



CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1233

[Docket No. CPSC-2015-0016]

Safety Standard for Portable Hook-on Chairs

AGENCY: Consumer Product Safety Commission.

ACTION: Direct final rule.

SUMMARY: In March 2016, the U.S. Consumer Product Safety Commission (CPSC or Commission) published a consumer product safety standard for portable hook-on chairs based on the ASTM voluntary standard for portable hook-on chairs. Currently, CPSC's mandatory standard incorporates by reference ASTM F1235-18, *Standard Consumer Safety Specification for Portable Hook-on Chairs*. The Consumer Product Safety Improvement Act of 2008 (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. In January 2026, ASTM published a revised voluntary standard. This direct final rule updates the mandatory standard for portable hook-on chairs to incorporate by reference the 2025 version of ASTM F1235.

DATES: The rule is effective on July 19, 2026, unless the Commission receives a significant adverse comment by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. If the Commission receives such a comment, it will publish a notice in the *Federal Register*, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of July 19, 2026.

ADDRESSES: You can submit comments, identified by Docket No. CPSC- 2015-0016, 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.

Mail/Hand Delivery/Courier/Confidential Written Submissions: CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal. You may, however, 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 to 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- 2015-0016, into the “Search” box, and follow the prompts.

FOR FURTHER INFORMATION CONTACT: Keysha Walker, Compliance Officer, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-6820; email: kwalker@cpsc.gov; Lawrence Mella, Project Manager, Division of Mechanical and Combustion Engineering, U.S. Consumer Product Safety

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SUPPLEMENTARY INFORMATION:

I. Statutory Authority and Background

A. Statutory Authority

Section 104(b) 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). Mandatory standards must be “substantially the same as” applicable voluntary standards, or they may be “more stringent” than the voluntary standards, if the Commission determines that more stringent requirements would further reduce the risk of injury associated with the products. *Id.* Accordingly, mandatory standards may be based, in whole or in part, on a voluntary standard.

Section 104(b)(4)(B) of the CPSIA specifies the process for when a voluntary standards organization revises a standard the Commission has incorporated by reference under section 104(b)(1). 15 U.S.C. 2056a(b)(4)(B). 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. To reject a revised standard, the Commission must notify the voluntary standards organization within 90 days of receiving the notice of revision that the Commission has determined that the revised standard does not improve the safety of the consumer product and that CPSC is retaining the existing standard. If the Commission does not take this action, 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 a later date specified by the Commission in the *Federal Register*). 15 U.S.C. 2056a(b)(4)(B).

B. Safety Standard for Portable Hook-on Chairs

Pursuant to section 104(b)(1) of the CPSIA, on March 28, 2016, the Commission published a mandatory consumer product safety standard that incorporated by reference ASTM F1235 – 15, *Standard Consumer Safety Specification for Portable Hook-On Chairs*. (81 FR 17062, March 28, 2016). The standard covers performance requirements, test methods, and labeling requirements for portable hook-on chairs.

The ASTM standard incorporated by CPSC defines a portable hook-on chair in section 1.3 as “[u]sually a legless seat constructed to locate the occupant at a table in such a position and elevation so that the surface of the table can be used as a feeding surface for the occupant... [s]upported solely by the table on which it is mounted.” Typical hook-on chairs consist of a fabric over a lightweight frame, with a device to mount the seat to a support surface, such as a table or counter. Some hook-on chairs fold for easy storage or transport, and some include a removable tray that can be used in conjunction with a table.

On September 24, 2018, the Commission published a direct final rule revising the CPSC’s mandatory standard for portable hook-on chairs. The revision incorporated by reference the most recent version of the applicable standard (ASTM F1235-18) at that time (83 FR 48219, Sept. 24, 2018). The updated standard included new requirements addressing fabric passive crotch restraints.

