



# Federal Register

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**Monday,  
April 24, 2000**

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**Part XLVIII**

## **Consumer Product Safety Commission**

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**Semiannual Regulatory Agenda**

**CONSUMER PRODUCT SAFETY COMMISSION (CPSC)**

**CONSUMER PRODUCT SAFETY COMMISSION**

**16 CFR Ch. II**

**Regulatory Flexibility Act; Semiannual Regulatory Flexibility and Unified Agendas**

**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 entities. Written comments concerning the agenda should be received in the Office of the Secretary by June 30, 2000.

**ADDRESSES:** Comments on the regulatory flexibility agenda should be mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207; telephone: (301) 504-0800, or delivered to the Office of the Secretary, Room 502, 4330 East West Highway, Bethesda, Maryland 20814. Comments should be captioned "Regulatory Flexibility Agenda."

Comments may also be filed by telefacsimile to (301) 504-0127 or by e-mail to cpsc-os@cpsc.gov.

**FOR FURTHER INFORMATION CONTACT:** For further information on the agenda in general, contact Stephen Lemberg, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207, telephone (301) 504-0980, ext. 2218. 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. 601-612) 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.

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, Washington, DC 20207.

**Dated:** February 24, 2000.

**Sadye E. Dunn,**  
*Secretary, Consumer Product Safety Commission.*

**Consumer Product Safety Commission—Prerule Stage**

Sequence Number	Title	Regulation Identification Number
3987	Amendment of the Standard for the Flammability of Clothing Textiles .....	3041-AB68
3988	Petition CP 97-1 Requesting Development of a Safety Standard for Escalators .....	3041-AB70
3989	Petition CP 99-2 Requesting Safety Standard for Bleachers and Grandstands .....	3041-AB84

**Consumer Product Safety Commission—Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
3990	Flammability Standard for Upholstered Furniture .....	3041-AB35
3991	Baby Walkers .....	3041-AB40
3992	Dive Sticks .....	3041-AB82
3993	Amendment of the Safety Standard for Automatic Residential Garage Door Operators .....	3041-AB86
3994	Petition HP 00-2 Requesting a Rule Declaring Natural Rubber Latex a Strong Sensitizer .....	3041-AB88

**CPSC**

**Consumer Product Safety Commission—Long-Term Actions**

Sequence Number	Title	Regulation Identification Number
3995	Petition HP 93-1 Requesting Development of a Rule To Ban Certain Backyard Playsets .....	3041-AB47
3996	Requirements for Child-Resistant Packaging of Household Products Containing Petroleum Distillates or Other Hydrocarbons .....	3041-AB57
3997	Amendment of Safety Regulations for Cribs .....	3041-AB67
3998	Petition HP 99-1 for a Ban of Polyvinyl Chloride in Toys and Other Products Intended for Children 5 Years of Age and Under .....	3041-AB79
3999	Petition FP 99-1 Requesting Labeling Rule for Polyurethane Foam in Upholstered Furniture .....	3041-AB81
4000	Petition HP 00-1 Requesting Development of a Child-Resistance Standard for Buckles Used on Child-Restraint Systems .....	3041-AB85
4001	Petition HP 00-3 Requesting a Ban of Candle Wicks Containing Lead and Candles With Such Wicks .....	3041-AB87

**Consumer Product Safety Commission—Completed Actions**

Sequence Number	Title	Regulation Identification Number
4002	Requirements for Child-Resistance of Multi-Purpose Lighters .....	3041-AB66
4003	Amendment of Laundering Procedures in Flammability Standards for Children's Sleepwear, Carpets and Rugs, and Mattress Pads .....	3041-AB69
4004	Requirements for Bunk Beds .....	3041-AB75
4005	Petition CP 99-1 Requesting a Ban of, or Warnings and Instructions for, Steel Electricians' Fish Tapes .....	3041-AB83

**CONSUMER PRODUCT SAFETY COMMISSION (CPSC)**

**Prerule Stage**

**3987. 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 is preparing 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 will decide whether to begin a proceeding for amendment of the standard.

