

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
06/95	Specialized Bicycle Components Inc Morgan Hills, CA 95037  Future F/S suspension forks	The rider may fall if the front fork was to separate or come apart during use.	Consumers should contact the dealer for repair or replacement of the forks.
06/95	MECO Corporation Greeneville, TN 37743  MECO water smokers models 5022-3, 504-2 and 5025-2	Hot coals and ashes could fall through the hole in the bottom of exposed charcoal pan and onto the surface below. If this surface is combustible, a fire could result.	In May of 1995, MECO sent notices to its customers offering a repair kit free of charge that includes washers to cover the hole in the pan.
06/95	Canplas Industries Ltd. Barrie, ON  ElectraValve plug receptacle of central vacuum system	If the Electra Valve two hole plug receptacle has a ground wire within the plug, the wires can short circuit the conductors.	The firm replaced the defective product with a new plug receptacle.
06/95	Black & Decker, Inc. Towson, MD 21286  1710 Type 1, 10" miter saw	The power cord could be damaged during shipment of the saw.	Contact the company to receive a replacement cord or saw.
06/95	Linon Home Decor Products, Inc. New York, NY  Prestige molded resin chair	The resin chair may collapse due to cracking and splitting of its legs.	The firm recalled the chairs offering consumers a safer replacement chair or a refund of the purchase.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
07/95	Marzocchi Spa dba Marzocchi Suspension Center Valencia, CA 91355  Crown on a bicycle suspension fork	If the crown breaks and fork fails, the rider could suffer a fall and be injured	The firm notified all dealers and distributors of the suspension fork. They mailed safety alerts and posters to authorized dealers and used an 800 toll free number for consumer reaction.
07/95	Red Rocket Fireworks Ponchatoula, LA  Bombard 7 Shots, item W254 firework device	The device may tip over during use firing its charges into nearby persons. Potential burn hazard exist.	The firm voluntarily destroyed its current inventory. No distribution of the item was made during 1994 & 1995 fireworks seasons.
07/95	Ikea NA Services Plymouth Meeting, PA 19462  Bonde TV cabinet	Under the weight of a 31"-35" television, the shelf could collapse causing the television to fall onto a consumer causing a serious or fatal injury.	New units of the cabinet were redesigned to hold more weight. The firm offered consumers a repair or replacement of the original cabinet or a refund of the purchase price.
07/95	Radio Flyer, Inc. Chicago, IL 60635  Power Trike and Tornado tricycles	A defective weld on the front fork could break during use causing the rider to lose control.	The firm redesigned the forks for future production and recalled the products from the consumer level.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
07/95	Polaris Industries LP Minneapolis, MN  1994 Trailblazer 250, Trailboss 250, & 4 x 4 400 all-terrain vehicles	A loose suspension bolt could result in diminished steering possibly resulting in a crash	The firm sent Safety Bulletins to all Polaris dealers, distributors and warranty card holders. A replacement will be done free of charge to consumers.
07/95	Magic Motorcycle Co Langley, WA  Bicycle crankset	A cracked or broken crankset could result in a possible loss of bicycle control and a fall to the rider.	The firm notified all dealers and purchasers to replace the defective units.
07/95	North Central Industries Muncie, IN 47307  Fireworks device, 7 shots Sky Thunder # GG0216	Device may tip over during use and fire its charges horizontally.	The firm voluntarily withheld distribution of device. Product is being held for export back to the supplier in Hong Kong.
07/95	B.A.T. Manufacturing Co. Irving, TX 75061  Zippered bean bag chair	Young children may gain access to the inner foam pellets, inhale them and die of suffocation.	Consumers should contact the firm to have their bean bag chairs retrofitted.
07/95	Meyer Corporation South San Francisco, CA 94080  8" and 12" frying pan "Meyer Commercial"	The metal screw which attaches to the handle of the pan can corrode and break causing burns or fire.	Firm redesigned handle with a hole in the handle to allow for water to drain which decreases the likelihood of the metal screw corroding.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
07/95	Florida Splendid China Kissimmee, FL  Table lamp	The unit has electrical component defects that caused over heating and electrocution hazards.	The firm recalled the product and reconditioned its inventory and returned units.
07/95	ERO Industries Mt. Prospect, IL  Zippered bean bag chair	Young children may open the zipper, inhale the foam pellets and die of suffocation	Consumers should return the bags to the retailer to be retrofitted.
07/95	Marley Electric Heating Bennettsville, SC 29512  Fan-forced electric unit heater	The heater is labeled with incorrect wiring instructions which may result in overheating and a potential fire hazard.	The firm replaced the incorrect labels offering a free replacement of the miswired unit to consumers.
07/95	Island Fireworks Co., Inc. Hager City, WI 54014  Firework device Bomb Cluster 7 Shots W254A-7	The device may tip over during use and fire its charges horizonally.	The firm voluntarily withheld distribution of the device. Labels were removed and devices will be used in fireworks display shows performed by the firm.
07/95	Dixie Marketing & Playground Equipment Hartselle, AL  Children's playhouse	A young child could get its head trapped in the spacings between the boards in the roof, resulting in a strangulation hazard	During July 1995 the firm sent a notice and replacement canvas top to its customers who purchased the playhouse. Instructions were included to assist the customer in removing the old roof.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
08/95	Fisher-Price, Inc. East Aurora, NY  Baseball pitching machine	Consumers may sustain acid burns from overheated/ruptured batteries.	The firm offered consumers a temperature-limiting device to prevent battery overheating.
08/95	Century Manufacturing Minneapolis, MN  12-Volt battery chargers models 934 716140, 934.716150 and 934.716200	Consumers can receive an electrical shock from a fine strand of wire that may protrude from the power cord plug in a small percentage of chargers sold.	The firm will repair or replace the unit.
08/95	Schwinn Cycling & Fitness Boulder, CO  Handlebar stem bolt in certain 1994 model Cruiser bicycles	Loss of rider control of bike is possible if handlebar stem was to become loose during operation.	The firm notified all dealers and retailers of the problem who in turn notified their customers of the replacement stem bolts being available.
08/95	Winner Products, Inc. Santa Fe Springs, CA  Emergency Lite 3-in-1 automatic night light	The night light may present a potential shock hazard.	The firm redesigned the unit offering a free replacement to consumers.
08/95	American Classic Canal Winchester, OH  Silver-Plated steel clamp bolts on aluminum and titanium bicycle seat posts	The clamp bolts for the seat posts could break causing the rider to fall.	The firm recalled the product offering consumers free replacement bolts.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
08/95	John Deere & Company Moline, IL  14SB and 14SE walk-behind lawn mowers	Stress fractures can cause the blade to break during use of the mower	Consumers are to contact the company to receive a replacement blade.
08/95	Pine Cone Rustics Mfg Madison, MN 56256  Models 300 and 280 wooden bunk beds	Children may become entrapped between spaces in the top bunk.	Consumers should contact the company to receive a repair kit for the guardrails.
08/95	Glass Dimensions Essex, MA 01929  Satellite oil candlestick item #604, 608, 604C through 608C, 654 and 654C	Fuel overflow may occur when there is not enough free air outlet between the wick holder support and the metal grommet.	Consumers are to return the unit to the retail store where purchased for a refund.
08/95	Current, Inc. Colorado Springs, CO  Musical plush bunny	A red paper circle may detach from the fabric egg and present a potential choking hazard.	Firm mailed letters to purchasers instructing them to remove and discard the paper circles.
08/95	KN Energy, Inc. Lakewood, CO 80228  Propane gas	Burns and other injuries may result from explosions or fires from undetected gas	Propane tickets are now printed more accurately to identify level of odorant. "CC of Ethylmercaptan" replaced with "LB Ethylmercaptan". Notified customers of potential problem.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
08/95	Americgas Valley Forge, PA 19482  Propane gas	Burns and other injuries from explosions or fires from undetected gas.	The firm notified retailers, conducted on-site sniff tests, stain-tube, and chromatograph tests. Tanks with low or no stench were either injected with ethyl mercaptan or replaced with new stented propane.
08/95	Ashland Petroleum Company Ashland, KY  Propane gas	Burns and other injuries from explosions or fires from undetected gas.	The firm provided odorant to firms with low stench levels, changed the system of injecting ethyl mercaptan into the propane, and notified customers who recently purchased the propane of potential problem.
08/95	Hallmark Cards Kansas City, MO  Candle in a tin	Use of the candle may result in excessive flare-up of the flame.	The firm stopped sales at the retail level and destroyed units in inventory.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
08/95	<p>Masterbuilt Mfg., Inc. Columbus, GA</p> <p>Masterbuilt 7-in-1 Smoker-Fryer-Combo: "Cookmaster" brand, models CMSCG &amp; CMSCG10 and "Smokemaster" brand, model MBSCG. Also, 2-in-1 charcoal smoker/grill model MBCS, sold under "Smokemaster" &amp; "Cookmaster".</p>	<p>Hot coals and ashes could fall through the holes in the sides and bottom of the exposed charcoal pan and onto the surface below. If this surface is combustible a fire could result.</p>	<p>In April of 1995, the firm redesigned the charcoal pan so that it no longer has any holes in its sidewall. For the 7-in-1 units, the firm has reduced the number of holes in the bottom of he pan.</p>
08/95	<p>Scott, USA Boulder, CO</p> <p>Rear brakes on a limited number of 2 mountain bikes: Arapahoe &amp; Mohaka</p>	<p>If the rear brakes don't function and the rider is using just those brakes to stop his bike, the brakes' failure could result in a crash or fall to the cyclist.</p>	<p>The firm notified all dealers and retailers of the rear brake replacement program via letter. Dealers were to identify consumers with the defective bike brakes and offer a free replacement kit and service.</p>
08/95	<p>Dethmers Mfg. Co. Boyden, IA</p> <p>Electric boat hoists</p>	<p>Lack of GFCI on boat hoists presents a shock or electrocution hazard.</p>	<p>Current and future production will include an in-line GFCI. End users will be contacted and advised of hazard.</p>



