

Rehabilitation (ABPMR), or the American Board of Physical Medicine and Rehabilitation (AOBPMR); and occurred on or after September 11, 2001, and while the individual was a covered employee of the Department of Commerce.

(b) The Department of Commerce may provide a payment to covered employees, as defined in this section, if the qualifying injury to the brain was assessed and diagnosed in person by a currently board-certified physician from ABPN, AOBPN, ABPMR, or AOBPMR; and occurred on or after September 11, 2001, and while the employee was a covered employee of the Department.

(c) The Department of Commerce may provide a payment to a covered dependent, if the qualifying injury to the brain was assessed and diagnosed in person by a currently board-certified physician from the ABPN, AOBPN, ABPMR, or AOBMR; and occurred on or after September 11, 2001, and while the dependent's sponsor was a covered employee of the Department.

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■ 5. Revise § 3.4 to read as follows:

§ 3.4 Consultation with other agencies.

The Department may consult with the appropriate officials in other Federal agencies to identify their current and former covered employees, and current and former dependents who reported an anomalous health incident. The Department will not process payment for employees, former employees, or dependents of current or former employees of other agencies if the relevant employee was employed by another agency at the time of the injury.

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CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1219

[Docket No. CPSC-2010-0075]

Safety Standard for Full-Size Baby Cribs

AGENCY: Consumer Product Safety Commission.

ACTION: Direct final rule.

SUMMARY: In 2010, the U.S. Consumer Product Safety Commission (Commission or CPSC) published a consumer product safety standard for full-size baby cribs under section 104 of the Consumer Product Safety Improvement Act of 2008 (CPSIA). The standard incorporated by reference

ASTM F1169-10, *Standard Consumer Safety Specification for Full-Size Baby Cribs*, with modifications. In 2019, the standard was updated to incorporate by reference ASTM F1169-19. The CPSIA sets forth a process for updating mandatory standards for durable infant or toddler products that are based on a voluntary standard, when a voluntary standards organization revises the standard. Consistent with the CPSIA update process, this direct final rule updates the mandatory standard for full-size baby cribs to incorporate by reference ASTM's 2025 version of the voluntary standard.

DATES: The rule is effective on August 1, 2026, unless the Commission receives a significant adverse comment by June 3, 2026. If the Commission receives such a comment, it will publish a document in the **Federal Register**, withdrawing this direct final rule before its effective date. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register as of August 1, 2026.

ADDRESSES: You can submit comments, identified by Docket No. CPSC-2010-0075, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. CPSC typically does not accept comments submitted by electronic mail (email), except as described below. CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal.

Mail/Hand Delivery/Courier/Confidential Written Submissions: Submit comments by mail, hand delivery, or courier to: Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7479. If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: cpsc-os@cpsc.gov.

Instructions: All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: <https://www.regulations.gov>. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not

want to be available to the public. If you wish to submit such information, please submit it according to the instructions for mail/hand delivery/courier/confidential written submissions.

Docket: For access to the docket to read background documents or comments received, go to: <https://www.regulations.gov>, and insert the docket number, CPSC-2010-0075, into the "Search" box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Joseph Williams, Compliance Officer, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7585; email: jfwilliams@cpsc.gov; or Daniel Taxier, Project Manager, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: (301) 987-2211; email: dtaxier@cpsc.gov.

SUPPLEMENTARY INFORMATION:

I. Background

A. Statutory Authority

Section 104(b)(1) of the CPSIA requires the Commission to assess the effectiveness of voluntary standards for durable infant or toddler products and adopt mandatory standards for these products. 15 U.S.C. 2056a(b)(1). The mandatory standard must be "substantially the same as" the voluntary standard, or it may be "more stringent than" the voluntary standard, if the Commission determines that more stringent requirements would further reduce the risk of injury associated with the product. *Id.*

Section 104(b)(4)(B) of the CPSIA specifies the process for updating the Commission's rules when a voluntary standards organization revises a standard that the Commission incorporated by reference under section 104(b)(1). First, the voluntary standards organization must notify the Commission of the revision. Once the Commission receives this notification, the Commission may reject or accept the revised standard. The Commission may reject the revised standard by notifying the voluntary standards organization, within 90 days of receiving notice of the revision, that it has determined that the revised standard does not improve the safety of the consumer product and that it is retaining the existing standard. If the Commission does not take this action to reject the revised standard, the revised voluntary standard will be considered a consumer product safety standard issued under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), effective 180 days after the Commission received notification of the

revision or on a later date specified by the Commission in the **Federal Register**. 15 U.S.C. 2056a(b)(4)(B).

