agent or employee thereof.
- (f) "Commercial user" means any person who deals in full-size or non-full-size cribs of the kind governed by this chapter who otherwise by one's occupation holds oneself out as having knowledge or skill peculiar to the full-size or non-full-size cribs governed by this chapter, or any person who is in the business of remanufacturing, retrofitting, selling, leasing, subletting, or otherwise placing in the stream of commerce full-size or non-full-size cribs.

(*Added by Stats. 1994, Ch. 1176, Sec. 2. Effective January 1, 1995.*)

24502. (a) No commercial user shall remanufacture, retrofit, sell, contract to sell or resell, lease, sublet, or otherwise place in the stream of commerce, on or after January 1, 1995, a full-size or non-full-size crib that is unsafe for any infant using the crib.

(b) A crib is presumed to be unsafe pursuant to this article if it does not conform to all of the following:

- (1) Part 1508 (commencing with Section 1508.1) of Title 16 of the Code of Federal Regulations.
- (2) Part 1509 (commencing with Section 1509.1) of Title 16 of the Code of Federal Regulations.
- (3) Part 1303 (commencing with Section 1303.1) of Title 16 of the Code of Federal Regulations.
- (4) American Society for Testing Materials Voluntary Standards F966-90.
- (5) American Society for Testing Materials Voluntary Standards F1169-88.
- (6) Any regulations that are adopted in order to amend or supplement the regulations described in paragraphs (1) to (5), inclusive.

(c) Cribs that are unsafe or fail to perform as expected pursuant to subdivision (b) include, but are not limited to, cribs that have any of the following dangerous features or characteristics:

- (1) Corner posts that extend more than one-sixteenth of an inch.
- (2) Spaces between side slats more than two and three-eighths inches.

(3) Mattress support that can be easily dislodged from any point of the crib. A mattress segment can be easily dislodged if it cannot withstand at least a 25-pound upward force from underneath the crib.

(4) Cutout designs on the end panels.

(5) Rail height dimensions that do not conform to the following:

(A) The height of the rail and end panel as measured from the top of the rail or panel in its lowest position to the top of the mattress support in its highest position is at least 22.8 centimeters (9 inches).

(B) The height of the rail and end panel as measured from the top of the rail or panel in its highest position to the top of the mattress support in its lowest position is at least 66 centimeters (26 inches).

(6) Any screws, bolts, or hardware that are loose and not secured.

(7) Sharp edges, points, or rough surfaces, or any wood surfaces that are not smooth and free from splinters, splits, or cracks.

(8) Non-full-size cribs with tears in mesh or fabric sides.

(Added by Stats. 1994, Ch. 1176, Sec. 2. Effective January 1, 1995.)

24503. On or after January 1, 1996, any commercial user who willfully and knowingly violates Section 24502 is guilty of a misdemeanor, punishable by a fine not exceeding one thousand dollars (\$1,000). Hotels, motels, or similar transient lodging shall not be subject to this section until January 1, 1998.

(Added by Stats. 1994, Ch. 1176, Sec. 2. Effective January 1, 1995.)

24504. Any person may maintain an action against any commercial user who violates Section 24502 to enjoin the remanufacture, retrofit, sale, contract to sell, contract to resell, lease, or subletting of a full-size or non-full-size crib that is unsafe for any infant using the crib, and for reasonable attorney's fees and costs. This section shall not apply to hotels, motels, or similar transient lodging until January 1, 1998.

(Added by Stats. 1994, Ch. 1176, Sec. 2. Effective January 1, 1995.)

24505. Remedies available under this article shall be in addition to any other remedies or procedures under any other provision of law that may be available to an aggrieved party.

(Added by Stats. 1994, Ch. 1176, Sec. 2. Effective January 1, 1995.)

24506. If any provision of this article or the application thereof to any person or circumstances is held invalid or unconstitutional, that invalidity shall not affect other provisions or applications of this article that can be given effect without the invalid provision or application, and to this end the provisions of this article are severable.

(Added by Stats. 1994, Ch. 1176, Sec. 2. Effective January 1, 1995.)