

CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

Mr. [REDACTED]
Vice President-General Manager
[REDACTED]
[REDACTED], Pennsylvania [REDACTED]

Dear Mr. [REDACTED]

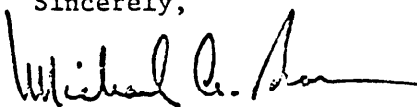
This is in response to your letter of May 20, 1974, asking whether it is allowable, under the Poison Prevention Packaging Act of 1970, for your company to market lighter fluid under two brand names in an 8-ounce size that complies with the special packaging standards for lighter fluid, and a 4-ounce size in noncomplying packaging that bears the statement: "THIS PACKAGE FOR HOUSEHOLDS WITHOUT YOUNG CHILDREN."

It is our opinion that this marketing program would be allowable under the Poison Prevention Packaging Act which permits the marketing of a single, noncomplying size of a product subject to a standard if the product is also supplied in complying packaging and if the packaging of the noncomplying size is labeled as required. We would point out, however, that the purpose of section 4(a) of the Act, under which this exemption is provided, is to make substances subject to a standard readily available to the elderly and handicapped who are unable to use the substance when packaged in complying packaging.

Further, pursuant to 16 CFR 1700.14(b), we request that you provide the Commission with a sample of the special packaging you plan to use as well as the labeling for the product that will be in special packaging and the labeling for any noncomplying package. Sample packages and labeling, without the contents, should be sent to the Bureau of Compliance, Consumer Product Safety Commission, Washington, D. C. 20207.

Please contact us if you have any further questions regarding this matter.

Sincerely,



Michael A. Brown
General Counsel

[REDACTED]

PENNSYLVANIA

May 20, 1974

CONSUMER PRODUCTS SAFETY COMMISSION
Office of the General Counsel
1750 Case Street, N.W.
Washington, D. C. 20207

Attention Mr. Michael Brown, General Counsel

Gentlemen:

We are marketers of two brands of Lighter Fuel; namely, [REDACTED] and [REDACTED].

The requirement that this product contain a child-resistant closure by the end of January, 1974, prompted us to fill a large stock of product so that we could ship while attempting to develop a child-resistant closure of our own. This was necessary since we found that a closure of this type was not available in the volume that we require.

Now that we are coming to a point where we will have to fill product soon and we are still not satisfied with our version of a child-resistant closure, and cannot obtain sufficient quantities of closures produced by an outside supplier, it is our intention to market an 8-ounce size with a child-resistant closure on each brand and a 4-ounce size with our noncomplying closure package to contain the statement: "THIS PACKAGE FOR HOUSEHOLDS WITHOUT YOUNG CHILDREN," in the proper location and type size.

Will you please acknowledge, at your earliest convenience, whether this approach is satisfactory, as it is most urgent that we undertake production of product as described above.

Sincerely yours,

[REDACTED]

[REDACTED]

[REDACTED]

PENNSYLVANIA

May 17, 1974

Office of the General Counsel for Consumer Products
1750 Case Street, N.W.
Washington, D. C. 20207

Attention Mr. Michael Brown, General Counsel

Gentlemen:

We are marketers of two brands of Lighter Fuel; namely,
[REDACTED] and [REDACTED]

The requirement that this product contain a child-resistant closure by the end of January, 1974, prompted us to fill a large stock of product so that we could ship while attempting to develop a child-resistant closure of our own. This was necessary since we found that a closure of this type was not available in the volume that we require.

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Will you please acknowledge, at your earliest convenience, whether this approach is satisfactory, as it is most urgent that we undertake production of product as described above.

Sincerely yours,

[REDACTED]

[REDACTED]