<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
08/95	Golden Needle dba International Caravan Fort Worth, TX  Zippered bean bag chair	Young children may open the zipper, inhale the foam pellet filling and die of suffocation.	The firm recalled the zippered bean bag chairs.
08/95	Lazy Bean Manufacturing San Francisco, CA 94105  Zippered bean bag chair	Young children may open the zipper, inhale the foam pellet filling and die of suffocation.	The firm recalled the bean bag chairs offering consumers retrofitting methods to prevent the bags from being opened by young children.
08/95	U.S. Divers, Inc. Santa Ana, CA 20518  2nd Stage scuba regulator	Use of the defective regulator may result in diminished air delivery to the diver.	The firm fixed each unit and informed all dealers and customers via mail and a safety bulletin.
08/95	Star Markets Cambridge , MA  Molded plastic chair	The chair has potential to collapse.	The firm recalled the chair.
08/95	Dura Housewares, Inc. Montreal, Canada  Dura Soleil molded resin chairs	Chair may collapse due to brittle resin.	The firm recalled the chairs offering consumers refunds of the purchase price.
09/95	Wayne Industries Clanton, AL 20703  40" by 8" electric advertising sign	Use of the defective sign may present an electric shock hazard.	The firm provided attachable GFCIs and warning labels to consumers.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
09/95	Yamaha Motor Corporation, USA Cypress, CA 90630  Motorcross motorcycle, Yamaha, YZ12 5G1/SK	Loss of vehicle control can result in a crash.	Firm notified all dealers and owners through warranty cards. Repair of carburetor at no charge to owners and dealers.
09/95	Co-Line Welding Sully, IA 50251  Goalsetter basketball goal post	Improper weld at base of goal post could cause it to fall onto users	The firm conducted consumer sight visits to repair all goals at no charge to owners.
09/95	Giant, USA Rancho Dominguez, CA 90220  Bicycle fork crown	Loss of steering and bicycle control could result if crown breaks or separates causing the rider to suffer a fall.	The firm is offering consumers a \$15 credit for each fork replaced.
09/95	T-FAL Corporation Pine Brook, NJ 07058  Model 8781 Hi-Speed toaster	The toaster fails to terminate the toasting cycle and could overheat, presenting a potential fire hazard.	The firm recalled the product offering a refund or replacement to consumers.
09/95	KTM Sportmotorcycle USA, Inc. Lorain , OH 44052  Gas tank used on 1994 440 EXC, MXC motorcycle	Insufficient clearance could cause the tank to distort and possibly leak, presenting a fire hazard.	Firm will notify consumers via direct mail, to inspect the clearance between the tank and exhaust system and also, replace any defective tanks.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
09/95	Marshall Gas Controls Division of S.H. L. San Marcos , TX  Marshall model 254-00 automatic changeover LP-gas regulator	During use raw gas may escape and ignite presenting a fire or explosion hazard.	The firm implemented an inspection and replacement program.
09/95	Control Tech Northwest Kent , WA  Racing bicycle handlebar stem	The stem may crack or break causing the cyclist to lose control of bicycle and possibly fall.	The firm has replaced all stems and notified dealers, retailers and consumers via mail, poster and journal ads of the defect and replacement or repair that is available.
09/95	American Harvest, Inc. Chaska, MN 55318  Food dehydrator models Snackmaster, 2200/FD-30, 2400/FD-50, and 2400T/FD-50T	The heating element in the food dehydrators can overheat, presenting a fire hazard.	The firm recalled the food dehydrators and implemented a repair program. Each repaired unit will have its warranty extended for an additional 12 months.
09/95	Reca Divison of the Cavagna Group Troy, MI 48084  LP gas monitor gauges, Gaslow, GS-1 item 13742	The gauge could separate from the assembly, this could cause a gas leak which could ignite if exposed to flame. Burns and property damage could result from this combination.	The firm offered a new gauge as a replacement.

<b>Date</b>	<b>Firm and Product</b>	<b>Alleged Hazard</b>	<b>Remedy</b>
09/95	Nova Systems Ltd. St. Charles, IL 60174  Carbon monoxide detector models "ARGUS II and SENSIT CO"	Detectors may fail to alarm when exposed to hazardous levels of carbon monoxide.	The firm recalled the units and refunded the purchase price and postage.
09/95	China Pyrotechnics Florence, AL 35631  7 shot firework devices Gold Rush #CP279 and Magnum Force #CP298	The devices could tip over during operation and fire their charges horizontally or at various angles. People nearby could be hit by these charges	China Pyrotechnics has used these devices in fabrication of other devices that are mounted on large wooden bases to prevent these units from tipping over during their functioning.
09/95	J & D Brush Hauppaugt, NY 11788  Hair dryer	The units present an electrocution hazard since they have no immersion switch.	The firm recalled the subject hair dryers from the consumer level.
09/95	P & K Trading, Inc. Long Island, NY 11101  Hair dryer	The units presented an electrocution hazard since they had no immersion switch.	The firm recalled the subject hair dryers to the consumer level.
09/95	Creative Technologies Milwaukee, WI  Grill Express model G250, date codes between 9437 and 9448	There is a potential for the product to melt during use.	Consumer should return the product to distributors for a repair.

## APPENDIX G: Litigation and Settlements

## **Litigation and Settlements**

Part I of this appendix summarizes the federal court cases, categorized by type, to which the Commission was a party during fiscal year 1995. Part II summarizes the civil penalty settlement agreements accepted by the Commission during fiscal year 1995.

### **Part I**

#### **Criminal Case**

**U.S. v. Luv N' Care, Inc. et al.**, No. CR94-3002301 (W D. La.). On August 11, 1994 a federal grand jury in Shreveport, Louisiana returned an indictment against three related companies and two corporate officers, Nouri E. Hakim and Joseph H. Hakim. The case charged the defendants with violating the Federal Hazardous Substances Act from 1990 through 1994. Specifically, it charged 15 counts of distributing pacifiers that failed to meet CPSC regulations and one count of distributing a rattle that failed to meet CPSC regulations. On August 3, 1995, the corporate defendants pled guilty to one count consisting of 14 violations of the pacifier regulations. The court sentenced them to pay a fine of \$140,000.

#### **Civil Penalty Cases**

**U.S. v. Dynamic Classics, Ltd.**, No. 94-397 (NHP) (D N.J.). On January 25, 1994 the government filed a case against Dynamic Classics, Ltd. seeking a civil penalty for the failure to report to the CPSC a defect in an exercise device, the Exer-Climber, that Dynamic imported and sold. The case charged that Dynamic had received its first consumer complaint about the Exer-Climber in November 1989 and received 65 complaints before reporting to CPSC in November 1990. On May 2, 1994 Dynamic filed an answer. On May 20, 1994 Dynamic filed a motion to change venue to New York, which the government opposed and the magistrate denied on July 11, 1994. On May 27, 1994 the government moved for summary judgment, which Dynamic opposed. On July 14, 1994 Dynamic moved to dismiss the case or for summary judgment, which the government opposed. Dynamic appealed the magistrate's venue ruling to the Judge on September 6, 1994, and the judge affirmed it on November 16, 1994. On February 27, 1995 the judge heard oral argument on all dispositive motions. On June 2, 1995 the judge ruled that the Exer-Climber is a "consumer product" under the Consumer Product Safety Act; denied Dynamic's motions for summary judgment or in the alternative for dismissal; and denied the government's motion for summary judgment. Between June and August 1995 the parties engaged in some discovery. On August 23, 1995 Dynamic filed a voluntary petition of bankruptcy (chapter 11) in U.S. Bankruptcy Court for the Southern District of New York. On September 14, 1995 the parties agreed to settle the case for a payment of \$150,000.

**U.S. v. High Star Toys, Inc., No. CV94-7723-IH (C.D. Calif.).** On twelve occasions between April 6, 1991 and October 11, 1994, High Star Toys, Inc. imported 19 different toys for children under three that failed to comply with the Commission's small parts regulation. On November 15, 1994 the government filed a complaint for civil penalties. On February 9, 1995 the parties filed a consent decree requiring High Star to pay \$45,000.

### **Seizure Case**

**U.S. v. 155 Nesting Dolls, More or Less, No. 93C 5404 (N.D. Ill.).** On September 2, 1993 the government filed an action seeking the seizure of 155 Russian nesting dolls that violated the Commission's lead paint regulation. On October 6, 1993 the importer, Marina's Russian Collections, filed an answer. On April 25, 1995 the government filed a motion for summary judgment. On May 30, 1995 the judge granted that motion, and the dolls were destroyed.

### **Subpoena Enforcement Cases**

**U.S. v. D-M Sales Corporation, No. 94-206 (E.D.N.Y.).** On August 2, 1994 the Commission issued to Raymond Mizrahi, President of D-M Sales, a Special Order and Subpoena concerning extension cords and crayons. After D-M ignored repeated requests from the Commission to respond to the subpoena, the government filed an enforcement case on December 16, 1994. On February 1, 1995, the judge ordered D-M to comply with the subpoena. D-M provided responses which the government deemed insufficient. On March 17, 1995 the judge ordered D-M to comply fully within 15 days or face sanctions of \$100 per day. After D-M still failed to comply, the government noticed that it would move for contempt, which it did on August 17, 1995.

**U.S. v. Advance International, Inc., et al., No. M-18-304 (S.D.N.Y.).** On December 22, 1994 the Commission issued to Advance and its president, Herbert Feinberg, a Special Order and Subpoena concerning Christmas tree lights. Advance provided inadequate responses on February 6 and March 13, 1995. On July 14, 1995 the government filed a petition to enforce the subpoena. At a hearing on August 8, 1995, the judge ordered Advance to comply with it. On September 1, 1995 Advance complied fully with the Commission's subpoena.

### **Contempt Case**

**U.S. v. Toy Power Inc. and Michael Wu, No. CV89-2099-SVW(BX).** In 1989 Toy Power, an importer and distributor of toys and other children's products, consented to a court decree which required it to test its toys for compliance with the Commission's small parts and lead paint regulations. The Commission later found that Toy Power imported, without testing, 25 different models of painted toys. The Commission also found that the firm imported 10 different toys for children under three years of age that were banned for containing small parts. On

September 14, 1994 Toy Power and its president, Michael Wu, signed a modified consent decree requiring them to pay \$115,000, to notify the Commission in writing at least 10 days before importing any toys into the country, and to refrain from violating the Federal Hazardous Substances Act. On October 13, 1994 the judge signed the new decree, and on December 9, 1994 the court entered it.

