

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF  
CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing vote of the two Houses on the amendment of the Senate to the bill (H.R. 4040), to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission, submit the following joint statement to the House and Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying report.

1. SHORT TITLE

*House bill*

Section 1: "Consumer Product Safety Modernization Act".

*Senate amendment*

Section 1: "CPSC Reform Act".

*Conference substitute*

Section 1: "Consumer Product Safety Improvement Act of 2008".

2. REFERENCES

*House bill*

Section 2: Defines "Commission" as meaning the Consumer Product Safety Commission (Commission), provides that amendments in the Act are to the Consumer Product Safety Act (CPSA) except as otherwise provided, and defines "rule" as meaning a rule, standard, ban, or order under any Act enforced by the Commission.

*Senate amendment*

Section 2: Provides that amendments in the Act are to the CPSA except as otherwise provided.

*Conference substitute*

Section 2: Adds definition of "appropriate Congressional committees" as meaning the House of Representatives Committee on Energy and Commerce and the Senate Committee on Commerce, Science, and Transportation. Deletes definition of "rule".

3. AUTHORITY TO USE IMPLEMENTING REGULATIONS

*House bill*

Section 3: Authorizes Commission to issue implementing regulations for the Act and amendments made by the Act.

*Senate amendment*

No provision.

*Conference substitute*

Section 3: House provision.

4. PRODUCT SAFETY IMPROVEMENTS AND COMMISSION REFORM

TITLE I—CHILDREN'S PRODUCT SAFETY

*Section 101. Children's Products Containing Lead; Lead Paint Rule.*

The Conferees agreed to modified language that is similar to the provisions in the House bill and the Senate amendment. The Conference Report ultimately requires that the Commission lower the permissible lead level in children's products to the lowest amount that is technologically feasible. This section provides a definition of technologically feasible, and includes a provision identifying alternative practices, best practices, or other operational changes that would allow a manufacturer to comply with the lead limit. The intent of this alternative and best practices provision is to require manufacturers to use better methods of producing a product that can be achieved without the need for major technological advances, such as taking steps to better clean equipment or the factory, or to make changes in operation, maintenance, or other practices that can reduce or eliminate lead in the product. The Conference Report also establishes a more stringent lead paint limit.

The Conferees acknowledge that several Federal agencies are charged with protecting children from lead. Historically, lead in public water systems has been governed by the Environmental Protection Agency under the Safe Drinking Water Act and its Lead and Copper Rule. The Conferees do not wish to alter that authority. A child may be exposed to lead through drinking fountains and faucets designed or intended primarily for use by children, such as for use in schools and daycare facilities. In any action under this Conference Report and the CPSA to address the specific issue of lead in drinking fountains and faucets that are designed or intended primarily for use by children, such as in schools and daycare facilities, the Conferees wish that both agencies work collaboratively to protect the health of our children from the dangers posed by lead exposure.

*Section 102. Mandatory Third Party Testing for Certain Children's Products.*

The Conferees agreed to modified language that is similar to the provisions in the House bill and the Senate amendment, requiring third party testing of certain children's products. The Conferees intend that the accreditation structure for governmental participation will apply equally to all entities, be they domestic, non-domestic, joint ventures, or entities controlled in whole by a government. It is not the intention of the Conferees that the subsection restrict equal participation of entities which are not controlled in whole by a government.

*Section 103. Tracking Labels for Children's Products.*

The Conferees agreed to modified language that is similar to the provisions in the House bill and the Senate amendment. The Conference Report would require manufacturers of children's products to place distinguishing marks on a product and its packaging, to the extent practicable, that would enable the purchaser to ascertain the source, date, and cohort (including the batch, run number,

or other identifying characteristic) of production of the product by reference to those marks. To the extent that small toys and other small products are manufactured and shipped without individual packaging, the Conferees recognize that it may not be practical for a label to be printed on each item. The packaging of the bulk shipment of those items, however, would be required to be labeled so that retailers and vendors would be able to easily identify products that are recalled.

*Section 104. Standards and Consumer Registration of Durable Nursery Products.*

The Conferees agreed to modified language that is similar to the provisions in the House bill and the Senate amendment. The Conference Report requires the Commission to promulgate rules to ensure the highest level of safety for durable infant and toddler products. The Conference Report also establishes new requirements for registration forms for these products and requires the Commission to review and assess the effectiveness of alternative recall notification technologies.