Section 104(c) of the CPSIA treats cribs (both full-sized and non-full-sized cribs) differently than other products covered by section 104. As originally enacted in the CPSIA, section 104(c) stated that the standards for full-size baby cribs would apply to a larger class of parties than other rules issued under section 104, including those owning or operating child care facilities and places of public accommodation.¹ In 2011, however, Congress amended section 104, stating that any revision of the crib standards after their initial promulgation “shall apply only to a person that manufactures or imports cribs,” unless the Commission determines that application to any others covered by the initial crib standards is “necessary to protect against an unreasonable risk to health or safety.” 15 U.S.C. 2056a(c)(3). The Commission is not making this determination for this revision, so the revised full-size baby cribs standard will apply to the same entities and in the same manner as other rules the Commission issues under section 104 of the CPSIA.

B. Safety Standard for Full-Size Baby Cribs

In 2010, under section 104(b)(1) of the CPSIA, the Commission adopted a mandatory rule for full-size baby cribs, codified in 16 CFR part 1219, “Safety Standard for Full-Size Baby Cribs,” with modifications. The rule incorporated by reference ASTM F1169–10, *Standard Consumer Safety Specification for Full-Size Baby Cribs*, with modifications. 75 FR 81766 (Dec. 28, 2010). ASTM F1169 establishes performance requirements and test procedures to determine the structural integrity of full-size baby cribs. It also contains design requirements addressing entanglement on crib corner post extensions, and requirements for warning labels and instructional materials. After the publication of ASTM F1169–10, ASTM

F1169 was revised in 2011, 2013, and 2019. CPSC updated the full-size baby cribs mandatory rule each time without any modifications, adopting ASTM F1169–11 in 2012 (77 FR 45242 (July 31, 2012)), adopting ASTM F1169–13 in 2013 (78 FR 73692 (Dec. 9, 2013)) and adopting ASTM F1169–19 in 2019 (84 FR 35293 (July 23, 2019)).

On December 15, 2025, ASTM approved and, in January 2026, published a revised version of the voluntary standard for full-size baby cribs, ASTM F1169–25. The revised voluntary standard incorporates requirements for mesh/fabric sided products based on requirements for play yards in ASTM F406, *Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play Yards*, and adds new requirements for rigid barriers to address the risk of a child becoming entrapped between the mattress and a mesh sidewall. On February 2, 2026, ASTM notified CPSC of the revisions to ASTM F1169.

C. Public Comments

On February 20, 2026, the Commission provided notice in the **Federal Register** of the availability of the revised standard and sought comment on the effect of the revisions on the safety standard for full-size cribs and received eight public comments. 91 FR 8150. The Commission received seven comments from students completing a class assignment to engage with the government using technology. Six students commented in support of the update to the standard. One student suggested that CPSC consider incremental costs of the rule and willingness of manufacturers to incur the costs associated with the revisions. An eighth comment was out of scope.

CPSC appreciates the support for the updated full-size crib standard. The updated standard was developed through ASTM with the support and input of a variety of stakeholders, including manufacturers, test laboratories, consumer safety advocates, consumers, and regulators. This consensus process demonstrates broad support and willingness to implement the revised standard. The Commission also acknowledges the commenter’s statement to consider the costs of the rule; however, Congress has mandated that the revision “shall be considered to be a consumer product safety standard” unless the Commission determines “that the proposed revision does not improve the safety of the consumer product covered by the standard” and notifies ASTM of that determination. 15 U.S.C. 2056a(b)(4)(B).

D. Summary of Assessment of ASTM F1169–25

Pursuant to CPSIA section 104, the revised voluntary standard will take effect as the new mandatory standard for full-size baby cribs on August 1, 2026, unless the Commission specifies a later date in the **Federal Register** or notifies ASTM by May 3, 2026, that it has determined the revision does not improve the safety of full-size baby cribs. 15 U.S.C. 2056a(b)(4)(B). Based on staff’s review of ASTM F1169–25 and the public comments received, the Commission will allow ASTM F1169–25 to become a mandatory consumer product safety standard for full-size cribs because it improves the safety of these products, effective August 1, 2026. This direct final rule updates 16 CFR part 1219 to incorporate by reference the applicable provisions of the revised voluntary standard, ASTM F1169–25.

