



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

MINUTES OF COMMISSION MEETING

May 17, 2018

Acting Chairman Ann Marie Buerkle convened the May 17, 2018, 10:00 a.m., meeting of the U.S. Consumer Product Safety Commission in open session. Commissioners Robert S. Adler, Marietta S. Robinson and Elliot F. Kaye were in attendance. Acting Chairman Buerkle made welcoming remarks and summarized the agenda for the meeting.

Decisional Matter: Fiscal Year ("FY") 2018 Midyear Review and Proposed Operating Plan Adjustments

(Briefing package dated April 25, 2018)

After introducing the matter, Acting Chairman Buerkle began the meeting with a round of questions allotting five minutes to each Commissioner. Present to respond to questions were DeWane Ray, Deputy Executive Director for Safety Operations, Monica Summitt, Deputy Executive Director, Operations Support and Jay Hoffman, Director, Office of Financial Management. Acting Chairman Buerkle, Commissioner Adler and Commissioner Robinson did not have any questions for the staff. Commissioner Kaye asked a question of the staff. Staff then responded to Commissioner Kaye's question. Acting Chairman Buerkle asked the Commissioners if there were any additional questions, to which there were none.

Acting Chairman Buerkle then excused the staff and called for consideration of the Fiscal Year 2018 Mid-Year Review and Proposed Operating Plan Adjustments as proposed by staff and then any amendments to the proposal. Acting Chairman Buerkle introduced a Manager's Amendment that, for the sake of convenience, outlined multiple amendments from each Commissioner into a Managers Amendment of all of the Commissioners. Before calling for a second, Acting Chairman Buerkle asked each Commissioner to take up to three minutes to introduce their portion of the Managers Amendment. Each Commissioner described and explained their respective portions of the Manager's Amendment. Acting Chairman Buerkle asked for a second to the Managers Amendment and Commissioner Kaye seconded the motion. The Commissioners then moved to consideration of the Manager's Amendment. Each Commissioner had five minutes to discuss the Manager's Amendment.

After the discussion, and having heard no further comments or questions on the Managers Amendment, Acting Chairman Buerkle called for a vote on Manager's Amendment. The Commission voted unanimously (4-0) to adopt the Manager's Amendment. The adopted amendment is attached.

Minutes of CPSC Decisional Meeting May 17, 2018; Fiscal Year (“FY”) 2018 Midyear Review and Proposed Operating Plan Adjustments

Acting Chairman Buerkle called for any other amendments or motions and hearing none, Acting Chairman Buerkle called for consideration of the Fiscal Year 2018 Mid-Year Review and Proposed Operating Plan as amended. Acting Chairman Buerkle asked for further comments on the Fiscal Year 2018 Mid-Year Review and Proposed Operating Plan as amended and having heard no further comments, called for a vote on Fiscal Year 2018 Mid-Year Review and Proposed Operating Plan Adjustments as amended. The Commission voted unanimously (4-0) to adopt the Fiscal Year 2018 Mid-Year Review and Proposed Operating Plan Adjustments as amended.

Acting Chairman Buerkle called for any other motions or questions. Hearing none, Acting Chairman Buerkle called for closing statements. Acting Chairman Buerkle, Commissioners Adler and Robinson made closing statements; Commissioner Kaye did not make a closing statement.

There being no other business, Acting Chairman Buerkle then concluded and adjourned the meeting at 10:05 a.m.

For the Commission:



Alberta E. Mills
Secretary

Attachments: **Manager’s Amendment**

Proposed Amendments
FY 2018 Midyear Review and Proposed Operating Plan Adjustments

1. Replace the list of recommended projects in Table 2 with the following projects in order of priority:

Table 2. Projects

1	EXHR	Portable Generators	\$650
2	EXHR	ATV Occupant Protection (OP)-Evaluate Existing Device	\$340
3	EXHR	Gas Appliance CO Sensors	\$315
4	EXHR	LI Battery Internal Short-Detection Technology Investigation	\$200
5	EXHR	PPPA Testing for Coin Cell Battery Packages	\$47
6	EXHR	Furniture Tip-over Testing	\$67.5
7	EXHR	Magnet Set Market Assessment	\$100
8	EXHR	Infant and Toddler Strength Measurement	\$800
9	EXIS	e-Commerce Requirements	\$400
10	EXHR	New Technology Investigation via Challenge.gov	\$50
11	EXHR	Data Analysis Expansion: Urgent Care	\$500
12	EXHR	Exposure and Risk Data and Analysis Methodology Expansion	\$950
13	EXHR	FMD Disposable Fuel Bottle	\$65
14	EXHR	ATV R&D for OP-Develop and Evaluate Proof of Concept Device	\$695

2. In Attachment 2, renumber and reorder the detailed product descriptions to be consistent with the changes to Table 2 described above.

3. In Attachment 2, replace the detailed project description for "Furniture Tip-over" with the following:

Furniture Tip-over Testing	\$67.5	This project supports planned voluntary standard and mandatory standard development for clothing storage unit safety. This funding will support further work on key performance requirements that may be proposed, including obtaining dresser samples and test supplies to assess certain provisions in a clothing storage unit performance standard. The funding and completion of the project shall not delay the issuance of a Notice of Proposed
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		rulemaking for Furniture Tip-over as specified in the Fiscal Year 2018 Operations Plan.
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4. In Attachment 2, strike the detailed project description for “Safe Sleep - Play Yard Mattress Firmness Study”.

5. In Attachment 2, insert the following detailed project description for “Magnet Set Market Assessment”:

Magnet Set Market Assessment	\$100	This project will authorize funding for a marketplace survey to determine – a) the number of firms offering high-power magnet sets (as defined in the Commission’s Sept. 4, 2012 notice of proposed rulemaking), and b) the number of magnet sets being sold to American consumers; and to purchase and test magnet sets to determine whether they meet the definition of high-powered magnet sets in the Commission’s Sept. 4, 2012 notice of proposed rulemaking. In accordance with this survey, staff shall conduct IDIs on ongoing basis to determine among young children –a) Age of child who swallowed high-powered magnets b)When magnets ingested c) How many magnets ingested d)) When ingestion discovered e) Harm to child.
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6. In Attachment 2, replace the detailed project description for “Pool Drowning New Technology Investigation via Challenge.gov” with the following:

New Technology Investigation via Challenge.gov	TBD	Subject to the approval of OGC and OEX, and in consultation with OCM as appropriate, EXHR will identify candidates for Challenge.gov challenges; develop Challenge.gov templates; publicize contests; and fund awards for at least two critical safety issues. At least ninety percent of monies allocated shall be reserved for prize money.
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7. In Attachment 2, add the following detailed project description for “Data Analysis Expansion: Urgent Care”:

Data Analysis Expansion: Urgent Care	\$500	This project enhances the CPSC’s data analysis capabilities by identifying emerging consumer product hazards through monitoring of urgent care centers for product-related injuries.
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8. Amend Project 13328 – Consumer Product Safety Risk Management System (CPSRMS) on page 37 of the Fiscal Year 2018 Operating Plan to add the following after the last sentence:

EXIT staff, in consultation with internal and external users of saferproducts.gov, shall create a plan for updating and upgrading saferproducts.gov, to be included in the proposed FY2019 Operating Plan. The plan shall take into account relevant stakeholder testimony from the April 2018 Priorities Hearing, and reports and recommendations from stakeholders and the Government Accountability Office. The planned updates and upgrades shall include, among other things, enhancements to user experience such as making the website mobile-friendly, expansion and updating of data fields, and improvements to integration with CPSC's internal data systems.