**Timetable:**

Action	Date	FR Cite
Staff Sends Briefing Package to Commission	04/00/00	
Commission Decision	04/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** Margaret Neily, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207  
Phone: 301 504-0508

**RIN:** 3041-AB68

**3988. PETITION CP 97-1 REQUESTING DEVELOPMENT OF A SAFETY STANDARD FOR ESCALATORS**

**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:** A petition from Scott and Diana Anderson requests development of a safety standard for escalators. The petition asserts that escalators are associated with unreasonable risks of serious injuries resulting from entrapment of feet, toes, and other body parts in openings between the moving stairs and the sides of the escalators. On May 22, 1997, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The industry conducted research to support possible improvements to the escalator code to address side-wall entrapments. The staff is evaluating the results of the industry studies, and

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## Prerule Stage

injury data, and is preparing a briefing package for consideration by the Commission.

**Timetable:**

Action	Date	FR Cite
Notice To Solicit Comments on Petition	05/22/97	62 FR 28005
Comment Period End	07/21/97	
Industry Completes Report and Makes Recommendations to Improve Code	09/30/99	
Staff Sends Briefing Package to Commission	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Patricia Hackett, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207  
Phone: 301 504-0494

**RIN:** 3041-AB70

**3989. PETITION CP 99-2 REQUESTING SAFETY STANDARD FOR BLEACHERS AND GRANDSTANDS**

**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:** A petition from Representatives Bill Luther and Jim Ramstad requests that the Commission develop a safety standard for bleachers and grandstands. The petitioners assert that there have been several recent incidents of children falling through gaps in bleacher seats at basketball and hockey arenas. They request that the Commission set a national standard that would include minimum spacing requirements for gaps between bleacher guardrails and between seats and footboards and other safety features for new bleachers. They also request guidelines for retrofitting older

facilities. On August 26, 1999, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The staff will prepare a briefing package for the Commission to consider.

**Timetable:**

Action	Date	FR Cite
Petition Docketed	08/10/99	
Notice	08/26/99	64 FR 46657
Comment Period End	10/25/99	
Staff Sends Briefing Package to Commission	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Scott Heh, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207  
Phone: 301 504-0494

**RIN:** 3041-AB84

## CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

## Proposed Rule Stage

**3990. FLAMMABILITY STANDARD FOR UPHOLSTERED FURNITURE**

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

**Legal Authority:** 15 USC 1193 Flammable Fabrics Act

**CFR Citation:** 16 CFR 1640

**Legal Deadline:** None

**Abstract:** On June 15, 1994, 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 ignition of upholstered furniture by small open-flame sources such as matches, lighters, or candles. This ANPRM was issued after the Commission granted part of a petition requesting development of a mandatory flammability standard to address risks of injury from ignition of upholstered furniture by: (1) small open-flame sources; (2) large open-flame sources; and (3) cigarettes. The Commission voted to deny that part of the petition

requesting development of a mandatory standard to address hazards associated with ignition of upholstered furniture by large open-flame sources. The Commission also voted to defer a decision on that part of the petition requesting development of a standard to address cigarette ignition, and directed the staff to report to the Commission on the effectiveness of, and the extent of industry compliance with, a voluntary program to reduce risks of ignition of upholstered furniture by cigarettes. The Commission staff developed a draft standard to address ignition of upholstered furniture by small open-flame sources.

On March 2, 1998, the Commission voted to defer action on small open-flame sources and gather additional information on the potential toxicity of flame-retardant chemicals that might be used to meet a standard. A public hearing on this subject was held on May 5-6, 1998. The staff is analyzing data from the hearing and completing other technical studies. In CPSC's 1999 appropriations legislation Congress directed the Commission to contract

with the National Academy of Sciences (NAS) for a 12-month independent study of potential health hazards associated with the use of flame retardant chemicals that might be used in upholstered furniture fabrics to meet a CPSC standard. This contract was awarded in January 1999. NAS has requested an extension of the study to June 30, 2000. Upon completion of this study, the staff will present alternatives for future action by the Commission.