II. Revisions to ASTM F1169

ASTM F1169–25 includes several additions and revisions to ASTM F1169–19, including new definitions, new performance requirements and test methods, clarifications to existing requirements, as well as editorial revisions that do not alter substantive requirements in the standard or impact safety. The Commission considers the revisions in ASTM F1169–25 to be an improvement to the safety of full-size cribs because the revised standard includes new performance and testing requirements to address fabric- or mesh-sided products and improved performance requirements for accessories.

A. Definitions

ASTM F1169–25 adds definitions in section 3 for “cantilevered accessory,” “full accessory,” “full-size crib dependent accessory,” “mesh,” “fabric,” “mesh/fabric sided full-size crib,” and “seam.” A “full accessory” is defined in section 3.7 as any accessory that fully covers the top opening to the full-size crib without exposing the occupant to an entrapment hazard. A “full-size crib dependent accessory” is defined in section 3.9 as a component or accessory with a rigid frame that attaches to or rests on a full-size crib and does not fully cover the top opening. A “cantilevered accessory” is defined in section 3.2 as a full-size crib dependent accessory that is supported and attached at only one end of the component to a full-size crib. These definitions are used to inform new requirements for full-size cribs constructed with a rigid frame assembly and a fabric or mesh assembly, or both,

¹ Under section 104(c) of the CPSIA, the initial crib standards applied to: “any person that—

(A) manufactures, distributes in commerce, or contracts to sell cribs;

(B) based on the person’s occupation, holds itself out as having knowledge of skill peculiar to cribs, including child care facilities and family child care homes;

(C) is in the business of contracting to sell or resell, lease, sublet, or otherwise place cribs in the stream of commerce; or

(D) owns or operates a place of accommodation affecting commerce (as defined in section 4 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2203) applied without regard to the phrase ‘not owned by the Federal Government’).”

used on any portion of the product sides, ends, or a combination thereof; and revised requirements for accessories, to harmonize with ASTM F406, incorporated by reference in the Safety Standard for Non-Full-Size Baby Cribs and in the Safety Standard for Play Yards in 16 CFR parts 1220 and 1221, respectively, and address entrapment hazards associated with accessories for both rigid-sided and mesh/fabric sided full-size cribs.

ASTM F1169–25 also adds a definition in section 3.19 for “rigid barrier(s)” as barriers constructed of rigid materials, such as wood, plastic, or metal, to inform new performance requirements for rigid barriers on mesh/fabric sided full-size cribs, and clarifies that “mattress support system” includes mattress pads with a rigid support contained inside the mattress (*i.e.*, the construction of a traditional play yard mattress).

B. General Requirements, Performance Requirements, and Test Methods

The changes to the performance requirements and test methods generally fall into two categories: requirements based on ASTM F406; and requirements for barriers on mesh/fabric-sided full-size cribs.

1. Requirements Based on ASTM F406

ASTM F1169–25 adds the following performance requirements based on ASTM F406, *Standard Consumer Safety Specification for Non-Full-Size Baby Cribs/Play Yards*, to address hazards associated with both rigid-sided and mesh/fabric sided full-size cribs:

- Section 5.16.1 adds a requirement for full-size baby cribs that include a mattress to prevent finger, toe, hand, or foot entrapment in openings in rigid materials beneath the mattress, if a mattress is included with the product and is not thicker than 2.5 inches.
- Section 5.17.1 adds a requirement to evaluate for scissoring, shearing, or pinching if the top rail can be lowered while the unit is erected, to protect fingers from lacerations or amputations.
- Section 5.19.1 adds a requirement to address cords/straps that can form loops, subject to the test method added in section 7.27, to protect from strangulation hazards.
- Section 5.20 includes additional requirements for cribs that fold for storage or transport. The new requirements in subsections 5.20.2.3 through 5.20.2.5 and 5.20.3 include double-action locking mechanisms, automatic locking device for products with latching/locking of rails, and an evaluation for false latches (latches which appear to be engaged but are not

to address hazards associated with unintentional folding of top rails and false latching of top rails. Under “Test Methods,” section 7.15 was added to perform the false latch test on top rails.

