

agency for good cause finds (and incorporates the finding and a brief statement of reasons therefor in the rules issued) that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.” 5 U.S.C. 553(b)(B). Courts have held that the good cause exemption should be narrowly construed, and that the “unnecessary” exception should be “confined to those situations in which the administrative rule is a routine determination, insignificant in nature and impact, and inconsequential to the industry and to the public.” *Mack Trucks, Inc. v. EPA*, 682 F.3d 87, 94 (quoting *Util. Solid Waste Activities Grp. v. EPA*, 236 F.3d 749, 755).

This action is an administrative change and will not impose any additional substantive restrictions or requirements on the persons affected by these regulations. The action implements an update to the airport name initiated by the airport operator. The affected airspace boundaries and operating requirements remain unchanged. Although the public may be interested in the airport name change, any comments would not have the potential to substantively alter the FAA’s action, which is triggered by a request from the airport operator. Therefore, the FAA finds good cause that notice and public procedure under 5 U.S.C. 553(b) is unnecessary.

### Regulatory Notices and Analyses

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Order 2100.6B, “Rulemaking and Guidance Procedure” (March 10, 2025); and (3) is expected to result in at most de minimis costs because it is administrative in nature. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### Environmental Review

The FAA has determined that this action of amending the Palm Beach International Airport, West Palm Beach, FL, Class C airspace and Class E airspace descriptions, to update the Palm Beach International Airport name to match the FAA’s NASR database

information, qualifies for categorical exclusion under the National Environmental Policy Act (42 U.S.C. 4321, *et seq.*) as amended, and in accordance with FAA Order 1050.1G, *FAA National Environmental Policy Act Implementing Procedures*, paragraph B-2.5(a), which categorically excludes from further environmental impact review rulemaking actions that designate or modify classes of airspace areas, airways, routes, and reporting points (see 14 CFR part 71, Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes; and Reporting Points). As such, this action is not expected to result in any potentially significant environmental impacts. In accordance with the FAA’s NEPA implementation policy and procedures regarding extraordinary circumstances, the FAA has reviewed this action for factors and circumstances in which a normally categorically excluded action may have a significant environmental impact requiring further analysis. The FAA has determined that no extraordinary circumstances exist that warrant preparation of an environmental assessment or environmental impact statement.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p.389.

#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order JO 7400.11K, Airspace Designations and Reporting Points, dated August 4, 2025, effective September 15, 2025, is amended as follows:

*Paragraph 4000 Class C Airspace.*

\* \* \* \* \*

#### ASO FL C West Palm Beach, FL [Amended]

President Donald J. Trump International Airport, FL  
(Lat. 26°40’59” N, long. 080°05’44” W)  
Palm Beach County Park Airport  
(Lat. 26°35’35” N., long. 080°05’06” W)

### Boundaries

*Area A.* That airspace extending upward from the surface to and including 4,000 feet MSL within a 5-mile radius of the President Donald J. Trump International Airport, excluding that airspace within a 2-mile radius of the Palm Beach County Park Airport.

*Area B.* That airspace extending upward from 1,600 feet MSL to and including 4,000 feet MSL within an area bounded on the north by a line direct from the intersection of the Florida Turnpike (highway 91) and Lantana Road to the intersection of a 5-mile radius of the President Donald J. Trump International Airport and a 2-mile radius west of the Palm Beach County Park Airport and a 2-mile radius north of the Palm Beach County Park Airport, on the east by a line direct from the intersection of a 5-mile radius of the President Donald J. Trump International Airport and a 2-mile radius east of the Palm Beach County Park Airport to the intersection of a 10-mile radius of the President Donald J. Trump International Airport and U.S. 1, on the south by a 10-mile radius of the President Donald J. Trump International Airport, and on the west by the Florida Turnpike.

*Area C.* That airspace extending upward from 1,200 feet MSL to and including 4,000 feet MSL within a 10-mile radius of the President Donald J. Trump International Airport, excluding area B.

