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**Monday,
April 30, 2007**

Part XLVII

Consumer Product Safety Commission

Semiannual Regulatory Agenda

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Semiannual Regulatory Agenda

AGENCY: Consumer Product Safety Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: In this document, the Commission publishes its semiannual regulatory flexibility agenda. In addition, this document includes an agenda of regulatory actions the Commission expects to be under development or review by the Agency during the next year. This document meets the requirements of the Regulatory Flexibility Act and Executive Order 12866.

DATES: The Commission welcomes comments on each subject area of the agenda, particularly from small businesses, small organizations, and other small entities. Written comments concerning the agenda should be received in the Office of the Secretary by May 30, 2007.

ADDRESSES: Comments on the regulatory flexibility agenda should be captioned "Regulatory Flexibility Agenda" and be e-mailed to cpsc-os@cpsc.gov or filed by fax to (301) 504-0127. Comments may also be mailed or delivered to the Office of the Secretary, Consumer Product Safety Commission, Room 502, 4330 East-West Highway, Bethesda, MD 20814-4408.

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in

general, contact Barbara E. Parisi, Office of the General Counsel, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814-4408; Telephone (301) 504-7879. For further information regarding a particular item on the agenda, consult the individual listed in the column headed "Contact" for that particular item.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (RFA) (5 U.S.C. 601 to 612) contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small businesses, small governmental organizations, and other small entities. Section 602 of the RFA (5 U.S.C. 602) requires each agency to publish twice each year a regulatory flexibility agenda containing a brief description of the subject area of any rule expected to be proposed or promulgated that is likely to have a "significant economic impact" on a "substantial number" of small entities. The agency must also provide a summary of the nature of the rule, and a schedule for acting on each rule for which the agency has issued a notice of proposed rulemaking.

The regulatory flexibility agenda is also required to contain the name and address of the agency official knowledgeable about the items listed. Further, agencies are required to provide notice of their agendas to small entities and to solicit their comments by direct notification, or by inclusion in publications likely to be obtained by such entities.

Additionally, Executive Order 12866 requires each agency to publish twice each year a regulatory agenda of regulations under development or review during the next year, and states that such an agenda may be combined with the agenda published in accordance with the RFA. The regulatory flexibility agenda published below lists the regulatory activities expected to be under development or review during the next 12 months. It includes all such activities, whether or not they may have a significant economic impact on a substantial number of small entities. This agenda also includes regulatory activities that appeared in the December 2006 agenda that have been completed by the Commission prior to publication of this agenda.

The agenda contains a brief description and summary of each regulatory activity, including the objectives and legal basis for each; an approximate schedule of target dates, subject to revision, for the development or completion of each activity, and the name and telephone number of a knowledgeable agency official concerning particular items on the agenda. All agency contacts have the same address: Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814-4408.

Dated: March 1, 2007.

Todd A. Stevenson,
Secretary, Consumer Product Safety Commission.

Consumer Product Safety Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3364	Flammability Standard for Upholstered Furniture	3041-AB35
3365	Amendment of the Standard for the Flammability of Clothing Textiles	3041-AB68
3366	Portable Bed Rails	3041-AB91
3367	Petition CP 04-1/HP 04-1 Requesting Mandatory Fire Safety Standards for Candles and Candle Accessories	3041-AC22
3368	Possible Revocation or Amendment of Standard for the Flammability of Mattresses and Mattress Pads (Cigarette Ignition)	3041-AC27
3369	Regulatory Options for Infant Pillows	3041-AC30
3370	Regulatory Options for Lead Toy Jewelry	3041-AC41

CPSC

Consumer Product Safety Commission—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3371	All-Terrain Vehicles	3041-AC28
3372	Flammability Standards for Carpets and Rugs	3041-AC38

Consumer Product Safety Commission—Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
3373	Amendment of Safety Regulations for Cribs	3041-AB67
3374	Safety Standard for Baby Bath Seats	3041-AC03
3375	Petition CP 03-1/HP 03-1 Requesting a Standard for Bunk Bed Corner Posts	3041-AC10
3376	Mandatory Safety Standard for Cigarette Lighters	3041-AC25
3377	Proposed Standard To Address Open-Flame Ignition of Bedclothes	3041-AC26
3378	Regulatory Options for Table Saws	3041-AC31
3379	Fireworks Devices	3041-AC35
3380	Portable Generators	3041-AC36
3381	Civil Penalty Factors	3041-AC40

Consumer Product Safety Commission—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3382	Petition HP 06-2 Requesting Labeling Exemption for Mini Sparklers	3041-AC33
3383	Petition HP 06-1 Requesting Ban on Lead Toy Jewelry	3041-AC34
3384	Labeling for Portable Generators	3041-AC37

Consumer Product Safety Commission (CPSC)

Proposed Rule Stage

3364. FLAMMABILITY STANDARD FOR UPHOLSTERED FURNITURE

Priority: Economically Significant. Major under 5 USC 801.