CPSC is also considering possible impacts of flame retardant chemical use on worker safety and the environment. At the CPSC staff's request, the National Institute of Occupational Safety and Health will assess 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. The CPSC staff is also working with the Environmental Protection Agency to consider possible controls on flame retardant compounds used in residential upholstered furniture fabrics, under that agency's

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## Proposed Rule Stage

Toxic Substances Control Act Authority.

**Timetable:**

Action	Date	FR Cite
ANPRM	06/15/94	59 FR 30735
ANPRM Comment Period End	08/15/94	
Staff Briefing of Commission on NPRM	12/18/97	
Commission Voted To Defer Action Pending Results of Toxicity Hearing	03/02/98	
Commission Hearing May 5 & 6, 1998 on Possible Toxicity of Flame Retardant Chemicals	03/17/98	63 FR 13017
NAS Study Completed (Required by Congress)	06/00/00	
Commission Decision on NPRM	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Dale R. Ray, Project Manager, Directorate for Economic Analysis, Consumer Product Safety Commission, Washington, DC 20207  
Phone: 301 504-0962

**RIN:** 3041-AB35

**3991. BABY WALKERS**

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

**Legal Authority:** 15 USC 1261 Federal Hazardous Substances Act; 15 USC 1262 Federal Hazardous Substances Act

**CFR Citation:** 16 CFR 1500

**Legal Deadline:** None

**Abstract:** On August 2, 1994, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding that may result in the issuance of mandatory design or performance requirements for baby walkers. A baby walker is a device that supports a child so that the child can use his or her feet to move about before or while learning to walk. Typically, a baby walker consists of a fabric seat that has leg openings and is mounted to a rigid plastic deck. The deck is attached to a base that is mounted on wheels to allow mobility. In 1994, an estimated 25,500 children younger than 15

months of age were treated in hospital emergency rooms for injuries associated with baby walkers. The majority of these injuries resulted from falls down stairs. Among the options under consideration by the Commission are mandatory performance or design requirements to reduce risks of injury associated with baby walkers, particularly those resulting to children from falls down stairs.

In response to the Commission's work in this area, the industry approved revisions to the voluntary standard for baby walkers in 1996 to address the hazard of falling down stairs. The American Society for Testing and Materials (ASTM) standard contains performance requirements to address risks of injury to children from falls down stairs associated with baby walkers. In 1998, baby walker injuries had dropped to 11,000. The staff is currently assessing the extent of industry conformance with that voluntary standard, designated "Standard Consumer Safety Specification for Infant Walkers," SF 977-97, published by ASTM. The staff will send that information to the Commission together with options for Commission action, including withdrawal of the ANPRM or further regulatory proceedings.

**Timetable:**

Action	Date	FR Cite
ANPRM	08/02/94	59 FR 39309
ANPRM Comment Period End	10/03/94	
Staff Provided Technical Recommendations to Revise Voluntary Standard	12/16/94	
Revised Voluntary Standard Approved	10/01/96	
Voluntary Certification Program Began	06/30/97	
Staff Completes Monitoring Conformance to Revised Voluntary Standard	05/00/00	
Staff sends Briefing Package to Commission	To Be	Determined

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Barbara J. Jacobson, Directorate for Health Sciences,

Consumer Product Safety Commission, Washington, DC 20207  
Phone: 301 504-0477  
Email: bjacobson@cpsc.gov

**RIN:** 3041-AB40

**3992. DIVE STICKS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 15 USC 1261 Federal Hazardous Substances Act

**CFR Citation:** 16 CFR 1500

**Legal Deadline:** None

**Abstract:** On July 16, 1999 the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding that may result in a ban of dive sticks with certain characteristics that cause them to be hazardous. Dive sticks are one of several types of devices used for underwater retrieval activities in swimming pools. They are typically made of rigid plastic, and are or can be weighted so that when dropped into water they sink and stand upright on the bottom. Many dive sticks have a cylindrically-shaped profile, while some have novel shapes like sharks or other sea creatures. Such dive sticks are constructed in such a manner that children can become impaled on them when they jump into shallow water where the dive sticks are oriented in an upright position. This impalement has resulted in serious injuries.