*Section 105. Labeling Requirement for Advertising Toys and Games.*

The Conferees agreed to modified language that is similar to language in the House bill and the Senate amendment, requiring a cautionary statement to be displayed with certain advertisements.

*Section 106. Mandatory Toy Safety Standards.*

The Conferees agreed to modified language that would make the American Society for Testing and Materials (ASTM) International standard F963-07, as it exists on the date of enactment of this Conference Report (except for section 4.2 and Annex 4 or any provision that restates or incorporates an existing mandatory standard or ban promulgated by the Commission or by statute), an interim consumer product safety standard pending evaluation by the Commission. The Commission shall establish the mandatory standards by rule after the relevant components of the rule are evaluated.

In conducting the evaluation required under this section, the Conferees direct the Commission to conduct a study of injuries and deaths related to toy guns and current safety standards applicable to toy guns, and consider the adoption of a consumer product safety rule providing for more distinctive marking of toy guns to distinguish them from actual firearms.

The Conference Report requires the Commission to promulgate rules to ensure the highest level of safety for toys. The Conferees direct the Commission to designate as quickly as possible the form and manner for States to notify the Commission of any existing State laws or regulations relating to safety requirements for toys.

*Section 107. Study of Preventable Injuries and Deaths in Minority Children Related to Consumer Products.*

The Conferees agreed to modified language that is similar to provisions in the House bill and the Senate amendment. The Conference Report requires the Government Accountability Office (GAO) to assess and report on the racial disparities of the rates of

preventable injuries and deaths related to suffocation, poisonings, and drowning among children.

*Section 108. Prohibition on Sale of Certain Products Containing Specified Phthalates.*

The Conferees agreed to a modified version of the Senate amendment's prohibition on specific phthalates in certain children's products.

TITLE II—CONSUMER PRODUCT SAFETY COMMISSION  
REFORM

SUBTITLE A—ADMINISTRATIVE IMPROVEMENTS

*Section 201. Reauthorization of the Commission.*

The Conferees agreed to modified language that would reauthorize the Commission for five years beginning in fiscal year 2010 and provided a specific travel allowance for the Commission.

The Conferees recognize nanotechnology as a new technology utilized in the manufacture of consumer products and its nature as an emerging technology. The Conferees expect the Commission to review such utilization and the safety of its application in consumer products consistent with the Commission's mission.

As part of the general authorizations for fiscal years 2010 through 2014, the Conferees authorized \$25,000,000 to establish and maintain the database required by section 212 of the Conference Report and to upgrade and integrate the Commission's information technology systems.

*Section 202. Full Commission Requirement; Interim Quorum; Personnel.*

The Conferees agreed to modified language that is similar to provisions in the House bill and the Senate amendment. The Conference Report reinstates a five-member Commission after one year, and establishes a two-member quorum for one year after the date of enactment.

*Section 203. Submission of Copy of Certain Documents to Congress.*

The Conferees agreed to the identical provisions in the House bill and the Senate amendment.

*Section 204. Expedited Rulemaking.*

The Conferees agreed to modified language that is similar to provisions in the House bill and the Senate amendment. The Conference Report provides the Commission the authority to forgo an Advanced Notice of Proposed Rulemaking.

*Section 205. Inspector General Audits and Reports.*

The Conferees agreed to modified language that is similar to provisions in the House bill and the Senate amendment. The Conference Report instructs the Inspector General of the Commission to conduct reviews and audits to assess the Commission's capital improvement efforts and the adequacy of procedures for accrediting conformity assessment bodies as required by this Conference Report. The Conference Report also requires that the Commission es-

establish and maintain on the homepage of its Internet website a direct link to the Internet webpage of the Commission's Office of Inspector General.

The Conferees direct the Commission to take steps to inform all employees that they are free to make anonymous complaints through the Inspector General's webpage about waste, fraud and mismanagement within the Commission. The Inspector General should investigate any complaints about the failure of Commission employees to enforce in good faith the rules and regulations of the CPSA or any other Act enforced by the Commission or otherwise carry out their responsibilities under such Acts, including efforts to alter or suppress relevant data, subvert enforcement measures, and succumb to undue influence.

*Section 206. Industry-Sponsored Travel Ban.*

The House bill and the Senate amendment contained similar provisions. The Senate receded to the House bill with minor modifications.