- Section 5.21 adds requirements for graspable protective components, such as caps sleeves, or plugs used for protection from sharp edges, points, or entrapment of fingers or toes, subject to the torque and tension testing added in section 7.16 to address potential choking hazards, laceration hazards, and entrapment of fingers and toes.
- Section 5.22 adds a stability requirement, subject to the added test method in section 7.17, for mesh-sided products to address fall hazards due to product instability.
- Section 5.23 adds requirements for protrusions, subject to the added test method in section 7.18, in mesh-sided products to address strangulation hazards.
- In section 5.24, requirements are added for bassinet/cradle accessories for mesh sided products that require consumer assembly (does not apply to permanently attached accessories) to address the potential fall hazard posed when the accessory is not adequately secured. The associated test method for this requirement was added in section 7.24.
- Section 5.25 adds that if the product can be converted to another product or has a different use mode for which another consumer safety specification exists, the product or use mode shall comply with the requirements of each applicable standard. This requirement ensures that products with multiple use modes are appropriately evaluated in each mode.
- In section 6.9, requirements to address entrapment in accessories are revised to account for the greater variety of accessories traditionally associated with mesh/fabric sided products, such as full bassinet/cradle accessories. The opening test method is also amended to add section 7.10.2.1 to specify where to perform the opening test on cantilevered accessories. The test methods for accessories are further clarified in section 7.10.1 to establish how full-size dependent accessories are to be installed during testing, and in section 7.10.3 to add that the force for the detachment test is maintained for 10 seconds. These requirements reduce the risk of foreseeable entrapment hazards when an accessory is added to a full-size crib that could create an opening that may entrap an occupant’s head or neck.
- Section 6.12 adds requirements for deflection and strength of center latching hinge mechanisms on top rails

to address the risk of permanent deflection and accidental collapse of the rails. Test methods for these requirements were added in section 7.19.

- Section 6.13 adds a requirement for top rail covering material to provide a minimum thickness of vinyl covering materials, subject to the test method added in section 7.25, to ensure the top rail is adequately protected from finger entrapment and other hazards when unsupported or non-reinforced vinyls are used.
 - Section 6.14 adds requirements for mesh openings, subject to the test method added in section 7.20, to prevent entrapment of fingers and toes and the snaring of buttons normally used in infant clothing; and mesh strength, subject to the test method added in 7.21, to prevent the mesh from breaking or separating from its supporting structure or accessories.
 - Section 6.15 adds requirements for fabric strength (excluding mesh) to ensure fabric materials used for sides, ends, or the mattress support system support meet a minimum level of structural integrity to reduce the risk of the material breaking and causing the structure to collapse or introduce other hazards.
 - Section 6.16 adds requirements for mesh/fabric assembly to ensure seams and stitching accessible to the occupant are not able to be disassembled by the occupant and meet a minimum level of structural integrity. The mesh/fabric attachment strength test method is added in section 7.22.
- These performance requirements address hazards related to mesh/fabric products and their accessories that were not previously addressed in the full-size crib standard and are therefore an improvement in safety. Users of ASTM F406 will be familiar with these requirements.

2. Requirements for Barriers on Mesh/Fabric Sided Full-Size Cribs

ASTM F1169–25 adds performance requirements for barriers on mesh/fabric sided full-size cribs to address the potential entrapment hazard between mesh/fabric sides and the mattress, and to address the potential fall hazard presented by the barrier:

- Section 5.7, “Full-Size Baby Cribs—Dimensions,” adds the following requirements for rigid barriers for mesh/fabric sided full-size cribs:
 - The barrier shall extend at least 5 inches above the mattress support in any adjustment position. Full-size crib mattresses are generally 6 inches thick or less; this barrier height prevents vertical gaps between the top of the

barrier and the top of a full-size crib mattress greater than 1 inch, addressing a potential entrapment hazard.

- The distance from the top of the rigid barrier to the top of the rail shall be at least 21 inches when the mattress support is in the lowest position, and 10 inches when the mattress support is in its highest position. Considering the minimum 5-inch barrier height, this requirement aligns with the existing requirements for rail height measured from the mattress support in sections 5.7.2.2 (26 inches) and 5.6.2 (15 inches), which addresses a potential fall hazard.