The Commission will consider written comments received in response to the ANPRM before deciding whether to continue the proceeding by publication of a notice of proposed rulemaking (NPRM).

**Timetable:**

Action	Date	FR Cite
ANPRM	07/16/99	64 FR 38387
ANPRM Comment Period End	09/14/99	
Staff Sends Briefing Package to Commission	04/00/00	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Scott Heh, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207

## CPSC

## Proposed Rule Stage

Phone: 301 504-0494

RIN: 3041-AB82

**3993. • AMENDMENT OF THE SAFETY STANDARD FOR AUTOMATIC RESIDENTIAL GARAGE DOOR OPERATORS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** PL 101-608 Consumer Product Safety Improvement Act of 1990

**CFR Citation:** 16 CFR 1211

**Legal Deadline:** None

**Abstract:** The CPSC's safety standard for automatic residential garage door operators protects against entrapment. Death or serious injury can result from entrapment. The entrapment protection requirements come from the UL 325 safety standard for garage door operators. Under the Consumer Product Safety Improvements Act, when UL makes subsequent changes to the entrapment protection provisions of UL 325, UL must notify the Consumer Product Safety Commission of proposed revisions and CPSC must incorporate them into the CPSC rule unless the CPSC notifies UL within 30 days that the CPSC has determined that the revision does not carry out the purposes of the Improvement Act. UL has made changes to its standard to reflect advances in garage door operator technology. The purpose of this regulatory action is to update the

product safety rule to include these new requirements made by UL.

**Timetable:**

Action	Date	FR Cite
Staff sends NPRM briefing package to Commission	04/00/00	
Commission decision	04/00/00	

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** Undetermined

**Agency Contact:** John Murphy, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207

Phone: 301 504-0494

Email: jmurphy@cpsc.gov

RIN: 3041-AB86

**3994. • PETITION HP 00-2 REQUESTING A RULE DECLARING NATURAL RUBBER LATEX A STRONG SENSITIZER**

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

**Legal Authority:** 5 USC 553(e) Administrative Procedure Act; 15 USC 1261 Federal Hazardous Substances Act

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** A petition from Debi Adkins, editor, Latex Allergy News, requests

that the Commission issue a rule declaring that natural rubber latex (NRL) and products containing NRL are strong sensitizers under the Federal Hazardous Substances Act (FHSA) and requiring labeling. NRL is in such consumer products as gloves, adhesives, shoes, balloons, pacifiers, and carpet backing, as well as many medical products. The petitioner states that a portion of the population has developed an allergy to latex that can be debilitating, even causing death. On March 21, 2000, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The staff is preparing a briefing package for consideration by the Commission.

**Timetable:**

Action	Date	FR Cite
Petition Docketed	03/02/00	
Notice	03/21/00	65 FR 15133
Comment Period End	05/22/00	
Staff Sends Briefing Package to Commission	To Be	Determined

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Dr. Suzanne Barone, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207

Phone: 301 504-0477

Email: sbarone@cpsc.gov

RIN: 3041-AB88

**CONSUMER PRODUCT SAFETY COMMISSION (CPSC)**

**Long-Term Actions**

**3995. PETITION HP 93-1 REQUESTING DEVELOPMENT OF A RULE TO BAN CERTAIN BACKYARD PLAYSETS**

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

**Legal Authority:** 5 USC 553(e) Administrative Procedure Act; 15 USC 1261 Federal Hazardous Substances Act

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** A petition from the New York City Department of Consumer Affairs requests the Commission to develop a rule to ban certain backyard playsets. The petition asserts that backyard playsets present unreasonable

risks of injury to children if they do not meet the requirements of a voluntary standard for home playground equipment published by the American Society for Testing and Materials (ASTM); are not accompanied with adequate information about ground surfacing; or lack specific features described in the petition. On May 21, 1996, the Commission denied those parts of the petition requesting issuance of a rule to ban any backyard playset that does not conform to all requirements of the ASTM voluntary standard; that has an accessible height that exceeds six feet above protective surfacing; that does not have adequate fall zones under climbing structures; or that does not provide adequate space

between any item of swinging equipment and any other item of swinging or stationary equipment. The Commission deferred a decision on those parts of the petition requesting a rule to ban backyard playsets that are not accompanied with instructions to use and maintain specified ground surfacing; that do not have handrails on all platforms that are 30 inches or higher above protective surfacing; that have swing seats made of wood, metal, plastic, or other hard material capable of inflicting serious injury to the head; that have free-swinging ropes; and that are unanchored playsets with swings. The staff will transmit additional information to the Commission concerning revisions of the voluntary