*Section 207. Sharing of Information with Federal, State, Local and Foreign Government Agencies.*

The Conferees agreed to modified language that is nearly identical to the provisions in the House bill and the Senate amendment.

*Section 208. Employee Training Exchanges.*

The Conferees agreed to language that provides the Commission the authority to retain or employ officers or employees of foreign government agencies on a temporary basis or to detail employees of the Commission to work on a temporary basis for appropriate foreign government agencies.

*Section 209. Annual Reporting Requirement.*

The Conferees agreed to modified language that is nearly identical to the provisions in the House bill and the Senate amendment.

SUBTITLE B—ENHANCED ENFORCEMENT AUTHORITY

*Section 211. Public Disclosure of Information.*

The House receded to the Senate amendment, which included language that would modify sections 6(a) and 6(b) of the CPSA. The Conference Report includes amendments to the CPSA allowing the Commission, when a manufacturer goes to court under section 6(b)(3) attempting to stop the release of information, to file a request with the Federal District Court for expedited consideration of the matter. While the Conferees expect quick action on these matters to protect public health and safety, they recognize that the prosecution of other matters before the court, such as Class A and Class B felonies, is also extremely important to the public welfare. It is the Conferees' view that the expedited consideration of section 6(b)(3) cases should not delay action on these other important issues.

*Section 212. Establishment of a Public Consumer Product Safety Database.*

The Conferees agreed to modified language that requires the Commission to establish a publicly available searchable database on the safety of consumer products and other products or substances regulated by the Commission within two years of the date of enactment. The Conferees intend that the Commission prevent duplicative reports from being added to the publicly available database. If multiple reports that describe the same incident are submitted to the database, the Commission should, to the extent practicable, remove unnecessary reports and preserve the most relevant report in the database. However, the Conferees recognize that it is possible that multiple reports regarding the same incident could provide different relevant details and that information from those reports could be helpful to the public and should, therefore, remain in the database. The Conferees also direct the GAO to study the general utility of the database and provide recommendations for measures to increase use of the database.

*Section 213. Prohibition on Stockpiling Under Other Commission-Enforced Statutes.*

The Conferees agreed to the identical provisions in the House bill and the Senate amendment.

*Section 214. Enhanced Recall Authority and Corrective Action Plans.*

The Conference Report amends the notification requirements under section 15(b) of the CPSA to promote the timely, accurate, and complete disclosure to the Commission of information that is necessary to protect public health and safety. The Conferees recognize that innovation in the design of consumer products has led to the development of products that can be used in both motor vehicles and the home. For example, some children's car safety seats can be used in a car but also in a frame so that they can be used as strollers or in the home. The Conferees do not intend in the parenthetical language used in section 15(b) to exempt those products from the reporting requirements to the extent that they have defects arising from uses outside a motor vehicle.

To the list of reports required from manufacturers, retailers, and distributors, this section adds the broad requirement to report information that a product fails to comply with any other rule, standard, ban, or order under this Act, or any other Act enforced by the Commission. It also adds a sentence indicating that a report under this new paragraph may not be used as the basis for criminal prosecution of the reporting person under section 5 of the Federal Hazardous Substances Act (FHSA), except for offenses which require a showing of intent to defraud or mislead. With consideration of the increased criminal penalties in the Conference Report, the Conferees took this narrow, limited action in order to avoid an unjust result under a possible construction of section 5 that provides for strict liability for criminal enforcement without regard to any applicable requirement of knowledge, intent, or willfulness in such situations. The Conferees do not intend for the limited use immunity provided by this section to be used to shelter bad actors from

the consequences of their acts but rather to ensure that there are no unintended impediments to the flow of information to the Commission.

The Conferees also agreed to modified language that is similar to provisions in the House bill and the Senate amendment. The Conference Report provides the Commission greater recall authority and creates requirements for recall notices in order to better inform the public of potential product harms.

*Section 215. Inspection of Firewalled Conformity Assessment Bodies; Identification of Supply Chain.*

The Senate receded to the House bill on language that provides authority to the Commission to inspect firewalled conformity assessment bodies certified as third party conformity assessment bodies. The Conferees also agreed to modified language that is similar to the House bill and the Senate amendment.

*Section 216. Prohibited Acts.*

The Conferees agreed to modified language that is similar to the provisions in the House bill and the Senate amendment, incorporating into the Prohibited Acts section of the CPSA violations created by this Conference Report. In amending section 19(a) of the CPSA, the restriction on exporting a consumer product subject to a voluntary corrective action is not meant to include products that have been reconditioned or repaired in accordance with the Commission-approved corrective action for such products that are compliant.