### **Case Against the Commission**

**O'Keeffe's, Inc. v. CPSC**, No. 94-70580 (9th Cir.). On September 20, 1994 O'Keeffe's petitioned the court for review of the Commission's decision to deny an administrative petition that O'Keeffe's had filed on March 6, 1992. The administrative petition had sought a rulemaking proceeding for amendment of the Commission's safety standard on architectural glazing materials to (1) eliminate the exception from the requirements of the standard for wired glass used in fire doors and (2) to extend the scope of the standard to include transparent ceramic materials. On July 22, 1994 the Commission denied the petition. O'Keeffe's filed its brief on December 12, 1994, and the government filed its brief on January 11, 1995. On January 26, 1995 O'Keeffe's filed a motion to supplement the record, which the court denied on February 2, 1995 and the government opposed on February 3, 1995. O'Keeffe's filed its reply brief on January 27, 1995.

### **Warrant Case**

**In the Matter of Establishment Inspection of Magnolia Garment Corp.**, Nos. 3-95-MC-26N and 3-95-MC-25S (S.D. Miss.). Because two of Magnolia's garments failed to comply with its sleepwear flammability standards, the Commission planned an inspection of the firm. Magnolia refused to permit the Commission's investigators to enter its premises on September 26, 1995. After the government obtained an establishment inspection warrant, the investigators returned to Magnolia and performed the inspection the same day.



## **Part II**

### **Civil Penalty Agreements Accepted By The Commission**

*In the Matter of Gund, Inc* , CPSC Docket No. 95-C0001. The firm paid a civil penalty of \$150,000 to settle the staff's allegations that it knowingly violated the FHSA by distributing violative toys. The final order was issued on November 7, 1994.

*In the Matter of Bee International, Inc* , CPSC Docket No. 95-C0002. The firm paid a civil penalty of \$65,000 to settle the staff's allegations that it knowingly (i) violated the FHSA by distributing violative toys; and (ii) failed to comply with the Commission's export notification requirements. The final order was issued on November 7, 1994.

*In the Matter of Concord Enterprises, Inc* , CPSC Docket No. 95-C0003. The firm paid a civil penalty of \$60,000 to settle the staff's allegations that it knowingly violated the FHSA by distributing violative toys. The final order was issued on November 29, 1994.

*In the Matter of Bethany Sales Company, Inc.*, CPSC Docket No. 95-C0004. The firm paid a civil penalty of \$10,000 to settle staff allegations that it knowingly violated the FHSA by distributing banned fireworks devices from 1991 through 1994. The final order was issued on January 3, 1995.

*In the Matter of Golden Gate Fireworks, Inc* , CPSC Docket No. 95-C0005. The firm paid a civil penalty of \$10,000 to settle the staff's allegations that it knowingly violated the FHSA by distributing violative fireworks devices. The final order was issued on January 3, 1995.

*In the Matter of Boley Corporation*, CPSC Docket No. 95-C0006. The firm paid a civil penalty of \$60,000 to settle the staff's allegations that it knowingly violated the FHSA by distributing violative toys. The final order was issued on February 3, 1995.

*In the Matter of General Nitewear Corp* , CPSC Docket 95-C0007. The firm paid a civil penalty of \$110,000 to settle the staff's allegations that it knowingly violated the Flammable Fabrics Act by distributing violative children's sleepwear. The final order was issued on March 3, 1995.

*In the Matter of Toy Wonders, Inc* , CPSC Docket No. 95-C0008. The firm paid a \$75,000 civil penalty to settle the staff's allegations that it knowingly violated the FHSA by distributing violative toys. The final order was issued on April 25, 1995.

*In the Matter of Neptune Fireworks Company, Inc* , CPSC Docket No. 95-C0009. The firm paid a civil penalty of \$45,000 to settle the staff's allegations that it knowingly violated the FHSA by distributing violative fireworks. The final order was issued on May 1, 1995.

*In the Matter of Giant Bicycle, Inc* , CPSC Docket No. 95-C0010. The firm paid an \$85,000 civil penalty to settle staff allegations that it violated the FHSA by distributing violative bicycles. The final order was issued May 3, 1995.

*In the Matter of Outboard Marine Corporation*, CPSC Docket No. 95-C0011. The firm paid a civil penalty of \$75,000 to settle the staff's allegations that it knowingly violated the CPSA by failing to report a potential substantial product hazard presented by leaking gas tanks on lawn mowers. The final order was issued May 8, 1995.

*In the Matter of ABC School Supply, Inc.*, CPSC Docket No. 95-C0012. The firm paid a civil penalty of \$45,000 to settle the staff's allegations that it knowingly violated the FHSA by distributing violative toys. The final order was issued on July 24, 1995.

*In the Matter of Howland Caribbean Corporation*, CPSC Docket No. 95-C0013. The firm paid a civil penalty of \$75,000 to settle the staff's allegations that it knowingly violated the FHSA by distributing violative rattles and toys. The final order was issued on August 7, 1995.

*In the Matter of Terri Treat, d/b/a Cotton Cloud Futon Corporation*, CPSC Docket No. 95-C0014. The firm paid a civil penalty of \$10,000 to settle the staff's allegations that it knowingly violated the FFA by distributing violative futon mattresses. The final order was issued on August 16, 1995.

*In the Matter of Kids II, Inc. (formerly Pansy Ellen)*, CPSC Docket No. 95-C0016. The firm paid a civil penalty of \$85,000 to resolve allegations that it knowingly violated the CPSA by failing to report a defect in its Graduate Booster Seats. The final order was issued on October 18, 1994.

# APPENDIX H: Index of Products Regulated by CPSC

## Index of Products Regulated By CPSC

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Acetaminophen	PPPA	special packaging exemption	1700.14(a)(16) 1700.14(a)(16)(i),(ii)
Acetic acid	HSA	labeling	1500.129(g)
Acetonitrile (see glue remover)			
Adhesives, containing methyl alcohol	HSA HSA	labeling exemption from labeling	1500.133 1500.83(a)(34)
nitrocellulose base	HSA	exemption from labeling	1500.83(a)(10)
floor covering	HSA	exemption from labeling	1500.83(a)(13)
extremely flammable contact	CPSA CPSA	ban to be regulated under CPSA	1302 1145.3
Aerosols (see self-pressurized products)	HSA	suggested labeling	1500.130
Aluminized polyester film kite	HSA	ban	1500.18(c)(1)
Ammonia, ammonia water (household), ammonium hydroxide	HSA	labeling	1500.129(g)
Antennas (CB base station and TV) (Omnidirectional CB base station)	CPSA CPSA	labeling requirement performance and certification	1402 1204
Antifreeze, ethylene glycol-base	HSA PPPA	labeling special packaging	1500.132 1700.14(a)(11)
Antiquing kits	HSA	exemption from labeling	1500.83(a)(25)
Appliances, coal and wood-burning	CPSA	provision of performance and technical data	1406
Architectural glazing materials	CPSA	safety standard	1201
Art materials	HSA HSA	exemption from ban labeling	1500.85(a)(4) 1500.14(b)(8)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Artist's pants	CPSA	exemption from lead limit	1303.3(c)(2)
Asbestos-containing patching compounds	CPSA CPSA	ban to be regulated under the CPSA	1304 1145.4
Asbestos-containing garments for general use	HSA	ban	1500.17(a)(7)
Asbestos-containing artificial emberizing materials	CPSA CPSA	ban to be regulated under the CPSA	1305 1145.5
Aspirin products	PPPA	special packaging effervescent tablet exemption unflavored powders exemption	1700.14(a)(1) 1700.14(a)(1)(i) 1700.14(a)(1)(ii)
Baby bouncers and walkers	HSA	standard and ban exemption from banning	1500.18(a)(6) 1500.86(a)(4)
Balloons, plastic mixtures	HSA	exemption from banning	1500.85(a)(4)
Bassinet legs	CPSA	to be regulated under the CPSA	1145.15
Batteries, storage, wet-cell	PPPA	exemption from special packaging	1700.14(a)(9)
Benzene (benzol)	HSA	special labeling	1500.14(b)(3)(i)
Benzene (paint solvents)	PPPA	special packaging	1700.14(a)(15)
Bergamot oil	HSA	labeling	1500.13(e)
Betamethasone	PPPA	exemption from special packaging	
Bicycles	HSA	ban safety requirements	1500.18(a)(12) 1512
Bicycle helmets	CPSA	safety requirements	1203
Biological specimens, preserved	HSA	exemption from ban	1500.85(a)(4)
Blasting caps	HSA	exemption from labeling	1500.83(a)(35)
Butane in cigarette lighters	HSA	exemption from labeling	1500.83(a)(29)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Carbolic acid (phenol)	HSA	labeling	1500.129(d)
Carbon tetrachloride	HSA	ban	1500.17(a)(2)
Carpets and rugs (large)	FFA	standard (FF 1-70)	1630
Carpets and rugs (small)	FFA	standard (FF 2-70)	1631
Caustic poisons	HSA	labeling	1500.129
potash	HSA	labeling	1500.129
soda	PPPA	special packaging	1700.14(a)(5)
	HSA	labeling	1500.29(j)
	PPPA	special packaging	1700.14(a)(5)
Cellulose sponges	HSA	exemption from labeling	1500.83(a)(15)
Cellulose insulation	CPSA	standard	1209
	CPSA	labeling	1404
Charcoal briquettes	HSA	classification as hazardous special labeling	1500.12(a)(1) 1500.14(b)(6)
Chemistry sets	HSA	exemption from labeling exemption from banning	1550.83(a)(23) 1500.85(a)(1)
Child-resistant packaging (see special packaging)	PPPA	criteria and substances subject	1700
Chlorofluorocarbons, self pressurized products containing	CPSA	labeling requirement	1401
Cholestyramine, anhydrous	PPPA	exemption from special packaging	1700.14(A)(10)(v)
Cigarette lighters	HSA	exemption from labeling exemption from labeling	1500.83(a)(29) 1500.83(a)(20)
	CPSA	standard	1210
Clacker balls	HSA	requirements	1500.18(a)(7)
Cleaning products	HSA	exemption from labeling	1500.86(a)(5) 1500.83(a)(11)
Clothing (see wearing apparel, sleepwear)			
Coal burning appliances (see appliances)			