\* \* \* \* \*

*Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth.*

\* \* \* \* \*

### ASO FL E5 West Palm Beach, FL [Amended]

President Donald J. Trump International Airport, FL  
(Lat. 26°40’59” N, long. 080°05’44” W)  
Palm Beach County Park Airport  
(Lat. 26°35’35” N, long. 080°05’06” W)

That airspace extending upward from 700 feet above the surface within a 10-mile radius of President Donald J. Trump International Airport and a 6.7-mile radius of Palm Beach County Park Airport.

\* \* \* \* \*

Issued in Washington, DC, on May 12, 2026.

**Alex W. Nelson,**

*Manager, Rules and Regulations Group.*

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**BILLING CODE 4910–13–P**

## CONSUMER PRODUCT SAFETY COMMISSION

### 16 CFR Part 1217

[Docket No. CPSC–2017–0012]

### Safety Standard for Toddler Beds

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Direct final rule.

**SUMMARY:** In October 2019, the U.S. Consumer Product Safety Commission (CPSC or Commission) published an update to the consumer product safety standard for toddler beds under the Consumer Product Safety Improvement Act of 2008 (CPSIA). The standard incorporated by reference ASTM F1821–19<sup>e1</sup>, *Standard Consumer Safety Specification for Toddler Beds*, the voluntary standard for toddler beds that was in effect at the time. ASTM has now issued a revised standard, ASTM F1821–26. Consistent with the CPSIA, this direct final rule updates the mandatory standard to incorporate by reference ASTM’s 2026 version of the voluntary standard.

**DATES:** The rule is effective on August 29, 2026, unless CPSC receives a significant adverse comment by June 15, 2026. If CPSC 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 29, 2026.

**ADDRESSES:** You can submit comments, identified by Docket No. CPSC–2017–0012, 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 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](mailto: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–2017–0012, 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](mailto:jfwilliams@cpsc.gov); or Daniel Taxier, Project Manager, Division of Mechanical and Combustion Engineering, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone: (301) 987–2211; email: [dtaxier@cpsc.gov](mailto: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 “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, then the revised voluntary standard will be considered a consumer product safety standard issued under section 9 of the Consumer Product Safety Act

(CPSA; 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).

*B. Safety Standard for Toddler Beds*

Under section 104(b)(1) of the CPSIA, the Commission published a mandatory standard for toddler beds, codified in 16 CFR part 1217, “Safety Standard for Toddler Beds.” The rule incorporated by reference the then-current voluntary standard, ASTM F1821–09, *Standard Consumer Safety Specification for Toddler Beds*, with certain modifications to make the standard more stringent. 76 FR 22019 (Apr. 20, 2011).<sup>1</sup> After the Commission adopted the mandatory standard in 2011, ASTM subsequently revised the voluntary standard ten times. In accordance with the procedures set out in section 104(b)(4)(B) of the CPSIA, three of these revised standards became the new mandatory standard for toddler beds.<sup>2</sup> In this regard, the Commission published direct final rules to update 16 CFR part 1217, incorporating by reference ASTM F1821–13, ASTM F1821–16, and ASTM F1821–19<sup>e1</sup>, respectively, without modification. 78 FR 73692 (Dec. 9, 2013), 82 FR 11317 (Feb. 22, 2017), 84 FR 57315 (Oct. 25, 2019). The mandatory standard currently incorporates by reference ASTM F1821–19<sup>e1</sup>, an editorial version of ASTM F1821–19.<sup>3</sup> In 2022, ASTM published another editorial version of the 2019 standard, ASTM F1821–19<sup>e2</sup>, which removed a figure that was no longer relevant or being used in the standard. This editorial revision otherwise made no changes to the content of ASTM F1821–19<sup>e1</sup>.

In February 2026, ASTM approved another revision to the voluntary

<sup>1</sup> A correction notice was published because the Office of the Federal Register inadvertently omitted the last two sections and figures from the April 20, 2011, **Federal Register** Notice. 76 FR 27882 (May 13, 2011).

<sup>2</sup> ASTM revised the voluntary standard three times in 2011 (ASTM F1821–11, ASTM F1821–11a, and ASTM F1821–11b) and once in 2015 (ASTM F1821–15). ASTM notified CPSC of ASTM F1821–11b and ASTM F1821–15, however, in each instance, the Commission voted to retain the existing consumer product safety standard at the time (ASTM F1821–09 and ASTM F1821–13). ASTM approved another revision in 2018 (ASTM F1821–18); however, ASTM did not notify CPSC of this revision under CPSIA section 104(b)(4)(B). Consequently, this revised voluntary standard did not become the mandatory standard by operation of law, and the Commission did not update the mandatory standard to incorporate by reference this revised ASTM standard.