On January 20, 2026, ASTM notified the Commission that it had approved and published a newly revised version of the voluntary standard for portable hook-on chairs, ASTM F1235-25. As explained in sections II.A and II.B of this preamble, ASTM F1235-25 contains substantive revisions that improve the safety of portable hook-on chairs. The substantive changes add requirements for batteries, battery compartments, and AC adapters. The Commission determines that these changes improve the safety of portable hook-on chairs because of the addition of performance and marking requirements for batteries, battery compartments, and AC adapters that are consistent with other juvenile products. Also, the standard’s language was updated to align

with ASTM F15 Ad Hoc Language task group recommendations for consistency with other ASTM juvenile product standards. The Commission determines that these changes are safety neutral.

On January 29, 2026, the Commission published in the *Federal Register* a Notice of Availability, requesting comment on whether the 2025 revision improves the safety of portable hook-on chairs. 91 FR 3846. CPSC received one comment that was out of scope.

Based on staff's evaluation of ASTM F1235-25, the Commission will allow ASTM F1235-25 to become the new consumer product safety standard for portable hook-on chairs. Pursuant to CPSIA section 104, the revised voluntary standard will take effect as the new mandatory standard for portable hook-on chairs on July 19, 2026. 15 U.S.C 2056a(b)(4)(B). This direct final rule updates 16 CFR part 1233 to incorporate by reference the revised voluntary standard, ASTM F1235-25.

II. Revisions to ASTM F1235

ASTM F1235-25 includes several additions and revisions to ASTM F1235-18, including new performance requirements, a test method, and marking requirements for batteries, battery compartments, and AC adapters, as well as ad-hoc language and editorial revisions that do not alter substantive requirements in the standard or impact safety. The Commission considers the revisions in ASTM F1235-25 to be an improvement to the safety of portable hook-on chairs because the revised standard added performance and marking requirements for batteries, battery compartments, and AC adapters.

A. Performance and Testing Requirements

In section 6.8 of ASTM F1235-25, ASTM added requirements for battery compartments to contain leaks, prevent charging of non-rechargeable batteries through design or circuitry, limit surface temperatures to 160°F (71°C) without causing fire or leakage, and ensure AC adapters meet national safety standards with output below 30 VDC and 8 amps.

In section 7.14 of ASTM F1235-25, ASTM added the peak temperature and battery leakage test. The test ensures that battery-powered functions operate at maximum intensity using specified battery types or AC power, under controlled conditions, to monitor peak temperature and verify safety without disabling protective features.

B. Warnings and Instructions

In section 8.6 of ASTM F1235-25, ASTM added marking requirements for portable hook-on chairs with batteries. The section states that products with battery compartments must be permanently and clearly labeled with battery specifications, and if they use non-replaceable batteries accessible by common tools, they must also be marked to indicate the batteries are not replaceable or include that information in the instructions.

In section 9.4 of ASTM F1235-25, ASTM added cautionary statement requirements that require products using replaceable batteries to include cautionary instructions to prevent leaks and injuries, emphasizing proper storage, disposal, and consistent battery replacement practices.

The requirements discussed above to ASTM F1235 improve the product safety of portable hook-on chairs by adding new performance, warning and instruction requirements that mitigate hazards associated with battery-powered features. While most hook-on chairs currently lack such features, these revisions proactively address risks observed in other juvenile products and align with established ASTM standards for juvenile products.

C. Other Revisions

ASTM F1235-25 includes several language revisions to reflect current “ad hoc” language recommendations, which are recommendations from the ASTM F15 Ad Hoc Language task group to maintain consistent language for requirements in ASTM juvenile product standards. Examples include requirements addressing scissoring, shearing, and pinching hazards; permanency of labels and warnings; and protective components. The modifications are consistent with CPSC’s interpretation of the requirements in the current standard and therefore do not impact safety.

ASTM F1235-25 also includes editorial revisions, such as adding the parts of speech next to the terms in the terminology section, adding dimensions to numbers (*e.g.*, “6 x 6 in.” to “6 in. x 6 in.”), and updates to section and figure numbers to reflect revised and new sections. These revisions do not impact safety because they do not alter any substantive requirements in the standard.