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Coldwave permanent neutralizers containing sodium bromate or potassium bromate	PPPA	special packaging	1700.14(a)(19)
Colestipol	PPPA	exemption from special packaging	1700.14(a)(10)(xv)
Combustible hazardous substances	HSA	definition flashpoint testing	1500.3(c)(iii) 1500.43a
Conjugated estrogens tablets	PPPA	exemption from special packaging	1700.14(a)(10)(xvii)
Consumer product	CPSA	reporting of substantial product hazards	1115
Containers, consumer-owned (portable)	HSA	exemption from full labeling	1500.83(a)(14)
Controlled drugs	PPPA	special packaging	1700.14(a)(4)
Corrosive substances	HSA	definition	1500.3(b)(7),(c)(3)
Cosmetics	HSA	exemption	1500.81(a)
Crib hardware	CPSA	to be regulated under the CPSA	1145.14
Cribs (full-size)	HSA	ban safety requirements	1500.18(a)(13) 1508
Crib (non-full-size)	HSA	ban safety requirements	1500.18(a)(14) 1509
Crib, mesh-sided	CPSA	to be regulated under the CPSA	1145.12
Cushions, infant	HSA	ban	1500.18(a)(16)
Cyanide salts	HSA	ban	1500.17(a)(5)
Dibucaine	PPPA	special packaging	1700.14(a)(24)
Dietary supplements, iron-containing	PPPA	special packaging	1700.14(a)(13)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Diethylene glycol	HSA	labeling special labeling exemption from labeling	1500.14(a)(1) 1500.14(b)(1) 1500.83(a)(15)
Diethylenetriamine	HSA	labeling	1500.13(c)
Diglycidyl ethers	HSA	labeling	1500.13(c)
Diphenhydramine preparations	PPPA	special packaging	1700.14(a)(17)
Disclaimer deceptive use of	HSA	misbranded	1500.122
Drain cleaners, liquid	HSA PPPA	ban special packaging	1500.17(a)(4) 1700.14(a)(5),(9)
Drugs, controlled	PPPA	special packaging	1700.14(a)(4)
Drugs, oral prescription	PPPA	special packaging	1700.14(a)(10)
Except:			
Nitroglycerin tablets (sublingual)			1700.14(a)(10)(i)
Isosorbide dinitrate (10 mg. sub- lingual and chewable tablets)			1700.14(a)(10)(ii)
Erythromycin ethylsuccinate (8 gm oral suspension and granules for oral suspensions)			1700.14(a)(10)(iii)
Erythromycin ethylsuccinate tablets (no more than 16 gm)			1700.14(a)(10)(xvi)
Cyclical oral contraceptives			1700.14(a)(10)(iv)
Anhydrous cholestyramine (powder form)			1700.14(a)(10)(v)
Potassium supplements (containing not more than 50 MEq potassium per unit dose package)			1700.14(a)(10)(vi)
Sodium fluoride (264 mg per package of liquid forms and tablet forms)			1700.14(a)(10)(vii)
Betamethasone (12.6 mg per package)			1700.14(a)(10)(viii)
Pancrelipase in tablet, capsule or powder form			1700.14(a)(10)(ix)
Prednisone tablets (not more than 105 mg per package)			1700.14(a)(10)(x)
Mebendazole (600 mg per package)			1700.14(a)(10)(xiii)
Methylprednisolone tablets (not more than 84 mg per package)			1700.14(a)(10)(xiv)
Colestipol (packages containing not more than 5 grams of powder)			1700.14(a)(10)(xv)
Conjugated estrogens tablets (not more than 32 mg per package)			1700.14(a)(10)(xvii)



<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Norethandrone acetate tablets (not more than 50 mg per package)			1700.14(a)(10)(xvii)
Medroxyprogesterone acetate tablets			1700.14(a)(10)(xix)
Drugs, iron-containing	PPPA	special packaging	1700.14(a)(12)
Dry-cleaning solvents	HSA	exemption from labeling	1500.83(a)(18)
Emberizing materials, artificial, containing asbestos	CPSA	ban	1305
Epoxy resins	HSA	labeling	1500.13(c)
Erythromycin ethylsuccinate, Suspension and granules for suspension	PPPA	exemption from special packaging	1700.14(a)(10)(iii)
Chewable tablets			1700.14(a)(10)(xvi)
Ethanol-containing mouthwash	PPPA	special packaging	1700.14(a)(22)
Ethylenediamine	HSA	labeling	1500.13(c)
Ethylene glycol in felt pads	HSA	exemption from labeling special labeling	1500.83(a)(28) 1500.14(b)(4)
Ethylene glycol	HSA	labeling special packaging	1500.14(a)(2),(b)(2) 1700.14(a)(11)
Ethylene glycol antifreeze	HSA	labeling	1500.132
Expandable children's enclosures	CPSC	to be regulated under the CPSA	1145.13
Exports (noncomplying products)	All	reporting requirements	1019
Extremely flammable contents of self-pressurized containers	HSA	definition method to determine flashpoint testing exemption from labeling	1500.3(c)(6)(vii) 1500.45 1500.46 1500.83(a)(1)
Extremely flammable hazardous substances	HSA	definition testing method	1500.3(c)(6)(i) 1500.43a
Extremely flammable solids	HSA	definition testing method	1500.3(c)(6)(v) 1500.44
Eye irritants	HSA	testing method definition	1500.3(b)(8),(c)(4) 1500.42

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Fabrics	FFA	flammability	1602-1632
Felt-tip marking devices	HSA	labeling exemption	1500.83(a)(9)
Ferrous oxalate	HSA	exemption from labeling	1500.83(a)(17)
Fertilizers, dry granular	HSA	exemption from labeling	1500.83(a)(21)
Fire extinguishers	HSA	exemption from labeling labeling, warning	1500.83(a)(24) 1500.15(a)(b)
Fireworks	HSA	ban (more than 2 grains pyrotechnic material for audible reports) ban (firecrackers more than 50 mg.) exemption from labeling agricultural exemption exemption from classification special labeling ban reloadable tube aerial shells more than 1.7 inches in outer diameter)	1500.17(a)(3)  1500.17(a)(8) & 9  1500.83(a)(27) 1500.17(a)(3) 1500.85(a)(2)  1500.14(b)(7) 1500.17(a)(11)
		safety requirements	1507
First Aid	HSA	policy for emesis labeling	1500.134
Flammable contents of self- pressurized containers	HSA	definition method for determining flashpoint testing exemption from labeling	1500.3(c)(6)(viii) 1500.45 1500.46 1500.83(a)(1)
Flammable solids	HSA	definition testing method	1500.3(c)(6)(vi) 1500.44
Flammable substances	HSA	definition flashpoint testing	1500.3(c)(6)(iii) 1500.43a
Food	HSA	exemption from specific labeling	1500.81(a)
Formaldehyde	HSA	labeling	1500.13(d)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Fuel	HSA	exemptions exemptions from banning special packaging	1500.81(b) 1500.85(a)(5) 1700.14(a)(7)
Fuel kits with difluorodichloromethane	HSA	exemption from banning warning label	1500.85(a)(12), (13)
Furniture, painted with lead- containing paint	CPSA	ban	1303
Furniture polish, liquid	PPPA	special packaging	1700.14(a)(2)
Furniture polish, paste	HSA	exemption from labeling	1500.83(a)(8)
Garage Door Openers, automatic residential	CPSA	requirements for equipment protector	1211
Gasoline	HSA	exemption from labeling special labeling labeling	1500.83(a)(14) 1500.14(b)(3) 1500.14(a)(3)
Glazing compounds	HSA	exemption from labeling	1500.83(a)(13)
Glue remover containing acetonitrile (household)	PPPA	special packaging	1700.14(a)(18)
Hartshorn	HSA	labeling	1500.129(1)
Heaters (see appliances)			
Highly toxic substances	HSA	definition testing method labeling	1500.3(e) 1500.40 1500.121
Household substances	HSA	definition	1500.3(c)(10)
Hydrochloric acid	HSA	labeling	1500.129(a)
Hypochlorous acid	HSA	labeling	1500.129(h)
Ibuprofen	PPPA	special packaging	1700.14(a)(20)
Imported products & importers	ALL	policy	1009.3
Imports	HSA	various	1500.265-272

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Industrial supplies	HSA	exemption	1500.3(c)(10)(i)
Infant cushions	HSA	ban	1500.18(a)(16)
Ink, cartridges	HSA	exemption from labeling	1500.83(a)(7),(38)
dry concentrate containers	HSA	exemption from labeling	1500.83(a)(12)
Ink-marking devices	HSA	exemption	1500.83(a)(9)
Insulation, cellulose	CPSA	standard	1209
Iron preparations	PPPA	special packaging	1700.14(a)(12),(13)
Irritant substances	HSA	definition testing method	1500.3(g) 1500.41
Isobutane in cigarette lighters	HSA	exemption from labeling	1500.83(a)(29)
Isosorbide dinitrate, pre- scription sublingual and chewable forms	PPPA	exemption from special packaging	1700.14(a)(10)(ii)
Kerosene	HSA	labeling special labeling exemption from labeling special packaging	1500.14(a)(4) 1500.14(b)(3) 1500.83(a)(14) 1700.14(a)(7)
Kindling and illuminating preparations	PPPA	special packaging	1700.14(a)(7)
Kites, aluminized polyester film	HSA	ban	1500.18(c)(1)
Labels	HSA	requirements condensation informal comment on exemption from labeling	1500.121 1500.123 1500.128 1500.83(a)(5)
Laboratory chemicals, if educational	HSA	exemption from banning and labeling	1500.85(a)(4) 1500.85(a)(5)
Lacquers	HSA	exemption from labeling	1500.83(a)(13)
Lawn darts	HSA CPSA	ban ban	1500.18(a)(4) 1306
Lawnmowers, power	CPSA	performance standard, labeling rule, and certification rule	1205