*Section 217. Penalties.*

The Conferees agreed to modified language that increases the civil penalty cap for each violation of a prohibited act under the CPSA, the FHSA, or the Flammable Fabrics Act (FFA) from \$8,000 to \$100,000, and the maximum civil penalty cap for a related series of violations under each Act from \$1,825,000 to \$15,000,000. Within one year of the date of enactment of this Conference Report, the Commission is required to issue a final regulation providing its interpretation of factors to be taken into account by the Commission when determining the amount of any civil penalty.

The Conferees agreed to language that is similar to provisions in the House bill and the Senate amendment, which would authorize the Commission to seek asset forfeiture as a penalty for a criminal violation of this Conference Report. The House receded to Senate language that would increase maximum criminal penalties and remove the knowledge of notice of noncompliance requirements for directors, officers, and agents under section 21(b) of the CPSA.

*Section 218. Enforcement by State Attorneys General.*

The Conferees agreed to modified language that is similar to the provisions in the House bill and the Senate amendment. The Conferees agreed to include amendments to the CPSA and the Poison Prevention Packaging Act (PPPA) to enhance the ability of the attorney general of a State, or other authorized State officer, alleging specified violations under those Acts that affect or may affect the State or its residents, to obtain appropriate injunctive relief. To en-

sure the efficient operation of enforcement efforts along with the consistent interpretation and application of Commission regulations, the Conferees expect cooperation and consultation to occur between the attorneys general and the Commission in the normal course of business in implementing and carrying out this authority.

This section requires a State attorney general to notify the Commission prior to filing any action and provide the Commission a maximum of 30 days to respond to or assist with an action. The Conferees recognize that certain circumstances require immediate action to protect the public from a substantial product hazard. The Conferees have provided a limited exception that would allow the States to proceed upon notification to the Commission when a substantial product hazard may result from the use of a product. The Conferees believe current and future technologies, such as electronic mail and facsimile, should provide a State attorney general the ability to notify the Commission immediately prior to initiating such enforcement actions.

With regard to the limitation in section 218(b)(5), the Conferees intend to preserve the injunctive authority of State attorneys general to remove dangerous products from the stream of commerce when the Commission is engaged in protracted litigation with defendants. The purpose of this limited exception is to facilitate efficient enforcement of section 19, not impede it. As such, the Conferees do not intend by the parenthetical language to allow unlimited lawsuits against the same defendant in various jurisdictions across the country. Multiple lawsuits involving the same facts and same defendants could delay the prosecution of injunction suits filed by the Commission adding pretrial procedural issues, such as consolidation or transfer. Moreover, the Conferees do not intend for such suits to interfere with the Commission's choice of venue.

*Section 219. Whistleblower Protections.*

The House receded to the Senate amendment with modifications. The Conference Report includes whistleblower protections for employees of manufacturers, private labelers, retailers, and distributors with respect to alleged violations of any CPSC-enforced product safety requirements.

SUBTITLE C—SPECIFIC IMPORT-EXPORT PROVISIONS

*Section 221. Export of Recalled and Non-conforming Products.*

The Conferees agreed to modified language that is similar to provisions in the House bill and the Senate amendment.

*Section 222. Import Safety Management and Interagency Cooperation.*

The House receded to the Senate amendment with modifications. The Conferees agreed to language that would require the Commission, in consultation with the United States Customs and Border Protections (CBP), to develop a risk assessment methodology for the identification of shipments that are likely to include consumer products that violate section 17(a) of the CPSA. The Conferees also agreed to require the Commission to utilize the International Trade Data System (ITDS) insofar as practicable (i.e., as soon as ITDS is



operational) to evaluate and assess information about shipments of consumer products intended for import into the customs territory of the United States when developing the risk assessment methodology pursuant to this section. The Conference Report also requires the Commission to develop a plan for sharing information and enhancing coordination with CBP.