<sup>3</sup> ASTM F1821–19<sup>e1</sup> corrected two typographical errors but did not otherwise change the content of ASTM F1821–19.

standard for toddler beds, ASTM F1821–26. The revised voluntary standard includes performance requirements and test methods, as well as requirements for warning labels and instructions, to address hazards to children associated with toddler beds. On March 2, 2026, ASTM notified CPSC of the revision. On March 11, 2026, the Commission published in the **Federal Register** a notice of availability of the revised voluntary standard and sought comments on the effect of the revisions. 91 FR 11944. CPSC received six comments on the notice of availability.

Five of the commenters, all individuals, expressed support for the revised voluntary standard. Two of these five commenters also suggested improving labeling by requiring additional information that informs parents when to transition their child to a toddler bed. The sixth commenter, also an individual, asked whether the changes are necessary and if they help children. CPSC acknowledges the support for the revised standard and appreciates the comments received. Regarding the improved labeling comment, currently, the standard includes requirements for marking, labeling, and instructions addressing that the minimum age of the intended user shall not be less than 15 months. Staff will discuss the comment with ASTM to consider whether additional guidance should be addressed in the standard. Regarding the latter comment, the Commission explains below the impact of the revision on the safety of toddler beds. In addition, the Commission explains above the statutory requirements for updating mandatory standards when a voluntary standards organization revises a voluntary standard that the Commission incorporated by reference under section 104(b)(1) of the CPSIA.

Based on staff's review of ASTM F1821–26, as discussed below, and the public comments received, the Commission is allowing the revised voluntary standard to become the mandatory standard for toddler beds. Pursuant to section 104(b)(4)(B) of the CPSIA, the Commission may reject the revised voluntary standard if it “has determined that the proposed revision does not improve the safety of the consumer product covered by the standard.” 15 U.S.C. 2056a(b)(4)(B). For the reasons discussed below, the Commission has not determined that “the proposed revision does not improve the safety of the consumer product covered by the standard.”

Accordingly, by operation of law under section 104(b)(4)(B) of the CPSIA, ASTM F1821–26 will become the

mandatory consumer product safety standard for toddler beds on August 29, 2026. 15 U.S.C. 2056a(b)(4)(B). This direct final rule updates part 1217 to incorporate by reference the revised voluntary standard, ASTM F1821–26.

## II. Revisions to ASTM F1821

ASTM has revised the voluntary standard for toddler beds twice since its adoption of ASTM F1821–19<sup>e1</sup>, which is the current mandatory standard. In March 2022, ASTM issued an editorial version of the 2019 standard, ASTM F1821–19<sup>e2</sup>; and on February 1, 2026, ASTM approved a revision of the standard, ASTM F1821–26. ASTM F1821–19<sup>epsiv</sup>:2 removed a figure showing a head probe because the probe was not being used in any of the requirements in the standard. ASTM F1821–26 includes clarifications regarding the standard's introduction and scope, as well as editorial revisions that do not alter substantive requirements in the standard or impact safety. The newly revised 2026 version includes the editorial revision that ASTM made in 2022. This section further describes the changes in ASTM F1821–26.

### A. Introduction

ASTM F1821–26 adds the following statement in the introduction section of the standard: “[t]his specification is intended to cover normal use and reasonably foreseeable misuse or abuse of the products.” A similar statement appears in the scope section of the standard (section 1.2). In particular, section 1.2 provides that “[t]his consumer safety specification is intended to minimize incidents to children resulting from normal use and reasonably foreseeable misuse of toddler beds. It does not address incidents resulting from alteration or unreasonable misuse.” This revision in ASTM F1821–26 only repeats what is already stated in the scope section of the standard. As a result, the revision has no impact on the safety of toddler beds.