- In accordance with the test method added in section 7.26, with an outward horizontal force of 20 pounds applied to the barrier(s), the interior dimensions of the crib shall be 28 in. \pm $\frac{3}{4}$ in. (71 cm \pm 1.9 cm) width and 52 $\frac{3}{8}$ in. \pm $\frac{3}{4}$ in. (133 cm \pm 1.9 cm) length. These dimensions offer an additional $\frac{1}{8}$ -inch tolerance compared to the typical full-size crib interior dimensions when no force is applied, and reduces the chance of a hazardous gap forming between the barrier and the crib mattress.²

- The barrier must require a tool to remove so that the barrier cannot be removed in the normal course of using or folding the product, and the product shall not be usable without the rigid barrier installed on the product in all adjustment positions. These requirements help ensure the barrier will be in place to prevent entrapment of the crib occupant between the mattress and the mesh/fabric sides when the product is in use.

- Section 6.17 adds a requirement that no gaps greater than 1 inch shall form between mesh/fabric and the rigid barrier when the mesh/fabric is outside the rigid barrier and 20 pounds of force is applied horizontally outward to the mesh/fabric. This requirement is subject to the test method added in section 7.23. This addresses the potential entrapment hazard between the mesh/fabric sides and the barrier when the barrier is interior to the mesh/fabric sides.

The corresponding test methods for each of these performance requirements are added in section 7. These new performance requirements for barriers on mesh/fabric sided full-size cribs address potential fall and entrapment hazards and are therefore an improvement in safety.

C. Marking and Labeling

The marking and labeling requirements in ASTM F1169–25

² A full-size crib mattress compliant with 16 CFR part 1241 will measure at least 27 $\frac{1}{4}$ in. wide and 51 $\frac{5}{8}$ in. long, leaving at most a 1.5 inch gap between the barrier and the mattress when a 20-pound force is pushing the barrier out.

include three updates based on similar requirements in ASTM F406 to address foreseeable hazards for mesh/fabric sided products:

- Section 8.4 adds a new warning placed on either the inside of the top rail on opposite sides of the product or on two opposite saddle covers, instructing consumers to “never leave infants in product with sides down. Infants may roll into space between mattress and loose mesh side causing suffocation.”

- Section 8.5.1.3 adds the following warning statement for mesh/fabric sided cribs to the Fall Hazard warning: “The product, including side rails, must be fully erected prior to use.”

- Section 8.5.1.4 adds “torn mesh/fabric” to a list of potentially damaged components for consumers to check before assembly and during use.

These are new requirements relevant to mesh/fabric sided full-size cribs and are therefore an improvement in safety.

D. Other Revisions

ASTM F1169–25 also includes several minor additions and revisions that are editorial in nature, such as updates to section and figure numbers to reflect revised and new sections and figures, updates to references, an updated Rationale section,³ and clarified measurement units (e.g., 28 \pm $\frac{3}{4}$ in. becomes 28 in. \pm $\frac{3}{4}$ in.). These revisions do not impact safety because they do not alter any substantive requirements in the standard.

III. Incorporation by Reference

Section 1219.2 of the direct final rule incorporates by reference ASTM F1169–25. The Office of the Federal Register (OFR) has regulations regarding incorporation by reference. 1 CFR part 51. Under these regulations, agencies must discuss, in the preamble to a final rule, ways in which the material the agency incorporates by reference is reasonably available to interested parties, and how interested parties can obtain the material. In addition, the preamble to the final rule must summarize the material. 1 CFR 51.5(b).

In accordance with the OFR regulations, sections I. and II. of this preamble summarize the major provisions of ASTM F1169–25 that the Commission incorporates by reference into 16 CFR part 1219. The standard is reasonably available to interested parties in several ways. Until the direct final rule takes effect, a read-only copy of ASTM F1169–25 is available for

viewing on ASTM’s website at: <https://www.astm.org/cpsc.htm>. Once the rule takes effect, a read-only copy of the standard will be available for viewing on the ASTM website at: <https://www.astm.org/READINGLIBRARY/>. Additionally, interested parties can purchase a copy of ASTM F1169–25 from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959 USA; phone: (610) 832–9585; www.astm.org. Finally, interested parties can schedule an appointment to inspect a copy of the standard at CPSC’s Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, telephone: (301) 504–7479; email: cpsc-os@cpsc.gov.

