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June 2, 2025

The Honorable Peter Feldman, Chairman  
The Honorable Douglas Dziak, Commissioner  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, Maryland 20814

## RE: CPSC Docket No. CPSC-2025-0006: Petition Requesting a Mandatory Regulation for Child-Resistant Above-Ground and Portable Pool Ladders

Dear Chairman Feldman and Commissioner Dziak:

On behalf of the American Academy of Pediatrics (AAP), a non-profit professional organization of 67,000 primary care pediatricians, pediatric medical sub-specialists, and pediatric surgical specialists dedicated to the health, safety and well-being of infants, children, adolescents, and young adults, I am writing to express our support for the "Petition Requesting the U.S. Consumer Product Safety Commission (CPSC) Establishing a Mandatory Regulation for Child-Resistant Above-Ground and Portable Pool Ladders" (docket number: CPSC Docket No. CPSC-2025-0006). The AAP appreciates the opportunity to provide comments on this important children's health issue.

Drowning is a leading cause of death in childhood, and the single leading cause for children 1 to 4 years of age.<sup>i</sup> The AAP has long advocated for drowning prevention measures, including educating families on the need for 4-sided fencing of all residential pools, urging close supervision of young children whenever they are in or near water, and encouraging swim lessons once children are ready to learn to swim. These measures, along with close, constant, and attentive supervision of young children in or around any water, are essential to preventing drowning.

**The AAP supports this petition for the CPSC to establish a regulation for child-resistant above-ground and portable pool ladders, which will help keep children safe by preventing them from having unpermitted access to pools.** There were 4,996 fatal swimming pool drownings involving US children 1-4 years old between 1999-2019.<sup>ii</sup> Between 2019-2021, above-ground pools constituted 25 percent of fatal pool drownings for children younger than 5 years of age.<sup>iii</sup> CPSC data reveals that in 86% of pool and spa drownings, the odds of fatal drowning were 12 times higher when the child had unpermitted access to the pool.<sup>iv</sup>

The CPSC has a critical role in reducing the risk of injuries and deaths from consumer products, and consistent regulatory action is needed to protect infants from unsafe consumer products. This petition requesting CPSC establish a regulation for child-resistant above-ground and portable pool ladders to reduce the drowning deaths of children younger than 5 years of age is appropriate and will help keep children safe by preventing them from having unpermitted access to pools. Accordingly, the AAP supports this petition and provides the following input to further guide the CPSC as it considers whether to grant this petition.

## Development Physiology of Children

Children become independently mobile, meaning they are usually able to walk, at about 1 year of age.<sup>v,vi</sup> At 15 months, a child is able to climb onto furniture.<sup>vii,viii</sup> By 2.5 years, the toddler is able to walk up steps alternating feet and can run well without falling.<sup>ix,x</sup> At 3 years, the child can climb on and off a couch or chair and can jump forward.<sup>xi,xii</sup> Finally, by 4 years of age, a child is able to climb stairs alternating feet without support and can skip on 1 foot.<sup>xiii,xiv</sup> Toddlers are inquisitive and explore the environment around them. **However, they lack the cognitive ability to recognize hazards, and it is important to protect infants and children from unsafe consumer products by establishing regulations for such products, like above-ground and portable pool ladders.**

## Child Resistant Above-ground Ladders


As the CPSC considers whether to grant this petition, the AAP also encourages the CPSC to consider the importance of combining three different methods to reduce the risk of drowning by toddlers in above-ground pools. These include warning information, design changes, and safeguarding. Warning is the lowest tier in safety hierarchy and alone, it is not sufficient in reducing drowning risk. This explains why drowning rates in above-ground pools have not reduced significantly over time. There is a need for using higher levels of prevention in safety hierarchy, such as alternate designs and safeguarding methods. These include active and passive designs for reducing drowning risk. Active designs include guarding the ladder with step covers or an engineering control that allows the steps to be raised out of reach while leaving the entire A-frame in place when the pool is not in use.<sup>xv</sup>

The AAP also encourages the CPSC to consider including children aged 2-4 years old in the testing population for child-resistant designs for pool ladders. The protocols should encourage the children to gain access to the pool and give them ample time to do so. Testing should be done in a variety of design models that are currently available on the market.<sup>xvi</sup>

## Conclusion

The AAP supports this petition for the CPSC to establish a regulation for child-resistant above-ground and portable pool ladders and urges you to expeditiously adopt it. Thank you for this opportunity to comment on this important issue and for your work to better protect children from dangerous products. If the AAP can be of any further assistance, please do not hesitate to contact Ami Gadhia in our Washington, D.C. office at [agadhia@aap.org](mailto:agadhia@aap.org).

