



## News Release

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### **The Association of Pool and Spa Professionals' Views on the Suction Entrapment Provisions of the Virginia Graeme Baker Pool and Spa Safety Act**

Alexandria, VA (January 16, 2009) — Promoting consumer safety in the construction and use of pools and spas is a major part of the mission of **The Association of Pool & Spa Professionals (APSP)**. Our organization and its membership fully support the Virginia Graeme Baker Pool & Spa Safety Act (Act) regarding suction entrapment. We helped craft the requirements of the Act and worked rigorously to help get it passed. We developed the ANSI / APSP-7 Suction Entrapment Avoidance Standard, which meets or exceeds all the requirements of the Act. Additionally, we have done the following to educate the industry and public on the requirements of the Act:

- We have created and distributed communications to keep our members and the public, including pool operators, informed of the requirements of the Act and to encourage compliance. All of these resources, including a comprehensive VGB Act Compliance Guide, are accessible through our website.
- We have maintained a list of suppliers of compliant drain covers manufactured by our members on our website.
- APSP Staff and volunteers have traveled around the country speaking with pool and spa operators and public health officials to educate them on the Act.

- The APSP has sponsored seminars at the International Expo and other events.
- We have conducted a web seminar on Act compliance, which is online and accessible for FREE through our website.
- In addition to these efforts, we have partnered with the World Waterpark Association and the National Recreation and Park Association to promote Water Safety Month this coming May, 2009, as a way to further communicate the safety message to the public. We are also ready to go to print with a new brochure informing consumers of the Act and warning swimmers about the dangers of entrapment.

The APSP is dedicated to the safe enjoyment of pools and spas. The Association firmly believes that a properly built and maintained pool remains the safest place to swim.

For more information on pool and spa safety and on the Virginia Graeme Baker Pool & Spa Safety Act, please visit [www.apsp.org](http://www.apsp.org).

### **Potential Questions**

**What is the difficulty with public pools and compliance? The deadline has passed and many pools have not complied.** *Even though the Act was passed in December 2007 with a compliance deadline of December 19, 2008, necessary revisions to the drain cover standard were first completed in August, 2008 and compliant covers first reached the market in the fall of 2008. Further complicating matters, many of the available compliant covers are not permitted in certain states due to existing state laws calling for additional flow restrictions. Covers for pools with unique or custom-sized drains have taken even longer to reach the market.*

*Converting the thousands of public pools in the U.S. is a major undertaking and will take time.*

**What is your response to the claim that entrapment causes many more deaths than reported?** *Given the attention to this issue in recent years, we do not see any evidence that this is presently the case. We agree that any entrapment deaths are too many. None can occur where the ANSI / APSP-7 Suction Entrapment Avoidance Standard is followed.*

**Do you feel that enforcement is ineffectual?** *Enforcement of a retrofit requirement on a national scale always presents a challenge. The U.S. Consumer Product Safety Commission (CPSC) is working with State Attorneys General and local authorities to develop an effective program of enforcement. The APSP will continue to assist with education efforts to maximize compliance.*

**Do you feel that public pool owners are ignoring the Act and operating without compliance?** *We cannot speak for owners of public pools who are typically not members of APSP. Many public pool operators are not members either. However, we are working, in conjunction with the CPSC and the state and local authorities to make pool and spa operators aware of the Act and to help them understand what is needed to come into compliance.*

**Should public pools be closed if the drains are non-compliant?** *We support the CPSC's Compliance Guidelines which have stated that they will focus their priorities at this time on public kiddie pools, wading pools and shallow, in-ground spas. These are where the vast majority of suction entrapment incidents have occurred. There is no backup for a missing or damaged suction outlet cover/grate. If any cover/grate is found to be damaged or missing, the public pool or spa shall be immediately closed to bathers. Furthermore, every pool (especially those with single main drains) must do everything they can do to comply with all of the requirements of the Act. If a pool or spa operator, who is making a good faith effort*

*to comply with the Act, chooses to keep his facility open--relying on covers certified to the prior cover standard while awaiting new product-- then those covers should be checked daily to ensure that the covers are affixed and are in proper working order. Operators of public pools and spas are urged to contact their local and state health officials to ensure that they are aware of all state and local requirements and enforcement policies relating to the Act.*

**What are the requirements for residential pools and spas?** *All drain covers manufactured or sold after December 19, 2008 must comply with the Act, whether they are installed in public or residential pools. The Act does not require replacement of covers in existing residential pools. We have, and continue to recommend, however, that residential pools be upgraded with the new covers as they become available.*

### **About APSP**

The Association of Pool & Spa Professionals (APSP) is the world's largest international trade association representing the swimming pool, spa and hot tub industry. APSP's mission is promoting consumer safety and enhancing the business success of its members. Members adhere to a code of business ethics and share a commitment to public health and safety in the use of pools, spas and hot tubs. APSP member companies include manufacturers, distributors, manufacturers' agents, designers, builders, installers, retailers, and service professionals. For more information visit [www.APSP.org](http://www.APSP.org).