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## Long-Term Actions

standard. The Commission will then decide whether to grant, deny, or continue to defer the remaining requests in the petition.

**Timetable:**

Action	Date	FR Cite
Partial Denial of Petition	05/21/96	
Revisions to Voluntary Standard Completed	07/10/98	
Staff Began Monitoring Conformance to Voluntary Standard	08/10/99	
Staff Completes Monitoring Conformance	To Be Determined	
Staff Sends Additional Information to Commission	To Be Determined	
Commission Decision	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Scott Heh, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207

Phone: 301 504-0494

**RIN:** 3041-AB47

### 3996. REQUIREMENTS FOR CHILD-RESISTANT PACKAGING OF HOUSEHOLD PRODUCTS CONTAINING PETROLEUM DISTILLATES OR OTHER HYDROCARBONS

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

**Legal Authority:** 15 USC 1471 Poison Prevention Packaging Act

**CFR Citation:** 16 CFR 1700.14(a)

**Legal Deadline:** None

**Abstract:** Some household products containing ten percent or more by weight of petroleum distillates are subject to requirements for child-resistant packaging by regulations issued under the Poison Prevention Packaging Act and codified at 16 CFR 1700.14(a). These products include liquid furniture polish (section 1700.14(a)(2)), lighter fluid (section 1700.14(a)(7)), and prepackaged solvents for paint (section 1700.14(a)(15)). However, many other

household products containing petroleum distillates are not required to be in child-resistant packaging. On February 26, 1997, the Commission published an advance notice of proposed rulemaking (ANPRM) to initiate a proceeding which may result in mandatory requirements for child-resistant packaging of other household products containing petroleum distillates or other hydrocarbons. On April 28, 1997, the Commission extended the period for receipt of written comments on the ANPRM until July 11, 1997. In the Federal Register of July 21, 1997, the Commission reopened the comment period through September 1, 1997. Following consideration of the comments, the Commission decided to propose requirements for child-resistant packaging of additional household products containing petroleum distillates or other hydrocarbons. The notice of proposed rulemaking (NPRM) was published on January 3, 2000 and the comment period ended March 20, 2000.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/26/97	62 FR 8659
Extension of ANPRM Comment Period	04/28/97	62 FR 22897
ANPRM Comment Period End	05/12/97	62 FR 8659
Comment Period End	07/11/97	62 FR 22897
Reopening of ANPRM Comment Period	07/21/97	62 FR 38948
Comment Period End	09/01/97	
NPRM	01/03/00	65 FR 93
NPRM Comment Period End	03/20/00	
Staff Sends Briefing Package to Commission	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:**

Undetermined

**Agency Contact:** Dr. Suzanne Barone, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207  
Phone: 301 504-0477  
Email: sbarone@cpsc.gov

**RIN:** 3041-AB57

### 3997. 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 may 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 the American Society for Testing and Materials (ASTM) was revised to include performance requirements for crib slats. The Commission will consider written comments received in response to the ANPRM and assess conformance with the voluntary standard before deciding whether to continue the proceeding by publication of a notice of proposed rulemaking (NPRM) or terminate further proceedings in reliance on the voluntary standard.

**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	

## CPSC

## Long-Term Actions

Action	Date	FR Cite
Staff Begins Monitoring Conformance to Revised Voluntary Standard	To Be Determined	
Staff Completes Monitoring Conformance	To Be Determined	
Staff Sends Briefing Package to Commission	To Be Determined	

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

Undetermined

**Agency Contact:** Deborah Tinsworth, Project Manager, Consumer Product Safety Commission, Directorate for Epidemiology, Washington, DC 20207  
Phone: 301 504-0470  
Email: dtinsworth@cpsc.gov

**RIN:** 3041-AB67

### 3998. PETITION HP 99-1 FOR A BAN OF POLYVINYL CHLORIDE IN TOYS AND OTHER PRODUCTS INTENDED FOR CHILDREN 5 YEARS OF AGE AND UNDER

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

**Legal Authority:** 15 USC 1261 to 1278  
Federal Hazardous Substances Act

**CFR Citation:** 16 CFR 1500

**Legal Deadline:** None

**Abstract:** The National Environmental Trust and 11 other organizations petitioned the Commission to ban polyvinyl chloride (PVC) in toys and other articles intended for the use of children 5 years and under, based upon concerns they have about the potential for health risks from phthalates (especially diisononyl phthalate (DINP)), lead, and cadmium that can be in PVC. A Federal Register notice was issued on December 22, 1998, requesting comment on the petition. Comments were due on February 22, 1999.

The Commission has established a Chronic Hazard Advisory Panel (CHAP) of independent scientists to study issues related to the chronic toxicity and risk, including the risk of cancer, associated with exposure to (DINP) in children's PVC products. The Commission has begun an extensive exposure study to obtain a broader range of data from which to better

define the amount of time children mouth products that could contain phthalates. Following completion of this work, the staff will send a briefing package to the Commission recommending that the Commission grant, deny, or defer the petition.

**Timetable:**

Action	Date	FR Cite
Notice Advising of Receipt of Petition	12/22/98	63 FR 70756
Initiated Formation of CHAP	02/16/99	
Comment Period End	02/22/99	
Awarded Contract for Child Observation Study	09/30/99	
Staff Sends Briefing Package to Commission	To Be Determined	

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

Undetermined

**Agency Contact:** Marilyn L. Wind Ph.D., Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207  
Phone: 301 504-0477

**RIN:** 3041-AB79

### 3999. PETITION FP 99-1 REQUESTING LABELING RULE FOR POLYURETHANE FOAM IN UPHOLSTERED FURNITURE

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

**Legal Authority:** 5 USC 553(e)  
Administrative Procedure Act; 15 USC 1191 Flammable Fabrics Act

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** A petition from the National Association of State Fire Marshals (NASFM) requests that the Commission require labels under the Flammable Fabrics Act warning that polyurethane foam in upholstered furniture poses a fire hazard. NASFM asserts that polyurethane foam in upholstered furniture poses an unreasonable risk of fire because once ignited it burns rapidly and emits toxic gases. NASFM asks the Commission to require that upholstered furniture manufacturers and retailers provide flammability warnings to the public. On April 6, 1999, the Commission published a

Federal Register notice to solicit public comments on the petition.

The Commission has another ongoing rulemaking proceeding related to the risk of fire associated with upholstered furniture (RIN 3041-AB40) that may bear on the disposition of this petition. In 1994, CPSC published an ANPRM announcing the agency's intent to consider a possible rule or other alternatives to address the risk of upholstered furniture fires ignited by small open-flame sources, e.g., lighters, matches and candles. Such a rule could affect fabrics or other furniture components, including filling materials such as polyurethane foam. The Commission staff is evaluating the technical issues raised in the polyurethane foam petition as part of the larger regulatory development effort. The Commission's consideration of the petition will, therefore, be incorporated into the decision on how to proceed on the small open-flame matter.

**Timetable:**

Action	Date	FR Cite
Issuance of Federal Register Notice To Solicit Comments	04/06/99	64 FR 16711
Comment Period End	06/07/99	
Staff Sends Briefing Package to Commission	To Be Determined	

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

Undetermined

**Agency Contact:** Dale R. Ray, Project Manager, Directorate for Economic Analysis, Consumer Product Safety Commission, Washington, DC 20207  
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**RIN:** 3041-AB81

### 4000. • PETITION HP 00-1 REQUESTING DEVELOPMENT OF A CHILD-RESISTANCE STANDARD FOR BUCKLES USED ON CHILD-RESTRAINT SYSTEMS

