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PART 1404—CELLULOSE INSULATION

Sec.

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AUTHORITY: Secs. 2, 27, 35, Pub. L. 92-573, Pub. L. 95-319; 86 Stat. 1207, 1228; 92 Stat. 386 (15 U.S.C. 2051, 2076, 2082).

SOURCE: 44 FR 40001, July 6, 1979, unless otherwise noted.

§ 1404.1 Scope, application, and effective date.

(a) *Scope.* This part 1404 establishes a requirement for manufacturers, including importers, of cellulose insulation to notify (1) prospective purchasers of such products at the time of original purchase and (2) the first purchasers of such products for purposes other than resale (installers and consumers) of ways to avoid the fire hazard that exists where cellulose insulation is installed too close to the sides or over the top of a recessed electrical light fixture or where cellulose insulation is installed too close to the exhaust flues from heat-producing devices or apparatus such as furnaces, water heaters, and space heaters. The notification

consists of a warning label on the containers of cellulose insulation.

(b) *Application and effective date.* This rule applies to cellulose insulation that is for sale to consumers for installation in households or residences, as well as insulation that is produced or distributed for installation by professionals in households or residences. Cellulose insulation that is labeled as, marketed, and sold solely for nonresidential installation is not included within the scope of this proceeding. The rule applies to all products manufactured after October 15, 1979.

§ 1404.2 Background.

Based on available fire incident information, engineering analysis of the probable fire scenarios, and laboratory tests, the Consumer Product Safety Commission has determined that fires can occur where cellulose insulation is improperly installed too close to the sides or over the top of recessed electrical light fixtures, or installed too close to the exhaust flues from heat producing devices or apparatus such as furnaces, water heaters, and space heaters. These fires may result in serious injuries or deaths. Presently available information indicates that fires may occur where cellulose insulation is improperly installed even though the cellulose insulation complies with the Commission's amended interim standard for cellulose insulation (16 CFR part 1209) based on GSA Specification HH-I-515D. The Commission has determined that it is necessary to require labeling to inform persons installing cellulose insulation and consumers in whose homes the insulation is installed of the fire hazard associated with improperly installed cellulose insulation and the method of properly installing the insulation to prevent this hazard. The Commission anticipates that this regulation will accomplish the purpose of helping protect the public against the unreasonable risk of injury associated with improperly installed cellulose insulation.

§ 1404.3 Definitions.

The definitions in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) apply to this part 1404.