### B. Scope

ASTM F1821–19<sup>e1</sup> stated that “[f]or purposes of this consumer safety specification, a toddler bed is a bed that is sized to accept a full-size crib mattress and is intended for use by a child not less than 15 months of age and who weighs no more than 50 lb (27.7 kg)” (section 1.3). ASTM F1821–26 replaces the word “sized” with “intended” to clarify that a toddler bed is a bed that is intended, rather than sized, to accept a full-size crib mattress. This clarification can be useful because, for example, it can be interpreted that a

twin bed is “sized” such that it can accept a full-size crib mattress because the frame is large enough to do so, but it is not intended to accept such a mattress because it would leave large gaps between the mattress and the bed frame.

While this revision may help to clarify the scope of the standard, it does not impact the safety of toddler beds. This is because it is otherwise clear from the rest of the standard that the standard only applies to beds that fit only a full-size crib mattress. In this regard, in the test methods section of the standard, the test mattress is required to have the dimensions of a full-size crib mattress (section 7.1). Additionally, under the terminology section of the standard, toddler bed is specifically defined as accommodating the dimensions of a full-size crib mattress (section 3.1.2). Section 3.1.2 defines toddler bed as “any bed sized to accommodate a full-size crib mattress having minimum dimensions of 51<sup>5</sup>/<sub>8</sub> in. (1310 mm) in length and 27<sup>1</sup>/<sub>4</sub> in. (690 mm) in width and is intended to provide free access and egress to a child not less than 15 months of age and who weighs no more than 50 pounds (27.7 kg).”

Notably, in ASTM F1821–26, the word “sized” remains unchanged in the terminology section of the standard. Although the word “sized” is replaced with “intended” in the scope section, such change is necessary there, where no dimensions are provided and the description of the term “toddler bed” is truncated. Therefore, notwithstanding the fact that the same change is not reflected in the terminology section, the revision continues to have no impact on safety because the definition of toddler bed in the terminology section and the equipment used in the test methods is otherwise clear that a toddler bed is a bed fitted for a full-size crib mattress.

### C. Other Revisions

ASTM F1821–26 also includes various minor revisions that are editorial in nature and do not alter any substantive requirements in the standard. For example, these changes include removing the editorial notes for ASTM F1821–19<sup>e1</sup> and ASTM F1821–19<sup>e2</sup>; replacing the word “pounds” with “lb”; replacing the word “gage” with “gauge”; replacing “seconds” with “s”; reformatting text of warning statements; and other spacing and stylistic edits. Also, as previously mentioned, ASTM F1821–19<sup>e2</sup> removed an obsolete figure of a head probe that was no longer relevant to the standard, which is also reflected in ASTM F1821–26. Because these revisions do not change any

substantive requirements, they do not impact the safety of toddler beds.

### III. Incorporation by Reference

Section 1217.2 of the direct final rule incorporates by reference ASTM F1821–26. 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 of the 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 ASTM F1821–26, which the Commission incorporates by reference into 16 CFR part 1217. The standard is reasonably available to interested parties in several ways. Until the direct final rule takes effect, a read-only copy of ASTM F1821–26 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: [www.astm.org/READINGLIBRARY/](http://www.astm.org/READINGLIBRARY/). Additionally, interested parties can purchase a copy of ASTM F1821–26 from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959; telephone: (610) 832–9585; [www.astm.org](http://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](mailto:cpsc-os@cpsc.gov).

### IV. Certification

Section 14(a) of the CPSA (15 U.S.C. 2063(a)) 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 CPSC-accepted third party conformity assessment body accredited 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 toddler beds are children’s products, a CPSC-accepted third party conformity assessment body must test samples of the products. Products subject to part 1217 must also comply with all other applicable CPSC requirements, such as the lead content requirements in section 101 of the CPSIA,<sup>4</sup> the phthalates prohibitions in section 108 of the CPSIA<sup>5</sup> and 16 CFR part 1307, the tracking label requirements in section 14(a)(5) of the CPSA,<sup>6</sup> and the consumer registration form requirements in 16 CFR part 1130. ASTM F1821–26 makes no changes that would impact any of these existing requirements.