III. Incorporation by Reference

Section 1233.2 of the direct final rule incorporates by reference ASTM F1235-25. 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 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, section II of this preamble summarizes the revised provisions of ASTM F1235-25 that the Commission incorporates by reference into 16 CFR part 1233. The standard is reasonably available to interested parties in several ways. Until the direct final rule takes effect, a read-only copy of ASTM F1235-25 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 F1235-25 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 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 portable hook-on chairs are children's products, a CPSC-accepted third party conformity assessment body must test samples of the products. Products subject to part 1233 also must comply with all other applicable CPSC requirements, such as the lead content requirements in section 101 of the CPSIA,¹ the phthalates prohibitions in section 108 of the CPSIA,² 16 CFR part 1307, the tracking label requirements in section 14(a)(5) of the CPSA,³ and the consumer registration form requirements in section 104(d) of the CPSIA.⁴ ASTM F1235-25 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 portable hook-on chairs. 81 FR 17062 (March 28, 2016). The NOR provided the criteria and process for CPSC to accept

¹ 15 U.S.C. 1278a.

² 15 U.S.C. 2057c.

³ 15 U.S.C. 2063(a)(5).

⁴ 15 U.S.C. 2056a(d).

accreditation of third-party conformity assessment bodies for testing portable hook-on chairs to 16 CFR part 1233. 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 for portable hook-on chairs is codified at 16 CFR 1112.15(b)(40).

ASTM F1235-25 changed the testing requirements for portable hook-on chairs by adding a peak temperature and battery leakage test. The new peak temperature and battery leakage test is included in other juvenile product standards and can be conducted by accredited testing laboratories, as these facilities generally possess the capability to evaluate a range of different juvenile products. Therefore, testing laboratories that have demonstrated competence for testing in accordance with other juvenile product standards and ASTM F1235-18 will have the competence to test in accordance with the revised standard ASTM F1235-25. Based on the above, the Commission considers the existing CPSC-accepted laboratories for testing to ASTM F1235-18 to be capable of testing to ASTM 1235-25 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

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 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 F1235-25 takes

effect as the new CPSC standard for portable hook-on chairs, even if the Commission does not issue this rule. 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 noncontroversial and that are not expected to generate 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). 89 FR 106406, 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 statute. 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 July 19, 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. 5 U.S.C. 601-612. As discussed in section VI of this preamble regarding the Direct Final Rule Process, the Commission has determined that notice and the opportunity to comment are unnecessary for this rule. Therefore, the RFA does not apply. The Commission 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.

VIII. Paperwork Reduction Act

The current mandatory standard for portable hook-on chairs includes labeling requirements that constitute a “collection of information,” as defined in the Paperwork Reduction Act (PRA; 44 U.S.C. 3501-3521). While the revised mandatory standard adds marking and labeling requirements for portable hook-on chairs, the new requirements would not materially add to the burden hours because the products already require marking and labeling. The Commission took the steps required by the PRA for information collections when it promulgated 16 CFR part 1233, and the marking, labeling, and instructional literature for portable hook-on chairs are currently approved under OMB Control Number 3041-0159. Because the information collection burden is essentially unchanged, the revision does not affect the information collection requirements or approval related to the standard. The agency will consider whether OMB Control number 3041-0159 should be revised for portable hook-on chairs in the next scheduled update.

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 taking neither of those actions with respect to the revised standard for portable hook-on chairs. Therefore, ASTM F1235-25 automatically will take effect as the new mandatory standard for portable hook-on chairs on July 19, 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 July 19, 2026.

XII. Congressional Review Act and Executive Order 12866

Pursuant to the Congressional Review Act (CRA) and Executive Order (EO) 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 EO 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 1233

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

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

PART 1233 – SAFETY STANDARD FOR PORTABLE HOOK-ON CHAIRS

1. The authority citation for part 1233 is revised to read as follows:

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

2. Revise 1233.2 to read as follows:

§ 1233.2 Requirements for portable hook-on chairs.

Each portable hook-on chair must comply with all applicable provisions of ASTM F1235-25, *Standard Consumer Safety Specification for Portable Hook-On Chairs*, approved November 15, 2025. The Director of the Federal Register approves the incorporation by reference listed in this section in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy of this ASTM standard from ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA 19428-2959 USA; phone: 610-832-9585; <http://www.astm.org/>. You may inspect a copy at the Division of the Secretariat, 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, call 202-741-6030, 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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