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Lead in paint	HSA	ban over 0.5% (pre-1978)	1500.17(a)(6)
	CPSA	ban over 0.06% (1978 and later)	1303
Lidocaine	PPPA	special packaging	1700.14(a)(23)
Lighter fluid, etc. Lunar caustic (silver nitrate)	PPPA	special packaging	1700.14(a)(7)
	HSA	labeling	1500.129(k)
Lye	HSA	labeling	1500.129(j)
	PPPA	special packaging	1700.14(a)(5)
Matchbooks	CPSA	standard	1202
Matches	HSA	exemption from flammability labeling	1500.83(a)(2)
Mattresses	FFA	standard (FF 4-72)	1632
Mebendazole	PPPA	exemption from special packaging	1700.14(a)(10)(xiii)
Medroxyprogesterone acetate tablets	PPPA	exemption from special packaging	1700.14(a)(10)(xix)
Methyl alcohol (methanol)	HSA	exemption from labeling	1500.83(a)(10)
		labeling	1500.14(a)(4),(b)(4)
		exemption from labeling	1500.83(a)(19)
	PPPA	exemption from labeling special packaging	1500.83(a)(34) 1700.14(a)(8)
Methylprednisolone	PPPA	exemption from special packaging	1700.14(a)(10)(xiv)
Methyl salicylate	PPPA	special packaging	1700.14(a)(3)
Mineral oil (in toys)	HSA	exemption from labeling	1500.83(a)(33)
Mineral seal oil	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
	PPPA	special packaging	1700.14(a)(2)
Mineral spirits	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
		special packaging	1700.14(a)(15)
Mirrors	CPSA	exemption from lead limit	1303.3(c)(2)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Mixtures of hazardous substances	HSA	labeling	1500.5
Mouthwash with ethanol	PPPA	special packaging	1700.14(a)(22)
Multiple hazard, substances with	HSA	labeling	1500.127
Naphtha	HSA	labeling special labeling	1500.14(a)(3) 1500.14(b)(3)
Naproxen	PPPA	special packaging	1700.14(a)(25)
Nitric acid	HSA	labeling	1500.129(c)
Nitroglycerine, prescription,	PPPA	exemption from special sublingual dosage packaging	1700.14(a)(10)(i)
Norethindrone acetate tablets	PPPA	exemption from packaging	1700.14(a)(10)(xviii)
Oral contraceptives	PPPA	exemption from special cyclical packaging	1700.14(a)(10)(iv)
Orris root, powdered	HSA	labeling	1500.13(b)
Oxalic acid and salts	HSA	labeling	1500.129(e),(f)
Packages, child-resistant(see child-resistant packaging)			
Packages, sample	PPPA	submission	1700.14(b)
Paint, lead in	HSA	ban over 0.5% (pre- 1978)	1500.17(a)(6)
	CPSA	ban over 0.06% (1978 and later)	1303
	CPSA	to be regulated under the CPSA	1145.2
Paint solvents	PPPA	special packaging	1700.14(a)(15)
Painting kits	HSA	exemption	1500.83(a)(25)
Pancrelipase	PPPA	exemption from special packaging  (11),(13),(14),(20)	1700.14(a)(10)(ix)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Paper items	HSA	exemption from labeling list	1500.83(a)(3)
Paraphenylenediamine	HSA	labeling	1500.13(a)
Patching compounds, containing asbestos	CPSA	ban	1304
Perchloroethylene in visual novelty devices	HSA	exemption from labeling	1500.83(a)(31)
Percussion explosives	HSA	definition	1500.3(c)(7)(i)(a)
Petroleum distillates	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
		exemption from labeling	1500.83(a)(8),(9),
Phenol (carbolic acid)	PPPA	special packaging	1700.14(a)(7),(2),(15)
	HSA	labeling	1500.129(d)
Photodynamic sensitizer	HSA	definition	1500.3(b)(9)
Photographic color processing kits	HSA	exemption from labeling	1500.83(a)(25)
Plant foods, dry granular	HSA	exemption from labeling	1500.83(a)(21)
Playpens: expandable mesh-sided	CPSA	to be regulated under the CPSA	1145.13
	CPSA	to be regulated under the CPSA	1145.11
Poisons, caustic	HSA	labeling requirements	1500.129
Polishing products	HSA	exemption from labeling	1500.83(a)(11)
Potash, caustic	HSA	labeling special packaging	1500.129(i) 1700.14(a)(5)
Potassium hydroxide	HSA PPPA	labeling special packaging	1500.129(i) 1700.14(a)(5)
Potassium supplements, effervescent	PPPA	exemption from special packaging	1700.14(a)(10)(vi)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Prednisone	PPPA	exemption from special packaging	1700.14(a)(10)(x)
Pressure-generating substances	HSA	definition	1500.3(c)(7)(i)
Primary irritant	HSA	definition testing method	1500.3(g)(2) 1500.41
Propellant devices for model rockets	HSA	exemption from banning	1500 85(a)(8),(9),(12) (12), (13)
Radiator cleaners	HSA	as household substance	1500.3(c)(10)(i)
Radioactive substances	HSA	defined exemption	1500.3(b)(11),(c)(8)
Refrigerator doors	RSA	standard to permit opening from inside	1750
Refuse bins, unstable	CPSA	ban	1301
Roof coatings	HSA	exemption from labeling	1500 83(a)(13), (34)
Rope, cord, string, etc.	HSA	exemption from labeling	1500.83(a)(4)
Rugs (see Carpets)			
Rubber vulcanizing	HSA	exemption from labeling	1500.83(a)(13)
Salt (sodium chloride)	HSA	exemption from labeling	1500.83(a)(1)
Self-pressurized products	HSA	exemption from full labeling testing method for flammable or extremely flammable contents information statements required	1500.83(a)(1) 1500.45,46 1500.130
containing chlorofluorocarbons	CPSA	labeling requirement	1401
containing vinyl chlorides	HSA	ban	1500.17(a)(10)
Sensitizers	HSA	definitions	1500.3(b)(9), (c)(5)
Signal words	HSA	labeling requirements	1500.121
Silver nitrate (lunar caustic)	HSA	labeling	1500.129(k)



<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Sleepwear, children's sizes 0-6x, sizes 7-14	HSA	FFA standard (FF 3-71) standard (FF 5-74)	1615 1616
Sodium arsenite	HSA	labeling	1500.132(b)
Sodium fluoride (prescription aqueous solutions)	PPPA	exempting from special packaging	1700.14(a)(10)(vii)
Sodium hydroxide	HSA	labeling	1500.129(j)
Sodium/potassium hydroxide	PPPA	special packaging	1700.14(a)(5)
Solder kit	HSA	exemption from labeling	1500.83(a)(30)
Solder paste	HSA	exemption from labeling	1500.83(a)(22)
Special packaging	PPPA	standards re-use prohibited test procedure restricted flow requirement	1700.15 1700.15(c) 1700.20 1700.15(d)
Spot removers, single- use	HSA	exemption from labeling	1500.83(a)(18),(19),(26)
Spot removing kits	HSA	exemption from labeling	1500.83(a)(25)
Sponges, cellulose	HSA	exemption from labeling	1500.83(a)(15)
Squeeze toys	CPSA	to be regulated under the CPSA	1145.10
Stoddard solvent	HSA	labeling special labeling	1500.14(a)(4) 1500.14(b)(3)(ii)
Stoves, coal and wood burning (see appliances)			
Strong sensitizers	HSA	definition list of	1500.3(b)(9) 1500.13
Sulfuric acid	HSA PPPA	labeling special packaging	1500.129(b) 1700.14(a)(9)
Swimming pool slides	CPSA	standard	1207
Tank coatings	HSA	exemption from labeling	1500.83(a)(34)

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Thread, string, twine, etc.	HSA	exemption from labeling	1500.83(a)(4)
Toluene (toluol)	HSA	labeling special labeling exemption from labeling	1500.14(a)(3) 1500.14(b)(3)(ii),(iii) 1500.83(a)(8),(9),(11),(13)
Toluene (paint solvents)	PPPA	special packaging	1700.14(a)(15)
Toxic substances	HSA	definition labeling test method	1500.3(b)(5),(c)(2) 1500.121,129 1500.40
Toys			
balloons, latex balls, small	HSA HSA	labeling ban	1500.19 1500.18(a)(17)
caps and toy guns producing impulse-type sound	HSA	labeling ban testing method exemption from banning	1500.19 1500.18(a)(5) 1500.47 1500.85(a)(2) 1500.86(a)(6)
clacker balls	HSA	ban exemption from banning	1500.18(a)(7) 1500.85(a)(5)
dolls presenting hazards	HSA	ban exemption from banning	1500.18(a)(3) 1500.86(a)(2)
electrically-operated toys and children's article		HSA requirements labeling performance	ban 1500.18(b) 1505 1505.3 1505.6
games,self-pressurized hollow plastic toys	HSA	exemption from banning	1500.85(a)(7)
games	HSA	labeling	1500.19
marbles	HSA	labeling	1500.19
mineral oil	HSA	exemption from banning	1500.83(a)(32)
mechanical hazards (various)	HSA	ban	1500.18(a)
pacifiers	HSA	ban safety requirements	1500.18(a)(8) 1511
noisemaking toys	HSA	ban	1500.18(a)(2)
painted with lead	HSA CPSA	ban, over 0.5% (pre-1978) ban, over 0.06%	1500.17(a)(6)
squeeze	CPSA	(1978 & later) to be regulated under the CPSA	1303 1145.10