*Section 223. Substantial Product Hazard List and Destruction of Noncompliant Imported Products.*

The House receded to the Senate amendment with modifications. The Conferees agreed to modified language that would authorize the Commission, by rule, to specify characteristics of a consumer product or class of consumer products whose existence or absence would be deemed to constitute a substantial product hazard. The Conferees also agreed that products refused admission into the customs territory of the United States would be required to be destroyed, unless the Secretary of the Treasury permits the export of the product in lieu of destruction. The Conferees agreed to amend the CPSA to condition the distribution of consumer goods in commerce upon manufacturers' compliance with Commission record-keeping and inspection requirements.

*Section 224. Financial Responsibility.*

The House receded to the Senate amendment with modifications. The Conferees agreed to modified language regarding identification and determination of a bond amount sufficient to cover the cost of destruction of any consumer product or substance regulated under the CPSA or any other Act enforced by the Commission. The Conferees direct the GAO to conduct a study to determine the feasibility of requiring the posting of an escrow, proof of insurance, or security sufficient in amount to cover the cost of destruction of a domestically-produced product or substance regulated by any Act enforced by the Commission. The GAO is also directed to study the feasibility of posting an escrow, proof of insurance, or security sufficient in amount to cover the effective recall of a domestically-produced or imported product or substance regulated by any Act enforced by the Commission.

*Section 225. Study and Report on Effectiveness of Authorities Relating to Safety of Imported Consumer Products.*

The House bill and the Senate amendment included language to assess the effectiveness of the Commission's authority in preventing unsafe products from entering the United States. The House receded to the Senate amendment with minor modifications.

SUBTITLE D—MISCELLANEOUS PROVISIONS AND CONFORMING AMENDMENTS

*Section 231. Preemption.*

The Conferees agreed to language that combines provisions from the House bill and the Senate amendment with modifications. The Conference Report contains a provision reiterating the intentions of sections 25 and 26 of the CPSA, section 18 of the FHSA, section 16 of the FFA, and section 7 of the PPPA. The Conferees recog-

nized that the Commission frequently explains the scope of Commission rules and standards and that this is appropriate in order to give guidance to the States and the State attorneys general. Furthermore, it is not the intention of the Conferees to supersede the otherwise lawful and appropriate preemption of State laws and regulations. As section 26(a) of the CPSA makes clear, “whenever a consumer product safety standard under this Act is in effect and applies to a risk of injury associated with a consumer product, no State or political subdivision of a State shall have any authority either to establish or to continue in effect any provision of a safety standard or regulation which prescribes any requirements as to the performance, composition, contents, design, finish, construction, packaging, or labeling of such product which are designed to deal with the same risk of injury associated with such consumer product, unless such requirements are identical to the requirements of the Federal standard.” Given this language, States may not prescribe additional safety standards that go further than Commission regulations when it has been determined that State regulations are preempted, except as provided in sections 18(b)(2)-(4) of the FHSA, sections 26(b) and (c) of the CPSA, sections 16(b) and (c) of the FFA, and sections 7(b) and (c) of the PPPA of 1970. The Conferees also agreed to the preservation of certain State laws.

The Conferees included language intended to clarify that the requirements under the Conference Report and the FHSA shall not be construed to preempt or affect State warning requirements under State laws, such as California’s Proposition 65, that were enacted prior to August 31, 2003.

*Section 232. All-Terrain Vehicles.*

The House receded to the Senate amendment with modifications.

*Section 233. Cost-Benefit Analysis Under the Poison Packaging Prevention Act of 1970.*

The House receded to the Senate amendment with a technical modification.

*Section 234. Study on Use of Formaldehyde in Manufacturing of Textile and Apparel Articles.*

The House receded to the Senate amendment with a modification that the GAO shall conduct the study instead of the Commission.

*Section 235. Technical and Conforming Changes.*

The Conferees agreed to conforming changes throughout the CPSA.

The Senate receded to the House bill and agreed to include the House position that a children’s product means a consumer product designed or intended primarily for children 12 years of age or younger.

*Section 236. Expedited Judicial Review.*

The Conferees agreed to language that would streamline the judicial review of rules promulgated under certain Acts enforced by the Commission.

*Section 237. Repeal.*

The Conferees agreed to the identical provisions in the House bill and the Senate amendment to repeal section 30(d) of the CPSA.

*Section 238. Pool and Spa Safety Act Technical Amendments.*

The Conferees agreed to technical amendments to the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8001 et seq.).

*Section 239. Effective Dates and Severability.*

The Conferees agreed to language regarding the effective date of the Conference Report and the effective dates of the amendments to all the Acts under the Commission's jurisdiction as established by the Conference Report. The Conferees also agreed to language with regard to the severability of the Conference Report.