Legal Authority: 15 USC 1193, Flammable Fabrics Act; 5 USC 801

CFR Citation: 16 CFR 1640

Legal Deadline: None

Abstract: On October 23, 2003, the Commission issued an ANPRM to expand the scope of the ongoing upholstered furniture flammability proceeding to include both cigarette and small open flame-ignited fires. The staff held a public meeting to discuss public comments on April 9, 2004. The staff developed revised drafts of the standard addressing both cigarette and small open flame ignition, and held public meetings on October 28, 2004 and May 18, 2005 to present and discuss the revised drafts. On January

31, 2006, the staff sent a status report describing regulatory options to the Commission. The staff forwarded follow-up status reports on various technical research efforts in November 2006 and December 2006. The staff continues to perform laboratory testing and other research to support a possible proposed rule.

CPSC is also considering possible impacts of flame-retardant chemical use on worker safety and the environment. The CPSC staff has evaluated potential health risks associated with textile and foam filling material flame retardants. At the CPSC staff's request, the National Institute for Occupational Safety and Health studied potential worker exposure to and risks from certain flame-retardant chemicals that may be used by textile and furniture producers to comply with an upholstered furniture flammability standard. NIOSH preliminarily

concluded that significant worker health effects were unlikely. CPSC staff has also worked with the Environmental Protection Agency to (a) develop a significant new use rule (SNUR) for flame-retardant compounds used in residential upholstered furniture fabrics under that agency's Toxic Substances Control Act Authority, and (b) identify and encourage the use of environmentally-preferable flame retardants under a Design for the Environment industry/government partnership. The Design for the Environment report was published in September 2005. Further, at the CPSC staff's request, the National Toxicology Program of the Department of Health and Human Services is initiating health studies of several flame retardants for which toxicity data are lacking.

CPSC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	06/15/94	59 FR 30735
Commission Hearing May 5 & 6, 1998 on Possible Toxicity of Flame Retardant Chemicals	03/17/98	63 FR 13017
Meeting Notice	03/20/02	67 FR 12916
Notice of September 24 Public Meeting	08/27/03	68 FR 51564
ANPRM	10/23/03	68 FR 60629
ANPRM Comment Period End	12/22/03	
Staff Held Public Meeting	10/28/04	
Staff Held Public Meeting	05/18/05	
Staff Sends Status Report to Commission	01/31/06	
Staff Sends Status Report to Commission	11/03/06	
Staff Sends Status Report to Commission	12/28/06	
Staff Forwards Interlaboratory Study Report to Commission	09/00/07	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Dale R. Ray, Project Manager, Consumer Product Safety Commission, Directorate for Economic Analysis, 4330 East-West Highway, Bethesda, MD 20814-4408
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RIN: 3041-AB35

3365. AMENDMENT OF THE STANDARD FOR THE FLAMMABILITY OF CLOTHING TEXTILES**Priority:** Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 1191, Flammable Fabrics Act**CFR Citation:** 16 CFR 1610**Legal Deadline:** None

Abstract: The Standard for the Flammability of Clothing Textiles prohibits the manufacture, importation, or sale of clothing and fabrics and related materials intended for use in clothing, which are dangerously

flammable because of rapid and intense burning. The standard prescribes the apparatus, procedure, and criteria to be used for testing to determine compliance with that standard. The standard was made mandatory by the Flammable Fabrics Act of 1953 (Pub. L. 83-88, 67 Stat. 111; June 30, 1953). Some of the equipment and procedures specified by the standard, particularly those for laundering and cleaning of test specimens, have become obsolete, unavailable, or unrepresentative of current practices. The staff prepared a briefing package describing modifications of the standard that may be needed to assure that the test in the standard is conducted with equipment and procedures representative of conditions to which garments currently are exposed. After consideration of the briefing package, the Commission decided to begin a proceeding for amendment of the standard. An advance notice of proposed rulemaking was published in the Federal Register on September 12, 2002. The staff reviewed public comments and proposed amendments for Commission consideration. On January 12, 2007, the Commission voted to publish a notice of proposed rulemaking in the Federal Register.

Timetable:

Action	Date	FR Cite
Staff Sent Briefing Package to Commission	06/11/02	
Commission Decision ANPRM	08/28/02	67 FR 57770
ANPRM Comment Period End	09/12/02	
ANPRM Comment Period End	11/12/02	
Staff Sends Briefing Package to Commission	11/30/06	
Commission Decision Draft NPRM to Commission	12/08/06	
Commission Decision on Draft NPRM	01/10/07	
Commission Decision on Draft NPRM	01/12/07	
NPRM	02/27/07	72 FR 8843
NPRM Comment Period End	05/14/07	
Staff Sends Briefing Package to Commission	09/00/07	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Patricia K. Adair, Project Manager, Consumer Product

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RIN: 3041-AB68

3366. PORTABLE BED RAILS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 1261, Federal Hazardous Substances Act**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The Commission is considering whether certain portable bed rails present an unreasonable risk of injury that should be regulated. A portable bed rail is a device intended to be installed on an adult bed to prevent a child from falling out of the bed. Such bed rails may be constructed in a manner that allows children to become entrapped between the portable bed rail and the bed. This entrapment can result in serious injury or death. In October 2000, the Commission issued an advance notice of proposed rulemaking (ANPRM) addressing this issue. The ASTM standard for bed rails has since been revised and staff is evaluating the adequacy of, and conformance to, the revised standard. Following this evaluation, the Commission staff will prepare a briefing package for Commission consideration as to whether to continue the rulemaking.

Timetable:

Action	Date	FR Cite
Staff Sent Briefing Package to Commission	06/28/00	
Commission Decision ANPRM	09/21/00	65 FR 58968
ANPRM Comment Period End	10/03/00	
ANPRM Comment Period End	12/04/00	
Staff Sent Briefing Package to Commission	10/01/01	
Commission Decision Staff Begins Evaluating Conformance to Voluntary Standard	10/30/01	
Staff Sends Briefing Package to Commission	10/01/05	
Staff Sends Briefing Package to Commission	12/00/07	

Regulatory Flexibility Analysis

Required: Undetermined

CPSC

Proposed Rule Stage

Government Levels Affected:

Undetermined

Federalism: Undetermined

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RIN: 3041-AB91

3367. PETITION CP 04-1/HP 04-1 REQUESTING MANDATORY FIRE SAFETY STANDARDS FOR CANDLES AND CANDLE ACCESSORIES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 553(e), Administrative Procedure Act; 15 USC 2051, Consumer Product Safety Act; 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: Not Yet Determined**Legal Deadline:** None

Abstract: The National Association of State Fire Marshals requests that the Commission issue mandatory safety standards for candles and candle accessories such as candleholders. The request was docketed as a petition for rulemaking on March 10, 2004. A notice requesting comment on the petition was published in the Federal Register on April 6, 2004. The comment period closed on June 7, 2004. On July 10, 2006, CPSC staff sent a briefing package to the Commission for consideration and recommended that the Commission defer action on the petition. On July 19, 2006, the Commission voted 3-0 to defer the petition and directed the staff to provide updates on the progress of voluntary standards activities.

Timetable:

Action	Date	FR Cite
Petition Docketed	03/10/04	
Notice	04/06/04	69 FR 18059
Comment Period End	06/07/04	
Staff Sends Briefing Package to Commission	07/10/06	
Commission Votes to Defer Action	07/19/06	

Action	Date	FR Cite
Staff Sends Update on Progress of Voluntary Standards Activities to Commission	04/00/07	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Allyson Tenney, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 4330 East-West Highway, Bethesda, MD 20814-4408
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RIN: 3041-AC22

3368. POSSIBLE REVOCATION OR AMENDMENT OF STANDARD FOR THE FLAMMABILITY OF MATTRESSES AND MATTRESS PADS (CIGARETTE IGNITION)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 1193, Flammable Fabrics Act

CFR Citation: 16 CFR 1632**Legal Deadline:** None

Abstract: The Commission published an advance notice of proposed rulemaking (ANPRM) in the Federal Register on June 23, 2005, requesting comments on a rulemaking proceeding that could result in revoking or amending its existing flammability standard that includes a test for cigarette ignition of mattresses and mattress pads (16 CFR part 1632). On January 13, 2005, the Commission issued a proposed flammability standard for mattresses and mattress and foundation sets that prescribes an open flame ignition test. Some commenters to that rulemaking stated that they believe that once the new mattress standard is in effect the cigarette ignition test currently required in 16 CFR 1632 will not be necessary and conducting both tests will be burdensome for industry. The Commission issued this ANPRM to begin consideration of whether the existing mattress standard should be

revoked or amended. The staff is analyzing the public comments. A research project examining the criteria for self-sustained smoldering began in late 2006.

Timetable:

Action	Date	FR Cite
ANPRM	06/23/05	70 FR 36357
ANPRM Comment Period End	08/22/05	
Research Project Begins	09/30/06	
Research Project Completed	09/00/07	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:**

Undetermined

Federalism: Undetermined

Agency Contact: Patricia K. Adair, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 4330 East-West Highway, Bethesda, MD 20814-4408
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RIN: 3041-AC27

3369. REGULATORY OPTIONS FOR INFANT PILLOWS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 553, Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500.18(a)(16)(i)**Legal Deadline:** None

Abstract: On July 13, 2006, the Commission voted 3-0 to grant a petition requesting that the Commission amend the ban on infant pillows under 16 CFR 1500.18(a)(16)(i). The staff prepared a draft advance notice of proposed rulemaking (ANPRM) concerning infant pillows to initiate a rulemaking proceeding under the Federal Hazardous Substances Act (FHSA) to identify the product and the risk of injury associated with infant pillows, summarize regulatory alternatives, and invite comments from the public. On September 27, 2006 the Commission issued the ANPRM. Staff is reviewing public comments and will

CPSC

Proposed Rule Stage

develop a further course of action for Commission consideration.

Timetable:

Action	Date	FR Cite
Staff sends Draft ANPRM to Commission	09/07/06	
Commission Decision ANPRM	09/14/06	
ANPRM Comment Period Ends	09/27/06	71 FR 56418
Staff Sends Briefing Package to Commission	11/27/06	
	09/00/07	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Suad

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RIN: 3041-AC30

3370. • REGULATORY OPTIONS FOR LEAD TOY JEWELRY

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 553, Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: On December 11, 2006, the Commission voted 2-0 to grant a petition requesting a ban on toy jewelry containing more than 0.06 percent lead by weight. On December 27, 2006, the Commission approved an advance notice of proposed rulemaking (ANPRM), which was published in the Federal Register on January 9, 2007. The public comment period ends March 12, 2007. CPSC staff will review public comments and prepare a briefing

package for Commission consideration as to whether to continue with rulemaking.

Timetable:

Action	Date	FR Cite
Commission Decision on Draft ANPRM FR Notice	12/27/06	
ANPRM Published	01/09/07	72 FR 920
Comment Period Ends	03/12/07	
Staff Sends Briefing Package to Commission	01/00/08	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Kristina Hatlelid, Ph.D., Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, 4330 East-West Highway, Bethesda, MD 20814-4408
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RIN: 3041-AC41

Consumer Product Safety Commission (CPSC)

Final Rule Stage

3371. ALL-TERRAIN VEHICLES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: Consumer Product Safety Act; 15 USC 1261; Federal Hazardous Substances Act

CFR Citation: 16 CFR 1307 ; 16 CFR 1410; 16 CFR 1500; 16 CFR 1515

Legal Deadline: None

Abstract: On October 14, 2005, the Commission published an advance notice of proposed rulemaking (ANPRM) concerning all terrain vehicles (ATVs). Issuance of the ANPRM initiated a rulemaking proceeding under the Consumer Product Safety Act (CPSA) and the Federal Hazardous Substances Act (FHSA). After reviewing the regulatory alternatives and the comments submitted in response to the ANPRM, the staff developed a May 31, 2006, briefing package recommending that the Commission issue a notice of proposed rulemaking (NPRM) that would formally ban three-wheeled ATVs and

mandate performance, training, labeling, and information requirements for four-wheeled ATVs. Other non-regulatory activities also were recommended, including the launch of an ATV safety Web site and a two-phase information and education effort. A Commission briefing was held on June 15, 2006. On July 12, 2006, the Commission voted 3-0 to approve publication of the draft NPRM with changes in the Federal Register. The NPRM was published on August 10, 2006, with a comment closing date of October 24, 2006. Seven ATV manufacturers and distributors requested a 60-day extension of the comment period. The Commission granted their request, and the comment closing date was extended to December 26, 2006. Staff is conducting research as directed by the Commission in its vote on July 12, 2006.

Timetable:

Action	Date	FR Cite
Staff sends draft ANPRM to Commission	09/15/05	
Commission Decision	10/05/05	

Action	Date	FR Cite
ANPRM	10/14/05	70 FR 60031
ANPRM Comment Period Closes	12/13/05	
Staff Sends Briefing Package to Commission	05/31/06	
Commission Decision NPRM	07/12/06	
NPRM Comment Period Closes	08/10/06	71 FR 45903
NPRM Comment Period Extended	10/20/06	71 FR 61923
NPRM Comment Period Closes	12/26/06	
Staff Completes Research Directed by Commission	12/00/07	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Elizabeth W. Leland, Project Manager, Consumer Product Safety Commission, Directorate for

CPSC

Final Rule Stage

Economic Analysis, 4330 East-West Highway, Bethesda, MD 20814-4408
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RIN: 3041-AC28

3372. FLAMMABILITY STANDARDS FOR CARPETS AND RUGS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 1193, Flammable Fabrics Act

CFR Citation: 16 CFR 1630; 16 CFR 1631

Legal Deadline: None

Abstract: The Consumer Product Safety Commission administers two flammability standards for carpets and rugs: 16 CFR part 1630—Standard for the Flammability of Carpets and Rugs, and 16 CFR part 1631—Standard for the Surface Flammability of Small Carpets and Rugs. The standards establish minimum acceptance criteria for the surface flammability of carpets

and rugs when exposed to a standard small source of ignition under prescribed conditions (the “pill test”). The standards define the ignition source in relevant part as a methenamine tablet, sold by the Eli Lilly Company, or an equal tablet. Commission staff learned that the Eli Lilly Company was no longer producing the methenamine tablets specified in the carpet and rug standards. Accordingly, the Commission published a notice of proposed rulemaking in the Federal Register on November 13, 2006 that would remove the reference to the Eli Lilly Company and amend the standards to address the issue of what is considered an “equal” methenamine tablet. The comment period closed on January 29, 2007. Staff is preparing a final rule briefing package.

Timetable:

Action	Date	FR Cite
Staff sent Briefing Package to Commission	10/03/06	

Action	Date	FR Cite
Commission Decision	10/10/06	
Staff sends draft NPRM to Commission	10/20/06	
Commission Decision	10/31/06	
NPRM	11/13/06	71 FR 66145
NPRM Comment Period End	01/29/07	
Final Rule Briefing Package to Commission	06/00/07	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Patricia K. Adair, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 4330 East-West Highway, Bethesda, MD 20814-4408
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RIN: 3041-AC38

Consumer Product Safety Commission (CPSC)

Long-Term Actions

3373. AMENDMENT OF SAFETY REGULATIONS FOR CRIBS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 553, Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: 16 CFR 1508; 16 CFR 1509

Legal Deadline: None

Abstract: On December 16, 1996, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding that could result in amendment of the safety regulations for full-size and non-full-size cribs, 16 CFR parts 1508 and 1509. Among the regulatory alternatives under consideration is amendment of the regulations to add tests to assure that slats will not disengage from the side panels of cribs. The Commission began this proceeding after considering information about incidents in which crib slats disengaged from the side panels of cribs, creating a risk that

children may become entrapped between the remaining slats or fall out of the crib. At the urging of CPSC staff, in April 1999, the voluntary standard for cribs designated, “Specification for Full Size Baby Cribs (ASTM F1169-99),” and published by ASTM International was revised to include performance requirements for crib slats. CPSC staff is currently assessing the adequacy of and conformance with the voluntary standard. Following this assessment, the staff will prepare a briefing package for Commission consideration as to whether to continue the rulemaking.

Timetable:

Action	Date	FR Cite
Staff Recommended Revisions to Voluntary Standard	09/30/96	
ANPRM	12/16/96	61 FR 65996
ANPRM Comment Period End	02/14/97	
Revisions to Voluntary Standard Approved	04/10/99	
Voluntary Certification Program Begins	03/01/00	

Action	Date	FR Cite
Staff Began Monitoring Adequacy of and Conformance with Revised Voluntary Standard	03/27/01	
Staff Completes Monitoring Adequacy and Conformance	To Be Determined	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Agency Contact: Patricia L. Hackett, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 4330 East-West Highway, Bethesda, MD 20814-4408
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RIN: 3041-AB67

CPSC

Long-Term Actions

3374. SAFETY STANDARD FOR BABY BATH SEATS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: An advance notice of proposed rulemaking (ANPRM), published in the Federal Register on August 1, 2001, requested comments on a rulemaking proceeding that could result in a mandatory rule addressing baby bath seats. These are consumer products used to hold an infant in a bathtub while the child is being bathed. The staff briefed the Commission on July 28, 2003, and the Commission received oral comments from the public on the same date. The staff evaluated the comments received at the hearing and sent a briefing package to the Commission. In October of 2003, the Commission voted to direct the staff to prepare a notice of proposed rulemaking for the Commission's consideration. On December 29, 2003, the NPRM was published in the Federal Register. The comment period closed on March 15, 2004. Since the NPRM, staff worked with ASTM to revise the voluntary standard for bath seats (ASTM F1967). The standard was revised in 2004 and again in 2007. Staff is currently evaluating the adequacy of the revised standard. Following this evaluation, staff will prepare a briefing package for Commission consideration as to whether to continue the rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	08/01/01	66 FR 39692
ANPRM Comment Period End	10/01/01	
Staff Sends Briefing Package to Commission	05/08/03	
Staff Briefed Commission	07/28/03	
Hearing	07/28/03	
Commission Decision	10/16/03	
NPRM	12/29/03	68 FR 74878
NPRM Comment Period End	03/15/04	
Staff Begins Monitoring Progress of Voluntary Standard	10/01/05	

Action	Date	FR Cite
Staff Completes Monitoring Progress of Voluntary Standard	To Be Determined	
Regulatory Flexibility Analysis Required: Undetermined		
Government Levels Affected: None		
Federalism: Undetermined		
Agency Contact: Patricia L. Hackett, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, 4330 East-West Highway, Bethesda, MD 20814-4408 Phone: 301 504-7577 Email: phackett@cpsc.gov		
Related RIN: Related to 3041-AB93		
RIN: 3041-AC03		

3375. PETITION CP 03-1/HP 03-1 REQUESTING A STANDARD FOR BUNK BED CORNER POSTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 553(e), Administrative Procedure Act; 15 USC 1262(j), Federal Hazardous Substances Act; 15 USC 2058(i), Consumer Product Safety Act

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: A petition from the Danny Foundation requests that the Commission establish a standard to address an alleged hazard of strangulation posed by bunk bed corner posts. The petitioner asserts that due to the height of bunk beds, corner posts on bunk beds pose a substantial risk to children when the children's clothing, bedding, or other items become caught on the corner posts. On November 8, 2002, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The comment period closed on January 7, 2003. On April 13, 2004, the staff sent a briefing package to the Commission on this issue. On July 30, 2004, the Commission voted to defer action on the petition while the staff continues to work with the ASTM bunk bed subcommittee on this issue. A revised voluntary standard for bunk beds was published in October 2004 that incorporates warning language about hangings associated with bunk

beds and attaching items to the bed. CPSC staff is working with the subcommittee to develop requirements to address strangulation hazards with vertical protrusions. Three ASTM subcommittee ballots addressing vertical protrusions have occurred. In February 2007, the language was balloted at ASTM main committee. Staff will attend a March 2007 ASTM meeting where comments and votes from both the main committee and subcommittee will be reviewed.

Timetable:

Action	Date	FR Cite
Petition Docketed	10/23/02	
Notice	11/08/02	67 FR 68107
Comment Period End	01/07/03	
Staff Sends Briefing Package to Commission	04/13/04	
Commission Votes To Defer Action	07/30/04	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

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RIN: 3041-AC10

3376. MANDATORY SAFETY STANDARD FOR CIGARETTE LIGHTERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 553(e); Administrative Procedure Act; 15 USC 2051; Consumer Product Safety Act

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: In November 2001, a petition from the Lighter Association, Inc. requested that the Commission issue a rule to adopt an ASTM voluntary safety standard for cigarette lighters. In November 2004, the Commission voted to grant the petition and initiate a rulemaking proceeding. An ANPRM was published in April 2005 and the comment period closed on June 10, 2005. Staff completed monitoring

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conformance of lighters with the voluntary standard, and sent a status report to the Commission for consideration in October 2006.