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
<b>Toys (cont'd)</b>			
rattles	HSA	bans exemption from banning safety requirements	1500.18(a)(1) & (15) 1500.86(a)(1 ) 1510
sharp edges	HSA	technical requirements	1500.49
sharp points	HSA	technical requirements	1500.48
small parts	HSA	ban safety requirements	1500.18(a)(9) 1501
model rockets	HSA	exemption from labeling	1500.83(a)(36)
model rockets, propellant	HSA	exemption from labeling	1500.85(a)(8),(9),(10), (11),(12),(13)
sewing machines	HSA	requirements	1505.4(h)(3)
stuffed animals with laceration hazard	HSA	ban	1500.18(a)(3)
stuffed toys to be suspended	CPSC	to be regulated under the CPSA	1145.9
toys	HSA	labeling	1500.19
train smoke	HSA	exemption from labeling	1500.83(a)(33)
use and abuse tests	HSA	testing procedures labeling exemption	1500.50.53 1500.14(a)(5) 1500.83(a)(8)
	PPPA	special packaging	1700.14(a)(6)
Tubes, collapsible metal	HSA	labeling	1500.121(e)
Unpackaged hazardous substances	HSA	labeling requirements	1500.121(f)
Turpentine	HSA	special labeling	1500.14(b)(5)
Varnish	HSA	exemption from labeling	1500.83(a)(13)
Video games	CPSA	exemption from electrically- operated toy requirements	1505
Vienna paste	HSA	labeling	1500.129(i)
Vinyl chloride	HSA	ban	1500.17(a)(10)
Vinyl plastic film	FFA	standard (CS 192-53)	1611
Visual novelty devices containing perchloroethylene	HSA	exemption	1500.83(a)(31)
Volatile flammable materials	HSA	flashpoint testing method	1500.43

<b>Product</b>	<b>Act</b>	<b>Type of Regulation</b>	<b>Reference Source Title 16 CFR Part Number</b>
Walker-jumper	HSA	ban exemption from classification	1500.18(a)(6) 1500.86(a)(4)
Water-repellant mixtures, masonry	HSA	ban	1500.17(a)(1)
Wax containers	HSA	exemption from labeling	1500.83(a)(8)
Waxes, paste for autos, furniture, floors, shoes	HSA	exemption from labeling	1500 83(a)(8)
Wearing apparel	FFA	standard (CS 191-53)	1610
Wood burning appliances (see appliances)			
Writing instruments	HSA	exemption from labeling	1500.83(a)(38)
Xylene (xylol)	HSA	labeling special labeling exemption from labeling	1500.14(a)(3) 1500.14(b)(3)(ii),(iii) 1500.83(a)(8),(9),(11),(13)
Xylene (paint solvents)	PPPA	special packaging	1700.14(a)(15)

# APPENDIX I: Federal-State Cooperative Program

## Federal-State Cooperative Program

The Commission is required by Section 29 of the Consumer Product Safety Act to establish "a program to promote Federal-State cooperation for purposes of carrying out the Act "

Federal, state and local cooperative programs are one key to CPSC's success in reducing unreasonable risks of injury to consumers. State and local professionals bring the Commission's programs "alive" when they deliver CPSC information, education and services to the public they serve at the local level. The public resides in counties, cities and towns served by dedicated state and local health, consumer and safety professionals. These professionals know the needs of their communities and know best how to meet their needs. Resources invested in providing information, contracts and materials to state and local professionals returns many times that amount in consumer product safety programs delivered to people where they live, work and play.

The Directorate for Field Operations plans, organizes, directs and controls the Commission's Federal-State Cooperative Program. This program receives overall direction through the Field Operating Plan which is formulated directly from the Commission's yearly Operating Plan. The Federal-State plan provides direction to the three Regional Centers which provide operational day-to-day contact with the states.

State Designees are the Commission's primary liaison with state and local officials. State Designees are appointed, at the Commission's request, by the Governor of each state. This individual serves as a liaison for product safety efforts within the state.

State Designees are selected after analyzing each state's structure. Each represents that department of state government most compatible with the CPSC mission. In most states it is the Department of Health. In others, it is the Office of the Attorneys General or the Department of Agriculture or Consumer Protection.

In addition to working with State Designees, CPSC Regional Centers regularly cooperate with local government officials, as well. Keeping up with Designees in 50 states and territories is demanding, but working with thousands of local officials is most difficult. To solve this problem, CPSC always works with State Designees and selectively works with local officials. "Selectively" is defined as meaning the proper official at the proper place at the proper time.

The Federal State Cooperative Plan consists of four major components:

1 Contracts Cost effective state and local contracts allow the Commission to accomplish product safety work in places across our nation that CPSC would not get to. Because CPSC contracts are usually small, state and local governments often match the Commission's funds with their own to accomplish the objective.

2 Memoranda of Understanding (MOU)-Partnership Agreements MOUs and partnership agreements with states extend overall consumer protection through more effective use of collective resources. Partnering is an arrangement between CPSC and state agencies wherein both parties agree to share, at no cost, the responsibility for certain product safety activities.

3 Commissioning Commissioning has the effect of making a state or local employee a federal officer for the purposes of conducting investigations, inspections, recalls and sample collections.

State or local officials are qualified for and capable of functioning as an official of the CPSC. CPSC trains state and local officials to qualify for a commission.

4 States' Information-Sharing Program CPSC routinely transmits information on Commission programs and activities to states in order that Designees, their staff and others may respond to media inquiries and be kept current on Commission developments.

States share their success stories with CPSC and the Commission, in turn, disseminates this information to all of the states.

The funded work done by the states is subject to the same quality assurance and is held to the same high standards as work done by the CPSC field staff. The progress and direction of the state work is monitored through weekly conference calls, quarterly reports and a final report at the end of the fiscal year. This enables the Regional Centers to assure that the state contract work is proceeding in accordance with the Commission's Operating Plan and is of adequate quality to meet the Commission's needs. The states report on other product safety work, not funded by CPSC, by providing highlights and summaries to CPSC field offices for input into their required program reports.

### **State and Local Contracts Program**

Cost-effective contracts with state and local agencies for needed services provide a basis upon which greater cooperation can grow. Because the missions are compatible, state and local governments usually match CPSC funds with their own money to accomplish the objective. In addition, state and local contracts allow the Commission to accomplish product safety work in places across our nation that CPSC would not get to otherwise.

In FY95, the Commission supported the state and local contracts program in the amount of \$105,000 -- for Compliance, Hazard Identification and Reduction, and Consumer Information activities. An additional \$40,000 was identified to conduct a CPSC Workshop for State and Local Officials Partners in Safety. Twenty cooperative agreements with state and local officials were developed through the use of these funds.

A listing of those state or local agencies that participated in this program follows:

### **Eastern Region**

#### **Connecticut**

Department of Consumer Protection  
Recall Checks  
In-depth Investigations  
ATV Surveillance  
Partners in Safety

#### **Florida**

Department of Agriculture  
In-depth Investigations  
Recall Checks  
ATV Surveillance  
Partners in Safety

#### **Maryland**

Department of Health & Mental  
Hygiene  
Recall Checks  
In-depth Investigations  
Partners in Safety

#### **New Jersey**

Department of Law and Public Safety  
ATV Surveillance  
Recall Checks  
In-depth Investigations  
Partners in Safety

Monmouth County  
Recall Checks

Passaic County  
Recall Checks

Cumberland County  
Recall Checks

Mercer County  
Recall Checks

Camden County  
In-depth Investigations

#### **New Jersey (Cont'd)**

Poison Information and Education System  
HSA/PPPA Inspections

#### **New York**

Attorney General's Office  
Recall Checks

#### **Puerto Rico**

Department of Consumer Affairs  
In-depth Investigations  
Recall Checks  
Partners in Safety

#### **Rhode Island**

Partners in Safety

#### **Vermont**

Partners in Safety



## Central Region

### Alabama

Birmingham Poison Control Center  
HSA/PPPA Surveillance

### Georgia

Office of Consumer Affairs  
Recall Checks  
ATV Surveillance

### Indiana

State Department of Health  
Recall Checks  
Partners in Safety

### Iowa

Department of Public Health  
In-depth Investigations  
Recall Checks  
Partners in Safety

### Kansas

Bureau of Disease Prevention and  
Control  
Recall Checks

### Kentucky

Bureau of Health Services  
In-depth Investigations  
Recall Checks  
ATV Surveillance  
Partners in Safety

### Minnesota

Attorney General's Office  
ATV Surveillance

### Mississippi

State Board of Health  
Recall Checks  
ATV Surveillance

### Missouri

Division of Health  
Recall Checks  
Partners in Safety

### North Dakota

State Laboratories  
Recall Checks  
Partners in Safety

### Ohio

Department of Health  
Recall Checks  
ATV Surveillance  
Partners in Safety

### Tennessee

Department of Agriculture  
Recall Checks  
ATV Surveillance

### Wisconsin

Department of Agriculture  
In-depth Investigations  
Recall Checks  
ATV Surveillance  
Partners in Safety

## Western Region

### Arkansas

Department of Health  
ATV Surveillance  
Partners in Safety

### California

Department of Health Services  
Recall Checks  
ATV Surveillance  
In-depth Investigations  
Partners in Safety

Bay Area Poison Center  
HSA/PPPA Surveillance

### Colorado

Department of Health  
Recall Checks  
In-depth Investigations  
ATV Surveillance  
Partners in Safety

Tri-County Health Department  
In-depth Investigations

### Idaho

S E District Health Department  
Recall Checks

### Louisiana

Department of Justice  
Partners in Safety

### New Mexico

New Mexico Poison Center  
HSA/PPPA Surveillance

### Oklahoma

Department of Health  
ATV Surveillance  
Recall Checks

### Oregon

Department of Justice  
ATV Surveillance

### Texas

Department of Health  
Recalls  
In-depth Investigations  
ATV Surveillance  
Partners in Safety

### Wyoming

Department of Health  
Recall Checks  
Partners in Safety

## Federal-State-Local Cooperative Program Commissioning Program

Section 29(a)(2) of the Consumer Product Safety Act provides the Commission authority to commission state and local officers for conducting any of three activities on behalf of the CPSC: investigations, inspections, and sample collections.

In furtherance of the Congressional mandate to establish a program to promote Federal and state cooperation, the Commission assists in training state and local officials to qualify for a commission. After commissioning, those officials are knowledgeable in CPSC procedures for inspections, investigations, sample collection, and preparation and submission of reports.

Currently, 204 officials in 30 states are commissioned by the CPSC.