IV. Certification

Section 14(a) of the Consumer Product Safety Act (CPSA; 15 U.S.C. 2051–2089) requires manufacturers, including importers, of products subject to a consumer product safety rule under the CPSA, or to a similar rule, ban, standard, or regulation under any other act enforced by the Commission, to certify that the products comply with all applicable CPSC requirements. 15 U.S.C. 2063(a). Such certification must be based on a test of each product, or on a reasonable testing program, or, for children’s products, on tests of a sufficient number of samples by a third party conformity assessment body accredited by CPSC to test according to the applicable requirements. As noted, standards issued under section 104(b)(1)(B) of the CPSIA are “consumer product safety standards.” Thus, they are subject to the testing and certification requirements of section 14 of the CPSA.

Because full-size cribs are children’s products, a CPSC-accepted third party conformity assessment body must test samples of the products. Products subject to part 1219 also must comply with all other applicable CPSC requirements, such as the lead content requirements in section 101 of the CPSIA;⁴ the phthalates prohibitions in section 108 of the CPSIA⁵ and 16 CFR part 1307; the tracking label requirements in section 14(a)(5) of the CPSA;⁶ and the consumer registration form requirements in section 104(d) of the CPSIA.⁷ ASTM F1169–25 does not make any changes that would impact any of these existing requirements.

⁴ 15 U.S.C. 1278a.

⁵ 15 U.S.C. 2057c.

⁶ 15 U.S.C. 2063(a)(5).

⁷ 15 U.S.C. 2056a(d).

³ The Rationale section is an appendix to the voluntary standard that describes in further detail the reason several requirements were included.

V. Notice of Requirements

In accordance with section 14(a)(3)(B)(iv) of the CPSA, the Commission previously published a notice of requirements (NOR) for accreditation of third party conformity assessment bodies (third party labs) for testing full-size cribs and codified the requirement at 16 CFR 1112.15(b)(5). 73 FR 62965 (Oct. 22, 2008). The NOR provided the criteria and process for CPSC to accept accreditation of third party conformity assessment bodies for testing full-size cribs to 16 CFR part 1219. The NORs for all mandatory standards for durable infant or toddler products are listed in the Commission's rule, "Requirements Pertaining to Third Party Conformity Assessment Bodies," codified in 16 CFR part 1112.

ASTM F1169—25 includes several requirements that are new to the full-size crib standard, most of which are familiar to users subject to 16 CFR part 1220 and 16 CFR part 1221. While some of these new requirements require equipment that is new to 16 CFR part 1219, such as the tension test adapter clamp in section 7.16, the stability test device in section 7.17, and the ring gauge in section 7.18, the equipment is the same as utilized in 16 CFR parts 1220 and 1221. Most laboratories accepted by CPSC for part 1219 are also accepted for parts 1220 and 1221. The standard also includes new performance requirements for barriers for mesh/fabric sided full-size cribs which utilize pre-existing test equipment. Accordingly, the revisions do not significantly change the way that third party conformity assessment bodies test these products for compliance with the safety standard for full-size cribs. Laboratories will begin testing to the new standard when ASTM F1169—25 goes into effect, and the existing accreditations that the Commission has accepted for testing to this standard will cover testing to the revised standard. Therefore, the Commission considers the existing CPSC-accepted laboratories for testing to ASTM F1169—19 to be capable of testing to ASTM F1169—25 as well. Accordingly, the existing NOR for this standard will remain in place, and CPSC-accepted third party conformity assessment bodies are expected to update the scope of the testing laboratories' accreditations to reflect the revised standard in the normal course of renewing their accreditations.

VI. Direct Final Rule Process

On February 20, 2026, the Commission provided notice in the **Federal Register** of the revision to the standard and requested comment on

whether the revision improves the safety of full-size baby cribs covered by the standard. 91 FR 8150. CPSC received eight comments. Now, the Commission is issuing this rule as a direct final rule. Although the Administrative Procedure Act (APA; 5 U.S.C. 551–559) generally requires agencies to provide notice of a rule and an opportunity for interested parties to comment on it, section 553 of the APA provides an exception when the agency "for good cause finds" that notice and comment are "impracticable, unnecessary, or contrary to the public interest." *Id.* 553(b)(B). The Commission concludes that when it updates a reference to an ASTM standard that the Commission incorporated by reference under section 104(b) of the CPSIA, notice and comment are not necessary.