### V. Notice of Requirements

In accordance with section 14(a)(3)(B)(vi) of the CPSA (15 U.S.C. 2063(a)(3)(B)(vi)), the Commission previously published a notice of requirements (NOR) for accreditation of third party conformity assessment bodies (third party labs) for testing toddler beds. 76 FR 22030 (Apr. 20, 2011). The NOR provided the criteria and process for CPSC to accept accreditation of third party conformity assessment bodies for testing toddler beds to 16 CFR part 1217. 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. The NOR for accreditation of third party labs for testing toddler beds is codified at 16 CFR 1112.15(b)(4).

ASTM F1821–26 did not change the testing requirements, testing equipment, or testing protocols for toddler beds. Accordingly, the revisions in ASTM F1821–26 do not change the way that third party conformity assessment bodies test these products for compliance with the safety standard for toddler beds. Testing laboratories that have demonstrated competence for testing in accordance with ASTM F1821–19<sup>e1</sup> will have the competence to test in accordance with the revised standard ASTM F1821–26. Therefore, the Commission considers the existing CPSC-accepted laboratories for testing to ASTM F1821–19<sup>e1</sup> to be capable of testing to ASTM F1821–26 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 March 11, 2026, the Commission published in the **Federal Register** a notice of availability regarding the 2026 revision to ASTM F1821 and requested comment on whether the revision improves the safety of toddler beds covered by the standard. 91 FR 11944. CPSC received six comments. 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 previously 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 statute. This rule updates the reference in the CFR, but under the terms of the CPSIA, ASTM F1821–26 would take effect as the new CPSC standard for toddler beds 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

<sup>4</sup> 15 U.S.C. 1278a.

<sup>5</sup> 15 U.S.C. 2057c.

<sup>6</sup> 15 U.S.C. 2063(a)(5).

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 29, 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 that notice and the opportunity to comment are unnecessary for this rule. Therefore, the RFA does not apply. CPSC also notes the limited nature of this document, which merely updates the incorporation by reference to reflect the mandatory CPSC standard that takes effect under section 104 of the CPSIA.

#### VIII. Paperwork Reduction Act

The current mandatory standard 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 1217, and the marking, labeling, and instructional literature for toddler beds 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). 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 taking neither of those actions with respect to the revised standard for toddler beds. Therefore, ASTM F1821–26 automatically will take effect as the new mandatory standard for toddler beds on August 29, 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 document, the rule will become effective on August 29, 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 1217

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

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

#### PART 1217—SAFETY STANDARD FOR TODDLER BEDS

■ 1. The authority citation for part 1217 is revised to read as follows:

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

■ 2. Revise § 1217.2 to read as follows:

#### § 1217.2 Requirements for toddler beds.

Each toddler bed must comply with all applicable provisions of ASTM F1821–26, Standard Consumer Safety Specification for Toddler Beds, approved on February 1, 2026. 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. This incorporation by reference material is available for inspection at the U.S. Consumer Product Safety Commission (CPSC) and at the National Archives and Records Administration (NARA). Contact CPSC at: the 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](mailto:cpsc-os@cpsc.gov). For information on the availability of this material at NARA, visit [www.archives.gov/federal-register/cfr/ibr-locations](http://www.archives.gov/federal-register/cfr/ibr-locations) or email [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov). A read-only copy of the standard is available for viewing on the ASTM website at [www.astm.org/READINGLIBRARY/](http://www.astm.org/READINGLIBRARY/). You may also obtain a copy from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428–2959;

telephone: (610) 832-9585; website: [www.astm.org](http://www.astm.org).

**Alberta E. Mills,**

*Secretary, Consumer Product Safety Commission.*

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG-2026-0030]

RIN 1625-AA00

#### Safety Zone; Gulf Intracoastal Waterway; Florida Avenue Bridge; Temporary Waterway Closure

**AGENCY:** Coast Guard, Department of Homeland Security.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for navigable waters extending from MM 6.5 East of Harvey Lock to MM 10 East of Harvey Lock along the Gulf Intracoastal Waterway (GIWW) which includes the Inner Harbor Navigational Canal (IHNC) Lock. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards associated with an ongoing sewage leak in the vicinity of the Florida Avenue Bridge at position 29°58.860 N, 90°01.300 W. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port, Sector New Orleans, or their designated representative.

