

**STATEMENT OF THE HONORABLE THOMAS H. MOORE
ON THE NOTICE OF PROPOSED RULEMAKING REGARDING
LABELING REQUIREMENTS FOR PORTABLE GENERATORS**

August 15, 2006

In the six year period from 2000 through 2005, CPSC staff is aware of at least 222 deaths related to carbon monoxide (CO) poisoning associated with portable generators. Far too many of the deaths associated with the use of portable generators predictably occur following severe weather events that typically cause power outages. Consumers, unknowingly, expose themselves and others to lethal CO gas while using the portable generator as a substitute power source often during times of high stress and anxiety.

As part of a comprehensive review of the existing portable generator safety measures, our staff looked into the sufficiency of warning labels to address the carbon monoxide (CO) poisoning hazard posed by portable generators. As a result of that review, staff has provided a recommendation for a product warning label to be affixed to portable generators. The Commission staff believes that current warning labels are ambiguous and do not adequately advise the user on how to avoid the CO poisoning hazard. I am voting today to issue the staff's recommendation as a Notice of Proposed Rulemaking and thereby inviting all interested parties to provide comments to the Commission on the overall sufficiency of the recommended warning label in addressing the CO poisoning hazard associated with the use of portable generators.

I also encourage comments from interested parties about the desirability of specifically providing for the warning label to be in a second language on the generator itself. My understanding is that staff did not intend to preclude the use of a second language warning label, but since no specific provision is made in the proposed rule for such a label on the generator, whereas it is for the label on the generator packaging, some manufacturers might conclude that a label in a language other than English is not allowed on the generator itself. Comments about the format of any second language warning label would also be instructive, particularly in light of Underwriters Laboratories' requirements in this regard in its Outline of Investigation.

As mentioned above, our staff is conducting a thorough review of the existing portable generator safety measures. While improvements to warnings are important, warning labels, by themselves, may be insufficient as a sole means of addressing the CO poisoning hazard. From our experience, we know that simple awareness of a possible hazard will not in every instance dissuade a consumer from behavior that leads to exposure to the hazard. Therefore, in the very near future, our staff will be providing to the Commission a briefing package that will contain a comprehensive discussion on additional regulatory and non-regulatory alternatives which could be used to further reduce CO related deaths and injuries associated with the use of portable generators.