Timetable:

Action	Date	FR Cite
Staff Sent Draft ANPRM to Commission	03/25/05	
Commission Decision ANPRM	03/31/05	70 FR 18339
ANPRM Comment Period End	04/11/05	
Staff Begins Monitoring of Conformance with Voluntary Standard	06/10/05	
Staff Completes Monitoring of Conformance with Voluntary Standard	10/01/05	
Staff Sent Status Report to Commission	05/15/06	
Staff Sends Briefing Package to Commission	10/10/06	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

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RIN: 3041-AC25

3377. PROPOSED STANDARD TO ADDRESS OPEN-FLAME IGNITION OF BEDCLOTHES

Priority: Economically Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 1193; Flammable Fabrics Act; 5 USC 801

CFR Citation: 16 CFR 1634

Legal Deadline: None

Abstract: On January 13, 2005, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding for development of a flammability standard to address risks of death, injury, and property damage from fires associated with open-flame ignition of bedclothes. Bedclothes are a major contributor to

mattress ignition. Commission staff reviewed research indicating that mattresses and bedclothes operate together as a system in fires involving mattresses. Research has suggested that improved flammability performance of some bedclothes can reduce the fire hazard. The Commission staff will review public comments received on the ANPRM and conduct research on the fire hazard presented by burning bedclothes and the relationship with mattresses. Staff will prepare a decision package for Commission consideration.

Timetable:

Action	Date	FR Cite
ANPRM	01/13/05	70 FR 2514
ANPRM Comment Period End	03/14/05	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

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RIN: 3041-AC26

3378. REGULATORY OPTIONS FOR TABLE SAWS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 553(e), Administrative Procedure Act; 15 USC 2051, Consumer Product Safety Act

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: On July 11, 2006, the Commission voted 2-1 to grant a petition requesting that the Commission issue a rule prescribing performance standards for a system to reduce or prevent injuries from contacting the blade of a table saw. The Commission also directed the staff to prepare an advance notice of proposed rulemaking (ANPRM) initiating a rulemaking proceeding under the Consumer Product Safety Act (CPSA) to identify the product and the risk of injury

associated with table saw blade contact injuries, summarize regulatory alternatives, and invite comments from the public. A draft advance notice of proposed rulemaking will be prepared for Commission consideration.

Timetable:

Action	Date	FR Cite
Staff Sends ANPRM to Commission	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

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RIN: 3041-AC31

3379. FIREWORKS DEVICES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500; 16 CFR 1507

Legal Deadline: None

Abstract: The staff prepared a draft advance notice of proposed rulemaking (ANPRM) concerning fireworks devices requesting comments on whether there is a need for the agency to update and strengthen its regulation of fireworks devices and sent it to the Commission for consideration on June 26, 2006. On June 30, 2006, the Commission voted 3-0 to issue an advance notice of proposed rulemaking. The ANPRM was issued on July 12, 2006. The comment period on the ANPRM closed on September 11, 2006. Commission staff is evaluating comments received.

Timetable:

Action	Date	FR Cite
Staff sends draft ANPRM to Commission	06/26/06	
Commission Decision ANPRM	06/30/06	
Comment Period Closes	07/12/06	71 FR 39249
	09/11/06	

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Action	Date	FR Cite
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Staff Sends Briefing Package to Commission	To Be	Determined
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Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined

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RIN: 3041-AC35

3380. PORTABLE GENERATORS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 15 USC 2051, Consumer Product Safety Act

CFR Citation: Not Yet Determined**Legal Deadline:** None

Abstract: On December 5, 2006, the Commission voted 2-0 to issue an advance notice of proposed rulemaking (ANPRM) under the Consumer Product Safety Act (CPSA) concerning portable generators. The ANPRM discusses regulatory options that could reduce portable generator-related deaths and injuries, particularly those related to carbon monoxide poisoning. The ANPRM was published in the Federal Register on December 12, 2006. Staff is reviewing public comments.

Timetable:

Action	Date	FR Cite
Staff Sends ANPRM to Commission	06/29/06	
Staff Sends Supplemental Material to Commission	10/12/06	
Staff Briefs Commission	10/26/06	
Commission Decision	10/26/06	
Staff Sends Draft ANPRM to Commission	11/21/06	
ANPRM Published	12/12/06	71 FR 74472
Comment Period Ends	02/12/07	
Staff Sends NPRM Briefing Package to Commission	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined

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RIN: 3041-AC36

3381. CIVIL PENALTY FACTORS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 2069(b) and (c), Consumer Product Safety Act

CFR Citation: 16 CFR 1119**Legal Deadline:** None

Abstract: Section 20(b) and (c) of the Consumer Product Safety Act, 15 USC 2069(b) and (c), require certain factors to be considered in assessing and compromising civil penalties. The Commission proposed a new interpretive rule that identifies and explains other factors that may be considered by the Commission and staff in evaluating the appropriateness and amount of a civil penalty. On July 12, 2006, the Commission solicited comments on a proposed new interpretive rule. The comment period closed on August 11, 2006. CPSC staff will prepare a briefing package for Commission consideration concerning the content of a possible final interpretive rule.