**DATES:** This rule is effective without actual notice from May 14, 2026 through May 22, 2026. For the purposes of enforcement, actual notice will be used from May 5, 2026, until May 14, 2026.

**ADDRESSES:** To view available documents go to <https://www.regulations.gov> and search for USCG-2026-0030.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this rule, contact Lieutenant Commander Jacob Gamble, Sector New Orleans Waterways Management Division, U.S. Coast Guard; telephone (504)269-7251 or email [Jacob.S.Gamble@uscg.mil](mailto:Jacob.S.Gamble@uscg.mil).

#### SUPPLEMENTARY INFORMATION:

##### I. Table of Abbreviations

CFR Code of Federal Regulations  
COTP Captain of the Port  
DHS Department of Homeland Security

FR Federal Register  
NPRM Notice of proposed rulemaking  
§ Section  
U.S.C. United States Code

##### II. Background and Authority

The Coast Guard received notification of an ongoing sewage leak in the vicinity of the Florida Avenue Bridge at position 29°58.860 N, 90°01.300 W. The Captain of the Port (COTP) New Orleans has determined that potential hazards associated with the sewage leak are a safety concern for anyone transiting within MM 6.5 East of Harvey Lock to MM 10 East of Harvey Lock along the Gulf Intracoastal Waterway (GIWW) which includes the Inner Harbor Navigational Canal (IHNC) Lock. These hazards include exposure to harmful substances and the presence of response vessels and personnel working in the area.

Therefore, the COTP is issuing this rule under the authority in 46 U.S.C. 70034, which is needed to protect personnel, vessels, and the marine environment in the navigable waters within the safety zone. The COTP previously established a safety zone for this response on April 18, 2026. The effective date for that temporary rule has expired but the response is continuing, therefore the COTP is issuing this temporary rule to extend the effective period of the safety zone.

Because of these potential hazards, the Coast Guard is issuing this rule without prior notice and comment. As is authorized by 5 U.S.C. 553(b)(B), the Coast Guard finds that good cause exists for not publishing a notice of proposed rulemaking (NPRM) with respect to this rule because it is impracticable and contrary to the public interest. Additionally, the Coast Guard was notified of this event on April 18, 2026, and issued a temporary safety zone rule that expired May 2, 2026. However, we must issue this temporary rule immediately due to continuing response operations, to extend enforcement of the previously established safety zone until May 22, 2026, to continue to protect personnel, vessels, and the marine environment. Therefore, we do not have enough time to solicit and respond to comments.

For the same reasons, the Coast Guard finds that under 5 U.S.C. 553(d)(3), good cause exists for making this rule effective less than 30 days after publication in the **Federal Register**.

##### III. Discussion of the Rule

This rule establishes a safety zone from May 5, 2026 through May 22, 2026. The safety zone will cover all navigable waters within MM 6.5 East of Harvey

Lock to MM 10 East of Harvey Lock along the Gulf Intracoastal Waterway (GIWW) which includes the Inner Harbor Navigational Canal (IHNC) Lock. Vessels and persons will not be allowed to enter the zone during this time, unless authorized by the COTP. The COTP will also issue public advisories to notify the public of the safety zone location and enforcement schedule.

##### IV. Regulatory Analyses

We developed this rule after considering numerous statutes and Executive orders related to rulemaking. Below we summarize our analyses based on a number of these statutes and Executive orders.

###### A. Impact on Small Entities

The regulatory flexibility analysis provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to rules that are not subject to notice and comment. Because the Coast Guard has, for good cause, waived the notice and comment requirement that would otherwise apply to this rulemaking, the Regulatory Flexibility Act's flexibility analysis provisions do not apply here.

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), if this rule will affect your small business, organization, or governmental jurisdiction and you have questions, contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section.

Small businesses may send comments to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards by calling 1-888-REG-FAIR (1-888-734-3247). The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

###### B. Collection of Information

This rule will not call for a new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520).

###### C. Federalism and Indian Tribal Governments

We have analyzed this rule under Executive Order 13132, Federalism, and have determined that it is consistent with the fundamental federalism principles and preemption requirements described in that Order.

Also, this rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial