

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 December 31, 1999.

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.

For this edition of the Commission's regulatory agenda, the most important significant regulatory actions are included in The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Regulatory Plan entries are listed in the table of contents below and are denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

Dated: September 1, 1999.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

Prerule Stage

Sequence Number	Title	Regulation Identification Number
4246	Amendment of the Standard for the Flammability of Clothing Textiles	3041-AB68
4247	Petition CP 97-1 Requesting Development of a Safety Standard for Escalators	3041-AB70
4248	Petition CP 99-1 Requesting a Ban of, or Warnings and Instructions for, Steel Electricians' Fish Tapes	3041-AB83
4249	Petition CP 99-2 Requesting Safety Standard for Bleachers and Grandstands	3041-AB84

Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4250	Flammability Standard for Upholstered Furniture (Reg Plan Seq No. 158)	3041-AB35

CPSC

Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
4251	Baby Walkers	3041-AB40
4252	Requirements for Child-Resistant Packaging of Household Products Containing Petroleum Distillates or Other Hydrocarbons	3041-AB57
4253	Amendment of Safety Regulations for Cribs	3041-AB67
4254	Dive Sticks	3041-AB82

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4255	Requirements for Child-Resistance of Multi-Purpose Lighters (Reg Plan Seq No. 159)	3041-AB66
4256	Amendment of Laundering Procedures in Flammability Standards for Children's Sleepwear, Carpets and Rugs, and Mattress Pads	3041-AB69
4257	Requirements for Bunk Beds (Reg Plan Seq No. 160)	3041-AB75

References in boldface appear in the Regulatory Plan in Part II of this issue of the **Federal Register**.

Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4258	Petition HP 93-1 Requesting Development of a Rule To Ban Certain Backyard Playsets	3041-AB47
4259	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
4260	Petition FP 99-1 Requesting Labeling Rule for Polyurethane Foam in Upholstered Furniture	3041-AB81

Completed Actions

Sequence Number	Title	Regulation Identification Number
4261	Child Resistant Packaging of Consumer Products Containing Methacrylic Acid	3041-AB78
4262	Proposed Revocation of Amendments to the Standards for Flammability of Children's Sleepwear; Labeling for Tight-Fitting Sleepwear; Correction of Amendments to the Children's Sleepwear Standard	3041-AB80

Consumer Product Safety Commission (CPSC)

Prerule Stage

4246. 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

CPSC

Prerule Stage

decide whether to begin a proceeding for amendment of the standard.

Timetable:

Action	Date	FR Cite
Staff Sends Briefing Package to Commission	12/00/99	
Commission Decision	01/00/00	

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

4247. 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 is conducting research to support possible improvements to the escalator code to address side-wall entrapments. The staff 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	

Action	Date	FR Cite
Industry Completes Report and Makes Recommendations to Improve Code	09/30/99	
Staff Sends Briefing Package to Commission	01/00/00	

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

4248. • 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 U.S.C. 553(e) Administrative Procedure Act; 15 USC 2051 Consumer Product Safety Act

CFR Citation: Not Yet Determined

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 will prepare a briefing package for consideration by the Commission.

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	02/00/00	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Mohammed Khan, Project Manager, Consumer Product

Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207

Phone: 301 504-0508

RIN: 3041-AB83

4249. • 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	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-AB84

Consumer Product Safety Commission (CPSC)

Proposed Rule Stage

4250. FLAMMABILITY STANDARD FOR UPHOLSTERED FURNITURE

Regulatory Plan: This entry is Seq. No. 158 in Part II of this issue of the **Federal Register**.

RIN: 3041-AB35

4251. 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. The staff is currently assessing the extent of industry conformance with that voluntary standard, designated "Standard Consumer Safety Specification for Infant Walkers," SF 977-96, 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 Began Monitoring Conformance to Revised Voluntary Standard	05/03/99	
Staff Completes Monitoring Conformance	12/00/99	
Staff Sends Briefing Package to Commission	To Be Determined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Agency Contact: Barbara Jacobson, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207 Phone: 301 504-0477

RIN: 3041-AB40

4252. 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. The Commission will consider comments received in response to the ANPRM before deciding whether to propose requirements for child-resistant packaging of additional household products containing petroleum distillates or other hydrocarbons. The staff sent a briefing package to the Commission on August 11, 1999.

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	
Staff Sent Briefing Package to Commission	08/11/99	
Commission Decision	11/00/99	

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

RIN: 3041-AB57

CPSC

Proposed Rule Stage

4253. 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	03/00/00	
Staff Begins Monitoring Conformance to Revised Voluntary Standard	06/00/00	
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

RIN: 3041-AB67

4254. • 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	01/00/00	

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-AB82

Consumer Product Safety Commission (CPSC)

Final Rule Stage

4255. REQUIREMENTS FOR CHILD-RESISTANCE OF MULTI-PURPOSE LIGHTERS

Regulatory Plan: This entry is Seq. No. 159 in Part II of this issue of the **Federal Register**.

RIN: 3041-AB66

4256. 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 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.

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

Action	Date	FR Cite
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	11/00/99	

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-AB69

4257. REQUIREMENTS FOR BUNK BEDS

Regulatory Plan: This entry is Seq. No. 160 in Part II of this issue of the **Federal Register**.

RIN: 3041-AB75

Consumer Product Safety Commission (CPSC)

Long-Term Actions

4258. 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 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	

CPSC

Long-Term Actions

Action	Date	FR Cite
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: John D. Preston, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207
 Phone: 301 504-0494
RIN: 3041-AB47

4259. 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 is establishing 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 is also planning 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

4260. 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 the Commission to 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
 Phone: 301 504-0962

RIN: 3041-AB81

Consumer Product Safety Commission (CPSC)

Completed Actions

4261. CHILD RESISTANT PACKAGING OF CONSUMER PRODUCTS CONTAINING METHACRYLIC ACID**Priority:** Substantive, Nonsignificant**Legal Authority:** 15 USC 1471 Poison Prevention Packaging Act**CFR Citation:** 16 CFR 1700.14**Legal Deadline:** None

Abstract: Under section 2(b) of the Poison Prevention Packaging Act, the Commission can require a special packaging standard for cosmetics for home use. Methacrylic acid is a chemical used as a primer for cleaning and etching fingernails prior to applying artificial nails. Methacrylic acid is associated with severe corrosive injury on contact with skin, eyes, and mucous membranes. The staff transmitted a briefing package for the Commission's consideration in November 1998. The Commission voted to publish a notice of proposed rulemaking (NPRM) in December 1998. The Federal Register notice was published December 30, 1998. The staff sent the Federal Register notice and a letter requesting comment to a list of approximately 150 concerned parties on January 11, 1999. The Commission received five comments on the proposed rule. The staff updated the injury data and forwarded a final rule briefing package to the Commission on May 21, 1999. The Commission voted to publish a final rule requiring child-resistant packaging for household products containing more than 5 percent methacrylic acid, effective June 19, 2000. The Federal Register notice was published on June 18, 1999.

Timetable:

Action	Date	FR Cite
NPRM	12/30/98	63 FR 71800
NPRM Comment Period End	03/15/99	
Staff Sends Option Package to Commission	05/21/99	
Final Rule	06/18/99	64 FR 32799

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Susan C. Aitkin, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207 Phone: 301 504-0477**RIN:** 3041-AB78**4262. PROPOSED REVOCATION OF AMENDMENTS TO THE STANDARDS FOR FLAMMABILITY OF CHILDREN'S SLEEPWEAR; LABELING FOR TIGHT-FITTING SLEEPWEAR; CORRECTION OF AMENDMENTS TO THE CHILDREN'S SLEEPWEAR STANDARD****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-276**CFR Citation:** 16 CFR 1615; 16 CFR 1616**Legal Deadline:** NPRM, Statutory, January 19, 1999.

Final, Statutory, July 1, 1999. The Commission's Fiscal Year 1999 appropriations legislation required the Commission to propose to revoke the sleepwear amendments and to either revoke, maintain, or modify them.

Abstract: The Standards for the Flammability of Children's Sleepwear (sizes 0 to 6x and sizes 7 to 14) were amended in September 1996 to exclude from the definition of "children's sleepwear" (1) garments sized nine months or smaller and (2) tight-fitting garments sized larger than nine months. The garments, termed "tight or snug-fitting," must not exceed maximum dimensions specified for each garment size. Several technical amendments were needed to clarify provisions of the standards, especially how the specified dimensions are to be measured on these garments. On January 19, 1999 the Commission issued technical changes to clarify the points where garment measurements should be made.

However, pursuant to the 1999 appropriations bill, Public Law 105-276, on January 19, 1999 the Commission proposed for comment a revocation of the September 9, 1996 amendments and all subsequent amendments. Based on all available information, the Commission was required to take final action by July 1, 1999. On June 28, 1999 the Commission issued Federal Register notices (1) withdrawing the proposed revocation, (2) issuing mandatory labeling requirements for tight-fitting sleepwear, and (3) correcting references in 16 CFR Part 1615.

Timetable:**Amendments - Proposed Revocation**

Proposed Revocation Issued 01/19/1999 (64 FR 2867)

Comment Period End 03/22/1999 Briefing Package to Commission 06/03/1999

Proposed Revocation Withdrawn 06/28/1999 (64 FR 34597)

Labeling of Tight-Fitting Sleepwear

Final Rule 06/28/1999 (64 FR 34533) Effective Date 06/28/2000

References in Amendments - Correction

Correction of References Issued 06/28/1999 (64 FR 34533)

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

Additional Information: On September 8, 1999, the Commission published a notice in the Federal Register (64 FR 48704) that corrected the illustrations of the required labeling of tight-fitting sleepwear and revised the font requirements to allow either Arial or Helvetica font.

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