State(s) or Commonwealth	Department	Commissioned Officers
<b><u>Eastern Region</u></b>		
Connecticut	Department of Consumer Protection	Joan Jordan Cynthia M. Clavette Vincent J. Pugliese, Jr.
Delaware	Board of Pharmacy	Dale W. Magee Bonnie Wallner James L. Kaminski Calvin M. Campbell Paul Davis William H. Knotts
Florida	Department of Agriculture & Consumer Services	James R. Kelly Charles W. Andrews Douglas W. Jennings Antonio V. Johnson
Maryland	Department of Health & Mental Hygiene Office of Food Protection & Consumer Health Services	G. Howard Burch Pamela J. Engle David Roberts Bruce Wilhelm James D. Naylor Michael A. Elseroad Linda Westfall Partricia A. Schwaninger John Frank Arthur

<b>State(s) or Commonwealth</b>	<b>Department</b>	<b>Commissioned Officers</b>
<b><u>Eastern Region</u> (Continued)</b>		
Maryland (Continued)	Division of Drug Control	Robert Chang Jack H. Freeman William A. Hahn Charles H. Tregoe Leon Weiner Harold B. Jones
New Jersey	Office of Consumer	Anthony J. Brennan Terry Lawrence Smith Frank C. Stevens Edna M. Woods Mary H. Moore Joseph Palaia Frank Salensky James Andrew Mallett
	Passaic County Office of Consumer Affairs	Mary Ann Maloney
Puerto Rico	Department of Consumer Affairs	Jose Rodriguez Sanchez Carlos Mateo Alers Eunice M. Caussade
South Carolina	Department of Health & Environmental Control	James H. Mattox, Jr Arthur C. Stanley Kenneth W. Montgomery Samuel H. McNutt Miriam M. Jones Charles W. James, Jr. Rebecca H. Cameron
	Board of Pyrotechnic Safety	Bill Porcel Gerard W. Wingard
	Department of Consumer Affairs	Phillips S. Porter Herbert Walker William E. Margee

<b>State(s) or Commonwealth</b>	<b>Department</b>	<b>Commissioned Officers</b>
<u>Eastern Region (Continued)</u>		
Virgin Islands	Consumer Services Administration	Calvin L. Brooks
West Virginia	Department of Labor	Andrew Brown William Hoffman
<u>Central Region</u>		
Alabama	Department of Public Health	Carol Myslinger James McVay Douglas P. O'Connor Mary Elizabeth Lewis Neil A. Accortt
Georgia	Office of Consumer Affairs	Inez Winfrey Connie P. Spearman Charles F. Mills Russell F. Laurens Michael A. Kaiser Diane W. Holland Mary Joyce Flournoy Miriam R. Collins Margaret K. Cash Calvin Cash David R. Boucher
Indiana	State Department of Health	Linda J. Hayman
Kansas	Department of Health and Environment Bureau of Foods and Drugs	James A. Pyles Roger E. Ozias Gary Magathan Launa Osbourn Gerald E. Vornholt Earnest E. Barnes Stephen N. Paige David R. Bustos William G. Spaniol Daniel S. Hutchinson Don Parsons

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State(s) or Commonwealth	Department	Commissioned Officers
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Central Region (Continued)

Kansas(Continued)	Department of Health and Environment Bureau of Foods and Drugs	Mary T. Glassburner Gregory O. Willis Kenneth R. DeLude Allison Crouch Mark Lackey Bonnie J. Howell Melinda L. Rice
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Kentucky	Department of Human Resources  Bureau of Health Services	Michael B. Cavanah Florann R. Strevels Terry M. Wescott Douglas L. Jackson Maxine M. Brown
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Mississippi	State Board of Health	Willie L. Brown, Jr.
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Missouri	Department of Health	John G. Norris
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Ohio	Department of Public Health	Michael W. Moser Gary L. Matson
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Tennessee	Department of Agriculture Food and Drug Division	Richard V. Heinrich Ed K. Watson
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Western Region

Arizona	Department of Health Services	Ronald O. Friday Patricia Arreola Ernesto A. Alonso Cecile M. Fowler Ronald B. Holley Michael Patz Michael J. Porch
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Arkansas	Department of Health	John R. Carter Kenneth E. Free Wynn D. Grandgeorge Tamara Almand Edward L. Free Jennings B. Ivy James P. Jones
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<b>State(s) or Commonwealth</b>	<b>Department</b>	<b>Commissioned Officers</b>
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Western Region (Continued)

Arkansas (Continued)	Department of Health	Robert L. Kemp Charles B. Presson Jimmy W. Shelby James H. Tanner Haldor M. Wilkes Martha Chitwood Carla Gilbreath Gerald O'Bryan
	State Fire Marshal's Office	Dyane B. Mathews

California	Department of Health Services Food and Drug Branch Sacramento	Charles R. Carey Glen C. Lawrence Christopher Wogee Bruce D. Morden Frank J. Nava James J. Paidl Howard Ratzky Zuma D. Ross Edwin Linquist, Jr. Ozzie R. Schmidt Ingeborg B. Small Alan VanGinkel Daniel J. Walsh David L. Weston Sharon P. White
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	Department of Health Services, Sacramento	Joseph N. Bagwood Joseph E. Bewley James R. Gibson Michael C. Gutierrez Dennis M. Moore Jon R. Salmi James M. Waddell Paul W. Walfoort Kathleen L. Young
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<b>State(s) or Commonwealth</b>	<b>Department</b>	<b>Commissioned Officers</b>
<b><u>Western Region (Continued)</u></b>		
California (Continued)	Department of Health Services Food and Drug Branch San Jose	Patrick S. Kennelly Daniel L. Seid
	Department of Health Services Food and Drug Branch San Diego	Eddie Lopez Barbara J. Moynier
	Department of Health Services, Food and Drug Branch Los Angeles	Anthony R. Falzone
	Department of Health Services, Food and Drug Branch Stockton	Arthur Schleicher Jr.
	Department of Health Services Food and Drug Branch Berkeley	Dan R. Chitwood Carl E. Costella Jim D. Eddington James Gorka Michael F. Hernandez Tamara Y. Jackson Gerald G. Leech Jeffrey C. Lineberry
	Department of Health Services, Food and Drug Branch, Terminal Island	Laurie E. Youngren
	Department of Consumer Affairs, Bureau of Home Furnishings, Sacramento	Linda Magdeleno
	Bureau of Home Furnishings and Thermal Insulation, North Highland	Carrie L. Cathalifaud



<b>State(s) or Commonwealth</b>	<b>Department</b>	<b>Commissioned Officers</b>
<u>Western Region</u> (Continued)		
Colorado	Department of Health	Larry T. Berryman William C. Norris Clark C. Wilson Roberta L. Boitano Ricky A. Finney Barbara A. Hruska Patricia A. Klocker Dale T. Tanda Victoria Smith
	Tri-County Health Department	Chris J. Wiant Susan J. Salyards Darryl R. Thompson Lisa C. Butts
Guam	Department of Public Health and Social Services	Rosanna Rebago John F. Salas Bernardino O. Valera
Idaho	Southeast District Health Caldwell	Randy B. Grove
Louisiana	Department of Justice	Tamera Velasquez
New Mexico	Department of Health	Paul Jewell
Oklahoma	Department of Health	K.C. Ely Richard Gunn Tommy L. Nash Nevin L. Starkey
Oregon	City of Gresham Fire Department	Laird A. Case Richard A. Jones Len A. Malmquist Joseph B. Parrott Rebecca L. Thompson

<b>State(s) or Commonwealth</b>	<b>Department</b>	<b>Commissioned Officers</b>
<u>Western Region (Continued)</u>		
Texas	Department of Health Austin	Charles Hallmark Mackie Lawrence Ronald O. Sims
	Department of Health Arlington	Joe Balderas Rhonda Howe Richard M. Lerro
	Department of Health Houston	Richard Boykin Steven Matoon
Wyoming	Department of Agriculture	Howard Hutchings

**Federal-State-Local Cooperative Program  
Memorandum of Understanding (MOU)-Partnership Agreements**

It is the policy of the CPSC to initiate and enter into MOU's with agencies of state or local governments. Such cooperation creates a partnership which extends overall consumer protection through more effective use of collective resources. Partnering creates an arrangement between CPSC and state or local agencies wherein both parties agree to share, at no cost to the other party, the responsibility for certain product safety activities. These agreements are usually with agencies having responsibilities that are similar to CPSC's.

Partnership agreements have resulted in a free exchange of information on inspectional activity, recalls, enforcement actions, and outreach programs. It has provided cross-training and an increase in state expertise in product safety.

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<b>State or Commonwealth</b>	<b>Department</b>
<u>Eastern Region</u>	
Connecticut	Office of Chief Medical Examiner Drug Control Division Department of Consumer Protection
Delaware	Department of Community Affairs and Economic Development Board of Pharmacy
District of Columbia	Department of Consumer and Regulatory Affairs
Florida	Department of Agriculture and Consumer Services
Maine	Division of Health Engineering Home Economic Resource Center Northeast Combat Division of Licensing & Enforcement
Maryland	Department of Health & Mental Hygiene Drug Control Administration
Massachusetts	Department of Public Health Board of Registration in Pharmacy

<b>State or Commonwealth</b>	<b>Department</b>
<u>Eastern Region</u> (Continued)	
New Hampshire	Safety Council
New Jersey	Office of Consumer Protection Drug & Poison Information Center
New York	Education Department Office of Profess Discipline (OPD)
North Carolina	State Board of Pharmacy
Pennsylvania	Department of Health Allegheny County Health Dept. Bureau of Consumer Protection
Puerto Rico	Department of Consumer Affairs Board of Pharmacy
Rhode Island	Consumers' Council Division of Drug Control
South Carolina	Department of Health and Environmental Control Board of Pharmacy
Virginia	Department of Agriculture & Consumer Services Board of Pharmacy
Virgin Islands	Consumer Services Administration Board of Pharmacy
West Virginia	Department of Labor Board of Pharmacy

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**State or Commonwealth****Department**

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**Central Region**

Alabama	Department of Public Health
Georgia	Office of Consumer Affairs
Illinois	Department of Public Health Office of Environmental Health
Indiana	State Department of Health
Iowa	State Department of Public Health
Kansas	Dept. of Health & Environment
Kentucky	Department of Human Services
Michigan	Center for Environmental Health Sciences Department of Health
Minnesota	Attorney General's Office
Mississippi	State Board of Health
Missouri	Department of Health
Nebraska	State Dept. of Health
North Dakota	State Laboratories Branch
Ohio	Department of Health
South Dakota	Department of Health
Tennessee	Department of Agriculture
Wisconsin	Department of Agriculture Trade & Consumer Division

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**State or Commonwealth****Department**

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**Western Region**

Alaska	Department of Health and Social Services
Arizona	Board of Pharmacy
Arkansas	Department of Health Board of Pharmacy
California	Department of Health Food & Drug Section Bureau of Home Furnishing
Colorado	Department of Health
Idaho	Board of Pharmacy
Louisiana	Board of Pharmacy
Montana	Department of Health & Environmental Services Board of Pharmacy
New Mexico	Health & Environment Department
Oklahoma	State Department of Health
Oregon	Office of State Fire Marshal Board of Pharmacy
Texas	Department of Health Board of Pharmacy
Washington	Board of Pharmacy
Wyoming	Board of Pharmacy

## LIST OF STATE DESIGNEES

State Designees are the Commission's primary liaison with state and local officials. State Designees are appointed, at the Commission's request, by the Governor of each state. This individual serves as a liaison for product safety efforts within the state.