The purpose of this direct final rule is to update the reference in the Code of Federal Regulations (CFR) so that it reflects the version of the standard that takes effect by operation of law. This rule updates the reference in the CFR, but under the terms of the CPSIA, ASTM F1169—25 would take effect as the new CPSC standard for full-size baby cribs in the absence of any action by the Commission. Thus, public comments would not lead to substantive changes to the standard or to the effect of the revised standard as a consumer product safety rule under section 104(b) of the CPSIA. Under these circumstances, notice and comment are unnecessary.

In Recommendation 2024–6, the Administrative Conference of the United States (ACUS) endorses direct final rulemaking as an appropriate procedure to expedite rules that are unlikely to elicit any significant adverse comments. *See* 89 FR 106406 (Dec. 30, 2024). ACUS recommends that agencies use the direct final rule process when they act under the "unnecessary" prong of the good cause exemption in 5 U.S.C. 553(b)(B). *Id.* at 106409. ACUS also explains that notice and comment may be "unnecessary" when the agency lacks discretion regarding the substance of the rule. *Id.* at 106408. As noted, this rule updates a reference in the CFR to reflect a change that occurs by operation of law. Consistent with the ACUS recommendation, the Commission is publishing this rule as a direct final rule because CPSC does not expect any significant adverse comments.

Unless CPSC receives a significant adverse comment within 30 days of this notification, the rule will become effective on August 1, 2026. In accordance with ACUS's recommendation, the Commission considers a significant adverse comment

to be one where the commenter explains why the rule would be inappropriate, "including challenges to the rule's underlying premise or approach," or where the commenter explains why the rule would be ineffective or unacceptable without change. *Id.* at 106409. As noted, this rule updates a reference in the CFR to reflect a change that occurs by statute.

If the Commission receives a significant adverse comment, the Commission will withdraw this direct final rule. Depending on the comment and other circumstances, the Commission may then incorporate the adverse comment into a subsequent direct final rule or publish a notice of proposed rulemaking, providing an opportunity for public comment.

VII. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA; 5 U.S.C. 601–612) generally requires agencies to review proposed and final rules for their potential economic impact on small entities, including small businesses, and prepare regulatory flexibility analyses. 5 U.S.C. 603, 604. The RFA applies to any rule that is subject to notice and comment procedures under section 553 of the APA. *Id.* As discussed in section VI. of this preamble, the Commission has determined notice and comment are unnecessary for this rule. Therefore, the RFA does not apply. CPSC also notes the limited nature of this document, which updates the incorporation by reference to reflect the mandatory CPSC standard that takes effect under section 104 of the CPSIA by operation of law.

VIII. Paperwork Reduction Act

The current mandatory standard for full-size baby cribs includes requirements for marking, labeling, and instructional literature that constitute a "collection of information," as defined in the Paperwork Reduction Act (PRA; 44 U.S.C. 3501–3521). The Commission took the steps required by the PRA for information collections when it promulgated 16 CFR part 1219, and the marking, labeling, and instructional literature for full-size baby cribs are currently approved under OMB Control Number 3041–0159. The revision does not affect the information collection requirements or approval related to the standard.

IX. Environmental Considerations

The Commission's regulations provide for a categorical exclusion from any requirement to prepare an environmental assessment or an environmental impact statement where they "have little or no potential for

affecting the human environment.” 16 CFR 1021.5(c)(2). This rule falls within the categorical exclusion, so no environmental assessment or environmental impact statement is required.

X. Preemption

Section 26(a) of the CPSA provides that where a consumer product safety standard is in effect and applies to a product, no state or political subdivision of a state may either establish or continue in effect a requirement dealing with the same risk of injury unless the state requirement is identical to the Federal standard. 15 U.S.C. 2075(a). Section 26(c) of the CPSA also provides that states or political subdivisions of states may apply to CPSC for an exemption from this preemption under certain circumstances. Section 104(b) of the CPSIA deems rules issued under that provision “consumer product safety standards.” Therefore, once a rule issued under section 104 of the CPSIA takes effect, it will preempt in accordance with section 26(a) of the CPSA.

