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LOG OF MEETING

U.S. CONSUMER PRODUCT SAFETY COMMISSION OFFICE OF COMPLIANCE

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SUBJECT: Meeting with American Fireworks Standards Laboratory

DATE OF MEETING: May 1, 1998

PLACE: Room 612, East West Towers

LOG ENTRY SOURCE: Patrick Race

DATE OF ENTRY: May 4, 1998

COMMISSION ATTENDEES:

- Carlos Perez, Associate Director, Recalls and Compliance Division
- Eric Stone, Director, Legal Division
- Alan Schoem, Director, Office of Compliance
- Warren Porter, Director, LSC
- Neal Gasser, Chemist, LSC
- Patrick M. Race, Compliance Officer, FTR

NON-COMMISSION ATTENDEES:

- John Rogers, Executive Director, AFSL
- John Conkling, Director, AFSL Board of Directors

SUMMARY OF MEETING:

This meeting was requested by John Rogers of AFSL to discuss the status of the AFSL program and several compliance issues that concern fireworks devices tested and certified by AFSL in the China based Quality Improvement Program.

Rogers and Conkling gave the Commission attendees a brief update of the results and progress of AFSL's program and test results for the 1998 fireworks season. There was some discussion regarding how this might impact CPSC's sampling of AFSL-certified product. The program results for this year were also compared to previous years.

The other agenda topics concerned compliance issues. The recent correspondence concerning black powder as a report charge and its impact on how AFSL will test such devices was discussed. No real disagreements over the current policy exist among the attendees.

AFSL would like advice on how the Commission would test devices that incorporate a report into a star pellet. The issue is what would be weighed to determine compliance

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with the 130mg limit on aerial reports. The staff will follow-up with internal discussions and advice AFSL on Compliance's position regarding how this device should be tested.

AFSL raised the issue of sampling at certain ports. They have received several complaints regarding alleged "oversampling" of some firms' AFSL certified product. Two ports were discussed specifically. Compliance staff replied that they were already aware of complaints regarding those two ports and had looked into them, finding no factual basis for the complaints but would continue to look into cases as they arise and act on them accordingly.

The policy relating to smoke devices and first fire/external flame testing was discussed. There are differing interpretations of how first fire should be defined and what should be included in calculating it. AFSL suggested some alternatives to current testing methods and enforcement policy that they would like the staff to consider. Also, the issue of whether some smoke devices should be subject to the tilt block test or testing in a horizontal position was discussed. AFSL suggested that we test such devices horizontally. Both CPSC and AFSL will look into this issue further.