

Congress Wades into Pool Safety

As a result of several high-profile pool accidents involving children, Congress passed the “Virginia Graeme Baker Pool and Spa Safety Act” as part of a larger energy bill late last year. Virginia Baker was the granddaughter of former Secretary of State James Baker and died when she was trapped by the suction of the pool drain at a neighbor’s pool party. She was one of more than 750 children who died in pool-related drownings in 2004.

The act attempts to address the hidden danger posed by filter intake drains in pools and spas. A little known danger is that such drains and intakes can exert incredible pressure when covered, and horrific injuries ranging from drowning to evisceration have been reported. The act requires that all public pools and spas take affirmative steps to mitigate intake-entrapment issues by the end of 2008. The act also imposes a set of minimum state law requirements for pool safety.

Entrapment Mitigation Requirement: (effective 12/2008)

- All public pools are equipped with anti-entrapment devices or other systems that comply with requirements of the American National Standards Institute or the American Society of Mechanical Engineers.
- Pools or spas with a single main drain (other than an unblockable drain) be equipped with one or more of the following devices or systems:
 - A safety vacuum release system that engages when a blockage is detected
 - A suction-limiting vent system
 - A gravity-drainage system
 - An automatic pump shut-off
 - A drain-disablement system
 - Other systems determined by the Consumer Product Safety Commission (CPSC) to reduce the risk of entrapment

The bill applies to all public pools, including those found in community associations.

Minimum State Law Requirements

The act also establishes minimum state safety law requirements for pools. A state will meet those standards by implementing state statutes that require:

- The enclosure of all outdoor residential pools by a barrier to prevent small children from gaining unsupervised or unfettered access to the pool.
- That all pools and spas be equipped with devices and systems to prevent entrapment in pool drains.
- Pools with a main drain be equipped with a drain cover that meets the requirements of the consumer product safety commission.

- Periodic notice is provided to owners of residential pools and spas about compliance with the entrapment protections standards under the act.

CPSC is currently drafting [compliance guidance](#) for this act.