Sincerely,

A handwritten signature in black ink that reads "Susan J. Kressly MD, FAAP". The signature is written in a cursive, flowing style.

Susan J. Kressly, MD, FAAP  
President

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- <sup>i</sup> American Academy of Pediatrics. "Prevention of Drowning." *Pediatrics* (2019) 143 (5): e20190850. Available at: <https://doi.org/10.1542/peds.2019-0850>.
- <sup>ii</sup> Clemens T, Moreland B, Lee R. "Persistent Racial/Ethnic Disparities in Fatal Unintentional Drowning Rates Among Persons Aged ≤29 Years - United States, 1999-2019." *MMWR Morb. Mortal Wkly. Rep.* 2021 Jun 18. 70(24):869-874. doi: 10.15585/mmwr.mm7024a1. Available at: <https://www.cdc.gov/mmwr/volumes/70/wr/mm7024a1.htm>.
- <sup>iii</sup> Yang T. "Pool or Spa Submersion: Estimated Nonfatal Drowning Injuries and Reported Drownings, 2024 Report." May 2024. Available at: <https://www.cpsc.gov/s3fs-public/Pool-or-Spa-Submersion-Estimated-Nonfatal-Drowning-Injuries-and-Reported-Drownings-2023-Report.pdf>.
- <sup>iv</sup> Anderson KR, Ramoz WD, Schuman JT. "The Role of Permission, Supervision, and Precipitating Events in Childhood Pool/Spa Submersion Incidents, United States, 2000–2017." *Int. J. Environ. Res. Public Health* 2021, 18(16), 8776; Available at: <https://doi.org/10.3390/ijerph18168776>.
- <sup>v</sup> Carroll, A. "Your 2.5 Year Old." *New York Times*. April 20, 2020. Available at: <https://www.nytimes.com/2020/04/18/parenting/milestones/2-and-a-half-year-old.html>.
- <sup>vi</sup> Boston Children's Hospital. Available at: <https://www.childrenshospital.org/conditions/walking-gait-abnormalities>.
- <sup>vii</sup> Carroll, A. "Your 2.5 Year Old." *New York Times*. April 20, 2020. Available at: <https://www.nytimes.com/2020/04/18/parenting/milestones/2-and-a-half-year-old.html>.
- <sup>viii</sup> Boston Children's Hospital. Available at: <https://www.childrenshospital.org/conditions/walking-gait-abnormalities>.
- <sup>ix</sup> Carroll, A. "Your 2.5 Year Old." *New York Times*. April 20, 2020. Available at: <https://www.nytimes.com/2020/04/18/parenting/milestones/2-and-a-half-year-old.html>.
- <sup>x</sup> Boston Children's Hospital. Available at: <https://www.childrenshospital.org/conditions/walking-gait-abnormalities>.
- <sup>xi</sup> Carroll, A. "Your 2.5 Year Old." *New York Times*. April 20, 2020. Available at: <https://www.nytimes.com/2020/04/18/parenting/milestones/2-and-a-half-year-old.html>.
- <sup>xii</sup> Boston Children's Hospital. Available at: <https://www.childrenshospital.org/conditions/walking-gait-abnormalities>.
- <sup>xiii</sup> Carroll, A. "Your 2.5 Year Old." *New York Times*. April 20, 2020. Available at: <https://www.nytimes.com/2020/04/18/parenting/milestones/2-and-a-half-year-old.html>.
- <sup>xiv</sup> Boston Children's Hospital. Available at: <https://www.childrenshospital.org/conditions/walking-gait-abnormalities>.
- <sup>xv</sup> Mathias, A. C., & Brickman, D. B. "Aboveground Swimming Pool Ladder Safety: The Application of Child Resistance to a Consumer Product Used by Children." *Proceedings of the Human Factors and Ergonomics Society Annual Meeting*, 59(1), 966-970. 2016. Available at: <https://doi.org/10.1177/1541931215591278>.
- <sup>xvi</sup> Brickman DB, Mohorovic JP, Zakutansky KB, Mathias AC, Shibata PA. "Aboveground Swimming Pool Child Access Prevention Through Product Design." *The XXXVIth Annual International Occupational Ergonomics and Safety Conference*; Denver, Colorado; August 5-6, 2024. Available at: [https://isoes.info/wp-content/uploads/2024/07/ISOES-2024-CONFERENCE-PROGRAM\\_MSTR.pdf](https://isoes.info/wp-content/uploads/2024/07/ISOES-2024-CONFERENCE-PROGRAM_MSTR.pdf).