XI. Effective Date

Under the procedure set forth in section 104(b)(4)(B) of the CPSIA, when a voluntary standards organization revises a standard that the Commission adopted as a mandatory standard, the revision becomes the CPSC standard 180 days after notification to the Commission, unless the Commission determines that the revision does not improve the safety of the product, or the Commission sets a later date in the **Federal Register**. 15 U.S.C. 2056a(b)(4)(B). The Commission is not taking either of those actions with respect to the revised standard for full-size baby cribs. Therefore, ASTM F1169–25 automatically will take effect as a new mandatory standard for full-size baby cribs on August 1, 2026, 180 days after the Commission received notice of the revision. As a direct final rule, unless the Commission receives a significant adverse comment within 30 days of this notice, the rule will become effective on August 1, 2026, and will apply to products manufactured after the rule’s effective date.

XII. Congressional Review Act and Executive Order 12866

Pursuant to the Congressional Review Act (CRA) and Executive Order (E.O.) 12866, the Office of Management and Budget’s Office of Information and Regulatory Affairs has determined that this rule does not qualify as a “major rule,” as defined in 5 U.S.C. 804(2), and

is not a significant regulatory action as defined under section 2(f) of E.O. 12866. To comply with the CRA, CPSC will submit the required information to each House of Congress and the Comptroller General.

List of Subjects in 16 CFR Part 1219

Consumer protection, Imports, Incorporation by reference, Infants and children, Law enforcement, Safety.

For the reasons discussed in the preamble, the Commission amends 16 CFR chapter II as follows:

PART 1219—SAFETY STANDARD FOR FULL-SIZE BABY CRIBS

■ 1. The authority citation for part 1219 is revised to read as follows:

Authority: 15 U.S.C. 2056a.

■ 2. Revise and republish § 1219.2 to read as follows:

§ 1219.2 Requirements for full-size baby cribs.

Each full-size baby crib must comply with all applicable provisions of ASTM F1169–25, *Standard Consumer Safety Specification for Full-Size Baby Cribs*, approved December 15, 2025. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from ASTM International, 100 Barr Harbor Drive, P.O. Box 0700, West Conshohocken, PA 19428 or at <https://www.astm.org/READINGLIBRARY/>. You may also inspect a copy at the Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East-West Highway, Bethesda, MD 20814, telephone 301–504–7923, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email fr.inspection@nara.gov, or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Alberta E. Mills,

Secretary, Consumer Product Safety Commission.

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

[Docket No. DEA–1632]

Specific Listing for Hexahydrocannabinol, A Currently Controlled Schedule I Substance

AGENCY: Drug Enforcement Administration, Department of Justice.

ACTION: Final rule.

SUMMARY: The Drug Enforcement Administration (DEA) is establishing a specific listing and DEA Controlled Substances Code Number (drug code) for 6,6,9-trimethyl-3-pentyl-6a,7,8,9,10,10a-hexahydro-6H-benzo[c]chromen-1-ol (also known as hexahydrocannabinol, and HHC) in schedule I of the Controlled Substances Act (CSA). Although hexahydrocannabinol is not specifically listed in schedule I of the CSA with its own unique drug code, it is a schedule I controlled substances in the United States under drug code 7370 because it meets the definition of tetrahydrocannabinols, a schedule I hallucinogen. Therefore, DEA is simply amending the schedule I hallucinogenic substances list to separately include hexahydrocannabinol.

DATES: Effective May 4, 2026.

FOR FURTHER INFORMATION CONTACT: Dr. Terrence L. Boos, Drug and Chemical Evaluation, Diversion Control Division, Drug Enforcement Administration; Telephone: (571) 362–3249.

SUPPLEMENTARY INFORMATION:

Hexahydrocannabinol Control

Hexahydrocannabinol (also known as 6,6,9-trimethyl-3-pentyl-6a,7,8,9,10,10a-hexahydro-6H-benzo[c]chromen-1-ol, and HHC) is a synthetic substance that is structurally related to tetrahydrocannabinols. Hexahydrocannabinol is currently controlled in schedule I as a tetrahydrocannabinol.

The Agriculture Improvement Act of 2018 (AIA), Public Law 115–334, amended the CSA to remove “tetrahydrocannabinols in hemp” from control.¹ Importantly, the AIA defined the term “hemp” to mean “the plant *Cannabis sativa L.* and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol

¹ See 21 U.S.C. 812, Schedule I(c)(17).