### EASTERN REGION

#### Connecticut

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#### Delaware

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820 North French Street  
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#### District of Columbia

Ms. Barbara Gibbs  
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#### Florida

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#### Maine

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#### Maryland

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## EASTERN REGION (Continued)

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### New Jersey

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### New York

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### North Carolina

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### Pennsylvania

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### Puerto Rico

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## EASTERN REGION (Continued)

### South Carolina

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### Virgin Islands

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### West Virginia

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## CENTRAL REGION

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### Georgia

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### Illinois

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Illinois Department of Public  
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### Iowa

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### Kansas

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### Kentucky

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Cabinet for Human Resources  
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## CENTRAL REGION (Continued)

### Minnesota

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### Mississippi

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### Nebraska

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### North Dakota

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FAX. (701) 328-4727

### Ohio

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### South Dakota

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### Tennessee

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**CENTRAL REGION (Continued)**

**Wisconsin**

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## WESTERN REGION

### Alaska

Ms Karen Purdue  
Commissioner  
Alaska Department of Health  
and Social Services  
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### Arizona

Mr Lee A Bland  
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Health  
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### Arkansas

Mr Jim Shelby  
Assistant Director  
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Arkansas Department of Health  
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### California

Ms F. Kimberly Belshe  
Director  
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State of California  
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## WESTERN REGION (Continued)

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**WESTERN REGION (Continued)**

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# APPENDIX J: Organizational Structure and Functions



## **Organizational Structure and Functions**

As provided in the Consumer Product Safety Act of 1972, the Chairman and Commissioners are the key policy makers of the U.S. Consumer Product Safety Commission. The staff carries out their decisions and policies.

The Consumer Product Safety Act provides for five Commissioners but three Commissioners currently head the agency. The Commission annually elects a Vice Chairman.

The Chairman is the principal executive officer of the Commission.

**The following offices report directly to the Chairman:**

**Office of Congressional Relations** acts as the Commission's liaison with Congress. It provides information and assistance to congressional committees, responds to inquiries by legislators, and coordinates written and oral testimony by Commissioners and agency staff.

**Office of Equal Opportunity and Minority Enterprise** monitors compliance with all laws, regulations, rules, and internal policies relating to equal employment opportunity. It also ensures compliance with relevant provisions of the Small Business Act, and conducts the Upward Mobility Program.

**Office of the General Counsel** is the legal arm of the Commission. Staffed by lawyers, it provides advice and counsel to the agency and staff on all legal matters, including contracting, personnel issues, legal review of all reports, memoranda, press releases, and publications. It advises the Commission on matters of standards development, rules, petitions, interpretations of prevailing regulations, and Federal court litigation concerning compliance matters. It also defends court challenges to rules and other Commission actions.

**Office of the Inspector General** is an independent office established under the provisions of the Inspector General Act, as amended. Reporting only to the Chairman, this office independently initiates, conducts, and supervises audits, operations reviews, inspections, and investigations of Commission programs, activities, and operations to prevent and detect waste, fraud, and abuse. It makes recommendations to promote economy, efficiency, and effectiveness within the Commission's programs and operations. The office also receives and investigates complaints or information concerning possible violations of law or regulations, mismanagement, abuse of authority, and waste of funds.

**Office of the Secretary** prepares the agendas for official agency meetings, maintains official records of Commission actions, manages the docket of adjudicative proceedings, and responds to requests for documents under the Freedom of Information Act (FOIA) and the Privacy Act. It issues the agency's official documents, including Federal Register notices, prepares and publishes the Public Calendar of Commission meetings, and supervises the operations of CPSC's public reading room.

**Office of the Executive Director**, under the broad directions of the Chairman and in accordance with Commission policy, acts as the chief operating manager of the agency, supporting the development of the agency's budget and operating plan before and after Commission approval, and managing the execution of those plans.

**The following offices report to the Executive Director:**

**Office of the Budget** is responsible for overseeing the development of the Commission's budget. The office, in consultation with other offices and directorates prepares, for the Commission's approval, the annual budget requests to Congress and the Office of Management and Budget and the operating plans for each fiscal year. It manages execution of the Commission's budget. The office recommends to the Office of the Executive Director actions to enhance effectiveness of the Commission's programs and activities.

**Office of Information and Public Affairs** is the Commission's touchstone with consumers and the media. It prepares and publishes brochures, booklets, fact sheets, and safety alerts recommending the safe ways for consumers to purchase and use products in the home environment. Press releases are prepared and circulated to the media on Commission actions, product recalls, and seasonal events such as toy safety, fireworks, baby safety, grass cutting, residential pool use, and National Poison Prevention Week.

**Office of Planning and Evaluation** is responsible for short- and long-term planning and evaluating of agency programs and accomplishments. Evaluation studies are conducted to determine how well the Commission fulfills its mission. The office also manages the Commission's information collection budget and obtains Office of Management and Budget clearance for information collections.

**Office of Compliance** directs the conduct of compliance with and administrative enforcement of Commission rules and regulations. The office, staffed by lawyers and compliance specialists and working with field staff, initiates investigations on safety hazards of products already in the consumer marketplace or being offered for import. It enforces the requirement that firms identify and report product defects which could present possible substantial hazards, violations of consumer product safety rules, and violations of standards relied upon by the Commission. It negotiates and subsequently monitors corrective action plans designed to give public notice of hazards and recall defective or non-complying products. In addition, it provides advice and guidance to regulated industries on complying with Commission rules and regulations.

**Office of Hazard Identification and Reduction** manages the Commission's Hazard Identification and Analysis Program and its Hazard Assessment and Reduction Program. The office develops strategies for and implements the agency's operating plan for these two hazard programs. The office reports to the Executive Director, and has line authority over the Directorates for Epidemiology and Health Sciences, Economic Analysis, Engineering Sciences, and Laboratory Sciences. The office's responsibilities include the collecting and analyzing of data to identify hazards and hazard patterns, the carrying out of the Commission's regulatory and voluntary standards development projects, and providing coordination of international activities related to consumer product safety. This office also provides technical and economic support for the Commission's compliance activities. The office assures that relevant technical, environmental and economic impacts of projects are comprehensively and objectively presented to the Commission for decision. The office also evaluates petitions received by the Commission.

**Office of Human Resources Management** provides human resources management support to the Commission in the areas of recruitment and placement, position classification, training and executive development, employee and labor relations, employee benefits and retirement assistance, employee assistance programs, drug testing, leave administration, disciplinary and adverse actions, grievances and appeals, performance management, and physical security.

**Office of Information Services** is responsible for policy and operations relating to agency collection, use, and dissemination of information. The Office provides information technology support for data collection, information retrieval, report generation, and statistical and mathematical operations of the agency. The Office maintains the agency's local area networks and develops and supports other network applications such as electronic mail. The Office manages the agency's toll-free Hotline, Internet and fax-on-demand services. The Office is responsible for the agency's injury information Clearinghouse, information resources management (including records management), and managing the agency's directive system.

**Directorate for Field Operations** is responsible for all Commission field operations. The Commission's 130 member field staff, located in 37 cities across the country, supports the full range of CPSC programs. The field staff conduct in-depth investigations of injuries and deaths, provide local support for the hospitals that report through the NEISS system, and collect reports of product-related incidents. Field investigators inspect manufacturers, importers, distributors, and retailers and collect product samples for testing or evaluation to determine violations of safety regulations and possible substantial product hazards. The field staff insure that appropriate action is taken to correct any violations. They also negotiate and monitor recalls of hazardous products and provide advice and guidance to industry. The field staff implement national safety education campaigns, respond to inquiries, and work with the press and local organizations to bring product safety information to the consumer. The field staff also work with state and local officials and private organizations to inform the public about the safe use of consumer products and to obtain compliance with CPSC laws and regulations.

**Directorate for Administration** is responsible for formulating and executing general administrative policies in the areas of financial management, procurement, property and space management, security equipment maintenance, printing, and warehousing, mail, duplication, and labor services

# APPENDIX K: Advisory Opinions

## Advisory Opinions

No.	Date of	From/To	Subject
314	07/07/95	Eric A. Rubel, General Counsel, CPSC/ Richard A. Vognild, Southern Bld. Code Cong. Int. & Robert McCluer, Bld. Officials and Code Administrators Int.	State or local require- ments that used the flame spread test of ASTM E 84 for cellulose insulation would be preempted by sec. 26, CPSA
315	09/15/95	Stephen Lemberg, Asst. Gen. Counsel, CPSC/H. Allen Irish, Natl. Paint & Coatings Assoc.	The fee and registra- tion provisions of the Texas Hazardous Substances Act is likely not preempted by the FHSA