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

**Legal Authority:** 5 USC 553(e)  
Administrative Procedure Act; 15 USC 1261 Federal Hazardous Substances Act

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None



## CPSC

## Long-Term Actions

**Abstract:** A petition from John A. Galbreath requests that the Commission develop a child-resistance standard for buckles used on child-restraint systems on such products as strollers, high chairs, changing stations, and shopping carts. The petitioner states that existing buckles used on child-restraint systems are ineffective because children can open them and that they present unreasonable risks of serious injuries to children resulting from children falling from strollers, high chairs, changing stations and shopping carts. On January 5, 2000, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The staff is preparing a briefing package for consideration by the Commission.

**Timetable:**

Action	Date	FR Cite
Notice	01/05/00	65 FR 439
Comment Period End	03/06/00	
Staff Sends Briefing Package to Commission	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3041-AB85

**4001. • PETITION HP 00-3 REQUESTING A BAN OF CANDLE WICKS CONTAINING LEAD AND CANDLES WITH SUCH WICKS**

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

**Legal Authority:** 5 USC 553(e) Administrative Procedure Act; 15 USC 1261 Federal Hazardous Substances Act

**CFR Citation:** Not Yet Determined

**Legal Deadline:** None

**Abstract:** Separate requests from Public Citizen and jointly from the National

Apartment Association and the National Multi Housing Council are being considered as a petition to ban candle wicks that contain lead and to ban candles with such wicks. The petitioners claim that burning candles with such wicks produces hazardous combustion products containing lead. The staff is preparing a briefing package for consideration by the Commission.

**Timetable:**

Action	Date	FR Cite
Petition Docketed	03/17/00	
Staff Sends Briefing Package to Commission	To Be Determined	

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** None

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**RIN:** 3041-AB87

## CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

## Completed Actions

**4002. REQUIREMENTS FOR CHILD-RESISTANCE OF MULTI-PURPOSE LIGHTERS**

**Priority:** Other Significant

**Legal Authority:** 15 USC 2051 Consumer Product Safety Act

**CFR Citation:** 16 CFR 1212; 16 CFR 1145

**Legal Deadline:** None

**Abstract:** On December 22, 1999, the Commission published a final rule requiring multi-purpose lighters to be child resistant. The standard will become effective December 22, 2000 and will apply to multi-purpose lighters manufactured in the United States or imported on or after that date.

The mandatory product safety rule for multi-purpose lighters, also known as grill lighters, utility lighters, and micro-torches, requires these lighters to have a child-resistant mechanism to prevent operation by most children younger than 5 years of age. The standard includes lighters marketed for a wide range of general household uses, such as igniting fuel for fireplaces, charcoal

or gas-fueled grills, and camping equipment.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/16/97	62 FR 2327
ANPRM Comment Period End	03/17/97	
NPRM	09/30/98	63 FR 52397
NPRM Comment Period End	12/14/98	
Supplemental NPRM	08/04/99	64 FR 42302
Second NPRM Comment Period End	10/18/99	
Staff Sends Briefing Package to Commission	11/19/99	
Final Rule	12/22/99	64 FR 71854
Final Rule Effective	12/22/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Government Levels Affected:** None

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**RIN:** 3041-AB66

**4003. AMENDMENT OF LAUNDERING PROCEDURES IN FLAMMABILITY STANDARDS FOR CHILDREN'S SLEEPWEAR, CARPETS AND RUGS, AND MATTRESS PADS**

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

**Legal Authority:** 15 USC 1191 Flammable Fabrics Act

**CFR Citation:** 16 CFR 1615; 16 CFR 1616; 16 CFR 1630; 16 CFR 1631; 16 CFR 1632

**Legal Deadline:** None

**Abstract:** Flammability standards for children's sleepwear, carpets and rugs, and mattress pads contain procedures for washing and drying specimens before testing to assure that flame retardants used in these products will not be removed by repeated laundering or cleaning. The laundering procedures in all of these standards currently require use of a detergent and washing

## CPSC

## Completed Actions

methods that are no longer representative of those used for home laundering. In November 1998 the staff provided the Commission with a briefing package concerning the laundering procedures in these standards. It included modifications that may be needed to assure that the effect of laundering on the flammability of the products covered by these standards is assessed with equipment and methods currently used by consumers. Supplemental information on a suggested laundering procedure was submitted by the staff in February 1999. The Commission published proposed amendments to the standards, to represent more realistic laundering conditions. In February 2000, after a review of comments, the Commission voted to issue the proposed amendments in a final rule.