5. SPECIAL ISSUES

The Senate amendment contained several single-product issues that Senate Members believed important for the Commission to address. The House bill contained no title relating to single-product issues because the House Members believed consumers were better served by keeping the House bill focused on the task of reforming the Commission. Many of these issues were raised by Members of the House Committee on Energy and Commerce in colloquies or discussions of amendments that were offered and withdrawn.

While the Conference Report addresses certain single-product issues, other single-product issues from the Senate amendment were not included. Nevertheless, the Conferees believe certain single-product issues require heightened regulatory scrutiny and greater attention.

The Conferees believe the Commission must take additional action to reduce the number of preventable deaths and serious injuries resulting from accidental carbon monoxide poisoning. To that end, the Conferees direct the Commission to expeditiously issue a final rule in its proceeding entitled "Portable Generators" for which the Commission issued an Advance Notice of Proposed Rulemaking on December 12, 2006 (71 Fed. Reg. 74472). The Conferees also direct the Commission to review the effectiveness of its labeling requirements for charcoal briquettes (16 CFR 150014(b)(6)) given the events that occurred during the windstorm that struck the Pacific Northwest beginning on December 14, 2006; identify any specific challenges faced by non-English speaking populations with use of the current standards; and make recommendations, if warranted, for improving the labels on bags of charcoal briquettes.

The Conferees support carbon monoxide devices being installed in all residential dwelling units and support the efforts of individual States that have enacted legislation requiring the installation of carbon monoxide devices in homes and other dwelling places. The Conferees believe the Commission should consider the adoption of the American National Standards Institute/Underwriters Laboratories standards ANSI/UL 2034 and ANSI/US 2075 for carbon monoxide devices sold in the United States. The Conferees also direct the Commission to conduct a public awareness campaign to educate consumers about carbon monoxide poisoning

and the importance of residential carbon monoxide alarms including recommendations for the effective use and maintenance of carbon monoxide alarms.

The Conferees direct the Commission to conduct a public awareness campaign to educate consumers about the importance of residential smoke alarms and improved smoke detector technology, including the difference between ionization type and photoelectric type alarms. The campaign should include recommendations for effective use and maintenance of smoke alarms.

The Conferees direct the Commission to issue a final rule in its proceeding entitled, "Safety Standard for Cigarette Lighters" for which the Commission issued an Advance Notice of Proposed Rulemaking on April 11, 2005 (70 Fed Reg 18339).

The Conferees believe that the Commission must take strong action to reduce the number of preventable fatal traumatic brain injuries resulting from inadequate equestrian helmets. The Conferees direct the Commission to consider establishing a mandatory consumer product safety rule for equestrian helmets that is consistent with current voluntary standards, such as the ASTM standard designated as F 1163 and the Snell Memorial Foundation standard designated as E2001, to the extent such standards would increase safety.

The Conferees believe that the Commission must take action to prevent deaths and serious injuries resulting from garage door entrapment. To that end, the Conferees direct the Commission, in consultation with interested parties consistent with Commission practices, to expeditiously review, revise, and consider the adoption of standards as necessary to ensure the safety and effectiveness of both inherent and external secondary entrapment protection devices that cause the garage door to reverse, including contact and non-contact sensors.

The Conferees believe the Commission should take appropriate action with respect to lead included in any ceramic product within its jurisdiction.

The Conferees direct the Commission to examine its current authority with respect to toys intended for use by household pets, especially those that could become children's play things. If the Commission determines that it has the appropriate authority to regulate such products, the Conferees direct the Commission to consider the adoption of limits regarding the use of lead and lead paint in household pet toys.

The Conferees are aware of tipping dangers presented by furniture, ovens, other large appliances, and television sets that have resulted in serious injuries. In order to help stem preventable accidents and injuries, the Conferees direct the Commission to examine these matters, and, where appropriate, to require stabilizing mechanisms such as braces and clear and conspicuous warning labels, and to make available on its Internet website recommendations on tip-over prevention.

The Conferees intend for the Commission to give priority to the timely and effective implementation of this Conference Report. Nonetheless, the Conferees request that these special issues be given consideration. The Commission's House and Senate authorizing committees intend to review the status of these issues at ap-

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propriate intervals to make sure that they are addressed with reasonable diligence.

July 28, 2008 (6:53 p.m.)