Timetable:

Action	Date	FR Cite
Notice of Proposed Interpretive Rule	07/12/06	71 FR 39248
Comment Period End	08/12/06	
Staff Sends Briefing Package to Commission	To Be	Determined

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Undetermined**Federalism:** Undetermined

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RIN: 3041-AC40

Consumer Product Safety Commission (CPSC)

Completed Actions

3382. PETITION HP 06-2 REQUESTING LABELING EXEMPTION FOR MINI SPARKLERS**Priority:** Substantive, Nonsignificant

Legal Authority: 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: None**Legal Deadline:** None

Abstract: Octavius Hunt requested that the Commission exempt mini sparkler tubes from the labeling requirement for

sparklers that states that they must say "For Outdoor Use Only." The request for the labeling exemption was docketed as petition number HP 06-2 under the Federal Hazardous Substances Act, 15 U.S.C. 1261 to 1278. A notice requesting comment on the petition was published in the Federal Register on June 27, 2006. Staff transmitted a briefing package to the Commission on December 14, 2006; the Commission voted to deny the petition on January 4, 2007.

Timetable:

Action	Date	FR Cite
Petition Docketed	06/08/06	
Notice of Comment Period	06/27/06	71 FR 36524
Comment Period End	08/28/06	
Staff Sends Briefing Package to Commission	12/14/06	
Commission Votes to Deny Petition	01/04/07	

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Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jonathan Midgett, Engineering Psychologist, Consumer Product Safety Commission, 4330 East-West Highway, Bethesda, MD 20814

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RIN: 3041-AC33**3383. PETITION HP 06-1 REQUESTING BAN ON LEAD TOY JEWELRY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 553, Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act**CFR Citation:** None**Legal Deadline:** None**Abstract:** The Sierra Club requested a ban on toy jewelry containing more than 0.06 percent lead by weight. The request was docketed as a petition for rulemaking on May 16, 2006. A notice requesting comment on the petition was published in the Federal Register on June 20, 2006. The comment period closed on August 21, 2006. CPSC staff transmitted a briefing package to the Commission on December 4, 2006; the Commission voted 2-0 to grant the petition on December 11, 2006.**Timetable:**

Action	Date	FR Cite
Petition Docketed	05/16/06	
Notice of Comment Period	06/20/06	71 FR 35416
Comment Period End	08/21/06	
Staff Sends Briefing Package to Commission	12/04/06	
Commission Decision	12/11/06	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kristina Hatlelid, Ph.D., Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, 4330 East-West Highway, Bethesda, MD 20814-4408
Phone: 301 504-7254
Email: khatlelid@cpsc.gov**RIN:** 3041-AC34**3384. LABELING FOR PORTABLE GENERATORS****Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 2076(e), Consumer Product Safety Act**CFR Citation:** 16 CFR 1407**Legal Deadline:** None**Abstract:** On August 24, 2006, the Commission published a notice of proposed rulemaking (NPRM) that would require manufacturers of portable generators to label portable generators with performance and technical data which would inform

consumers of the potential carbon monoxide poisoning hazard associated with portable generator use. Public comments on the NPRM were due November 7, 2006. On January 4, 2007, the Commission voted (2-0) to issue the final rule, with changes from the NPRM. The final rule was published in the Federal Register on January 12, 2007, with an effective date of May 14, 2007. A correction to the final rule was published on January 18, 2007.

Timetable:

Action	Date	FR Cite
NPRM	08/24/06	71 FR 50003
NPRM Comment Period End	11/07/06	
Staff Sends Briefing Package to Commission	12/29/06	
Commission Decision	01/04/07	
Final Rule	01/12/07	72 FR 1443
Final Rule Correction	01/18/07	72 FR 2184

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Timothy P. Smith, Project Manager, Consumer Product Safety Commission, Division of Human Factors, Directorate for Engineering Sciences, Washington, DC 20207

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RIN: 3041-AC37

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