**Timetable:**

Action	Date	FR Cite
Briefing Package to Commission	11/18/98	
NPRM for Sleepwear	03/17/99	64 FR 13126
NPRM for Carpets and Rugs	03/17/99	64 FR 13132
NPRM for Mattresses and Mattress Pads	03/17/99	64 FR 13137
NPRM for Sleepwear Comment Period End	06/01/99	64 FR 13126
NPRM for Carpets and Rugs Comment Period End	06/01/99	64 FR 13132
NPRM for Mattresses and Mattress Pads Comment Period End	06/01/99	64 FR 13137
Staff Sends Briefing Package to Commission	01/20/00	
<b>Final Action</b>		
Commission Decision	02/02/00	
Final Rule for Sleepwear	03/10/00	(65 FR 12924)
Final Rule for Carpets and Rugs	03/10/00	(65 FR 12929)
Final Rule for Mattresses	03/10/00	(65 FR 12935)

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

**Agency Contact:** Margaret Neily, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207

Phone: 301 504-0508

**RIN:** 3041-AB69**4004. REQUIREMENTS FOR BUNK BEDS****Priority:** Other Significant

**Legal Authority:** 15 USC 2051  
Consumer Product Safety Act; 15 USC 1261 Federal Hazardous Substances Act

**CFR Citation:** 16 CFR 1213; 16 CFR 1500; 16 CFR 1513

**Legal Deadline:** None

**Abstract:** On December 22, 1999, the Commission published a safety standard that contains performance requirements for bunk beds to reduce the hazard that children can be suffocated or strangled when they become entrapped in the beds' structure or become wedged between the upper bunk and a wall. The final rule contains requirements for the presence of guardrails, the height and extent of guardrails, and the height of, and the openings in, the beds' end structures to address entrapment hazards.

**Timetable:**

Action	Date	FR Cite
ANPRM	01/22/98	63 FR 3280
ANPRM Comment Period End	04/07/98	
Staff Sends Briefing Package to Commission	12/16/98	
Commission Decision	02/03/99	
NPRM	03/03/99	64 FR 10245
NPRM Comment Period End	05/17/99	
Staff Sends Briefing Package to Commission	06/16/99	
Request for Additional Comment	07/09/99	64 FR 37051
NPRM Comment Period End	09/22/99	
Staff Sends Briefing Package to Commission	11/03/99	
Commission Decision	12/02/99	
Final Rule	12/22/99	64 FR 71888
Final Rule Effective	06/19/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 3041-AB75**4005. PETITION CP 99-1 REQUESTING A BAN OF, OR WARNINGS AND INSTRUCTIONS FOR, STEEL ELECTRICIANS' FISH TAPES**

**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:** None**Legal Deadline:** None

**Abstract:** A petition from John C. Stein requesting a ban of, or the requirement of warnings and instructions for, steel electricians' fish tapes. The petition asserts that steel electricians' fish tapes are associated with electrocution and injury resulting from the use of steel, which conducts electricity. On June 7, 1999, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The staff sent a briefing package to the Commission on February 2, 2000. On February 14, 2000, The Commission voted to deny the petition and approved a letter of denial to the petitioner.

**Timetable:**

Action	Date	FR Cite
Petition Docketed	05/19/99	
Notice	06/07/99	64 FR 30323
Comment Period End	08/07/99	
Staff Sends Briefing Package to Commission	02/02/00	
Commission Denied Petition	02/14/00	

**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None

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**RIN:** 3041-AB83

[FR Doc. 00-5317 Filed 04-21-00; 8:45 am]

**BILLING CODE** 6355-01-F