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April 25, 2024

Ms. Manasi Gangan
Nested Bean
131 Coolidge Street, Ste. 120-D
Hudson, MA 01749

Dear Ms. Gangan,

I am deeply disappointed by your company's refusal to engage meaningfully with my office to discuss critical safety concerns concerning your weighted sleep products. As I mentioned in my letter of December 6, 2023, I am alarmed by the lack of independent research into the safety of weighted sleep products for infants and the misleading claims your company has made to attract vulnerable and unsuspecting parents and caregivers.¹ As we have discussed, it is imperative that you listen to health and safety experts, including the American Academy of Pediatrics,² the Centers for Disease Control and Prevention,³ the National Institutes of Health,⁴ and the Consumer Product Safety Commission. All of them have recommended against the use of weighted sleep products.

While your company has taken steps to study the design of your sleep products, the tests focus primarily on the fabric composition, not the weight of the products.⁵ There is not yet enough information on the potential impacts weighted sleep products on infants to market them as 'safe'. An apparent lack of adverse events is not enough to refute an organization like the American Academy of Pediatrics whose sole mission is to attain optimal physical, mental, and social health and well-being for all infants, children, adolescents, and young adults. This point is especially important given the increasing and ongoing number of reviews from parents and

¹ "Blumenthal Raises Serious Concerns over Weighted Sleep Sacks & Swaddles for Infants. (Dec 6, 2023) <https://www.blumenthal.senate.gov/newsroom/press/release/blumenthal-raises-serious-concerns-over-weighted-sleep-sacks-and-swaddles-for-infants>

² Letter to the Consumer Product Safety Commission from the American Academy of Pediatrics. (Jun 15, 2023). <https://www.documentcloud.org/documents/23849624-aap-letter-61523>

³ "Helping Babies Sleep Safely." Centers for Disease Control and Prevention. (Sep 29, 2023). <https://www.cdc.gov/reproductivehealth/features/baby-safe-sleep/index.html>

⁴ "Safe To Sleep." National Institutes of Health Eunice Kennedy Shriver National Institute of Child Health and Human Development. <https://safetosleep.nichd.nih.gov/reduce-risk/FAQ>

⁵ "Nested Bean Product Safety Tests" Nested Bean. (Accessed Mar 14, 2024). <https://www.nestedbean.com/pages/summary-of-test-performed>

caregivers reporting a change in their child’s breathing or heart rate when wearing your weighted sleep product.⁶


Despite the concerns raised by experts, concerned parents, and my office, your company continues to mislead parents and caregivers. On your website, you misleadingly state that Nested Bean “ensure[s] weight safety” by highlighting testing that has nothing to do with the weight your product puts on an infant’s chest.⁷ Claiming that your product is “rigorously tested against mandatory and voluntary safety requirements” without disclosing the lack of federal safety standards for weighted sleep products⁸ is in effect deceptive to parents and caregivers.

Potentially harmful products targeting vulnerable consumers, including caretakers, parents, and infants, cannot go unchecked. We’ve made this mistake before, specifically with the Fisher-Price Rock ‘n Play Sleeper, an inclined sleep product that became widely popular. Parents were led to believe the product was safe, even as the product was associated with at least one hundred infant deaths.⁹ Today, we can prevent similar tragedies by being proactive in scrutinizing product safety, rather than permit a preventable tragedy.

Nested Bean must meaningfully understand the impact of your products on infant health and safety. To this end, I am demanding answers to the questions posed in my December 6 letter and urge you to make important and prompt safety updates to your website.

Given your company’s ongoing deceptive and misleading practices, please be advised that I am calling on the Federal Trade Commission to investigate.

Sincerely,


Richard Blumenthal
United States Senate

⁶ Appendix A

⁷ “We put safety front & center.” Nested Bean. (Accessed Mar 14, 2024). <https://www.nestedbean.com/pages/safety>

⁸ Appendix B

⁹ Fisher-Price Rock n’ Play Sleeper Recall Letter. (Feb 24, 2023).




<https://www.blumenthal.senate.gov/imo/media/doc/22423fisherpricerocknplaysleeperrecallletter.pdf>


Appendix A


1. Review on Amazon: 4 week old struggled to breath at night
<https://www.amazon.com/gp/aw/review/B092524BDP/R15M411TXXG2PC>
2. Review on Amazon: Be cautious
<https://www.amazon.com/gp/aw/review/B09251FBG1/R1A59JMN3P13EF>
3. Review on Amazon: Bad quality
<https://www.amazon.com/gp/aw/review/B01DWNMRRU/R2ONZZ22CYK9G8>
4. Review on Amazon: Be careful!! Not for a babies that wiggle a lot!
<https://www.amazon.com/gp/aw/review/B07ZJKT6KK/RA8G63FRUB1Z6>
5. Review on Amazon: Chokes babies !
<https://www.amazon.com/gp/aw/review/B07ZJNDX9G/R2SFY5X51L5FNM>
6. Review on Amazon: SUFFOCATION HAZARD
<https://www.amazon.com/gp/aw/review/B07ZJNNXFP/RL4DGNHY9ALOX>
7. Review on Amazon: Falling apart within 3 months use.
<https://www.amazon.com/gp/aw/review/B07ZJNNXFP/R12W6Q4PQ35VA0>
8. Review on Amazon: Eh...ripped after 3 weeks!
<https://www.amazon.com/gp/aw/review/B07ZJNNXFP/R17JZZ4PWGB4LC>
9. Review on Amazon: Covered baby's mouth
<https://www.amazon.com/gp/aw/review/B07FYYPY17Z/RGE62E92WA74W>
10. Review on Amazon: Unsafe
<https://www.amazon.com/gp/aw/review/B00KWI2GQQ/R1LL8F0LO7EF78>
11. Review on Amazon: poorly made product! major choking hazard!
<https://www.amazon.com/gp/aw/review/B00KWHIJ86/R1D5PVPYV2BTYT>
12. Review on Amazon: Loved it until it exploded in my washer, sending pebbles everywhere.
<https://www.amazon.com/gp/aw/review/B00KWHIJ86/R3LZS9VI1WN8BF>
13. Review on Amazon: Dangerous
<https://www.amazon.com/gp/aw/review/B00PYHHAA2/R2RR0DJ4WJ2DU4>

Appendix B

15% OFF 2 or more items* code: MYBUNDLE15


SEARCH    0






Rigorous testing

Safety-tested by industry standards




Cuddle Pad™ technology

Weight is calibrated to soothe like your touch




Optimal breathability

Tested for air flow against benchmarks




Healthy Outcomes

Tested for oxygen saturation and pulse rate



Industry leadership

Winner of Industry awards for product innovation



Research Based

Concept based on parental simulation intervention studies

Compliance: How we ensure weight safety

Rigorously tested against mandatory and voluntary safety requirements

Zen Sleepwear complies with several mandatory and voluntary children's product tests for product construction, flammability and product safety. The Cuddle Pad is self-contained to prevent spilling or overheating, and the gentle weight does not restrict breathing or movement.