

Federal Building, Room 461, P.O. Box 21668, Juneau, Alaska 99802 (907/586-7012); and

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802 (562/980-4001).

Written comments or requests for a public hearing on this request should be submitted to the Chief, Permits and Documentation Division, F/PR1, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13822, Silver Spring, MD 20910. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular amendment request would be appropriate.

Comments may also be submitted by facsimile at 301/713-0376, provided the facsimile is confirmed by hard copy submitted by mail and postmarked no later than the closing date of the comment period. Please note that comments will not be accepted by e-mail or other electronic media.

**FOR FURTHER INFORMATION CONTACT:** Trevor Spradlin, 301/713-2289.

**SUPPLEMENTARY INFORMATION:** The subject amendment to Permit No. 867-1388, issued on July 25, 1997, (62 FR 50906) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Permit No. 867-1388 authorizes the permit holder to take by Level B harassment several species of small delphinid cetaceans in Hawaii and North Carolina waters for purposes of commercial photography. The permit holder now requests authorization to film the following marine mammals in Alaska waters: killer whales (*Orcinus orca*), Dall's porpoises (*Phocoenoides dalli*), Pacific white-sided dolphins (*Lagenorhynchus obscurus*), harbor porpoises (*Phocoena phocoena*), and minke whales (*Balaenoptera acutorostrata*).

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this amendment request to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: May 21, 1998.

**Art Jeffers,**

*Acting Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 98-14126 Filed 5-27-98; 8:45 am]

BILLING CODE 3510-22-F

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## COMMODITY FUTURES TRADING COMMISSION

### Financial Products Advisory Committee; Public Meeting

This is to give notice, pursuant to Section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, section 10(a) and 41 CFR 101-6.1015(b), that the Commodity Futures Trading Commission's Financial Products Advisory Committee will conduct a public meeting in the ground level hearing room at the Commission's Washington, DC headquarters located at 1155 21<sup>st</sup> Street, N.W., Washington, DC 20581, on June 11, 1998, beginning at 1:00 p.m. and lasting until 4:30 p.m.

The agenda will consist of:

#### Agenda

1. Introductory Remarks by Chairperson Brooksley Born.
2. Discussion by members of the Advisory Committee of the following topics:
  - A. Use of notional funds by commodity trading advisors.
  - B. Placement of foreign exchange terminals in the United States.
  - C. Year 2000 preparations of the futures industry.
3. New developments.

The purpose of this meeting is to solicit the views of the Committee on these agenda matters. The Advisory Committee was created by the Commodity Futures Trading Commission for the purpose of advising the Commission on issues concerning individuals and industries interested in or affected by financial markets regulated by the Commission. The purposes and objectives of the Advisory Committee are more fully set forth in the April 15, 1997 Charter of the Advisory Committee.

The meeting is open to the public. The Chairperson of the Advisory Committee, CFTC Chairperson Brooksley Born, is empowered to conduct the meeting in a fashion that will, in her judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Advisory Committee should mail a copy of the statement to the attention of: the Commodity Futures Trading

Commission Financial Products Advisory Committee, c/o Ms. Josiane Branch, 1155 21<sup>st</sup> Street, N.W., Washington, DC 20581, before the meeting.

Issued by the Commission in Washington, D.C., on May 22, 1998.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 98-14188 Filed 5-27-98; 8:45 am]

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## CONSUMER PRODUCT SAFETY COMMISSION

### Notice of Availability of Guidance Document on Hazardous Liquid Chemicals in Children's Products

**AGENCY:** U.S. Consumer Product Safety Commission.

**ACTION:** Notice of availability of guidance document on hazardous liquid chemicals in children's products.

**SUMMARY:** The Commission announces that it has approved a statement that provides guidance for manufacturers, importers, distributors, and retailers of liquid-filled consumer products that may contain harmful liquids. To protect children and other persons from the toxic effects of exposure to these chemicals, the Commission recommends that manufacturers of such products refrain from filling the products with hazardous liquids. Further, the Commission recommends that, before purchasing such products for resale, importers, distributors, and retailers obtain assurances from manufacturers that liquid-filled children's products do not contain hazardous liquid chemicals.

**FOR FURTHER INFORMATION CONTACT:** Frank Krivda, Office of Compliance, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0400, ext. 1372.

**SUPPLEMENTARY INFORMATION:** The text of the guidance document is as follows:

#### U.S. Consumer Product Safety Commission, Washington, DC 20207

*Guidance for Hazardous Liquid Chemicals in Children's Products*

**SUMMARY:** The U.S. Consumer Product Safety Commission issues this guidance to manufacturers, importers, distributors, and retailers to protect children from exposure to hazardous chemicals found in liquid-filled children's products, such as rolling balls, bubble watches, necklaces, pens, paperweights, keychains, liquid timers,

and mazes.<sup>1</sup> The Commission identifies the major factors that it considers when evaluating liquid-filled children's products that contain hazardous chemicals, and informs the public of its experience with exposure to these hazardous chemicals to children. To reduce the risk of exposure to hazardous chemicals, such as mercury, ethylene glycol, diethylene glycol, methanol, methylene chloride, petroleum distillates, toluene, xylene, and related chemicals, the Commission requests manufacturers to eliminate the use of such chemicals in children's products. The Commission also recommends that, before purchasing products for resale, importers, distributors, and retailers obtain assurances from manufacturers that liquid-filled children's products do not contain hazardous liquid chemicals.

**Hazard:** During reasonably foreseeable handling or use of liquid-filled children's products, hazardous chemicals may become accessible to young children in a manner that places children at risk. Young children are exposed to the chemicals from directly mouthing them or from handling such objects and subsequent hand-to-mouth or hand-to-eye activity. The specific type and frequency of behavior that a child exposed to a product will exhibit depends on the age of the child and the characteristics and pattern of use of the product. The adverse health effects of these chemicals to children include chemical poisoning from ingestion of the chemicals, pneumonia from aspiration of the chemicals into the lungs, and skin and eye irritation from exposure to the chemicals. The chemicals may also be combustible.

**Guidance:** Under the Federal Hazardous Substances Act (FHSA), 15 U.S.C. 1261(f)(1), chemical products that are toxic or irritants and that may

cause substantial injury or illness under reasonably foreseeable conditions of handling or use, including reasonably foreseeable ingestion by children, are "hazardous substances." A product that is not intended for children, but that creates such a risk of injury because it contains hazardous chemicals, requires precautionary labeling under the Act. 15 U.S.C. 1261(p). A toy or other article intended for use by children that contains an accessible and harmful amount of a hazardous chemical is banned. 15 U.S.C. 1261(q)(1)(A). In evaluating the potential hazard associated with children's products that contain hazardous chemicals, the Commission's staff considers certain factors on a case-by-case basis, including: the total amount of the hazardous chemical in a product, the accessibility of the hazardous chemicals to children, the risk presented by that accessibility, the age and foreseeable behavior of the children exposed to the product, and the marketing, patterns of use, and life cycle of the product.

The Commission staff has identified a number of liquid-filled children's products, such as rolling balls, bubble watches, necklaces, pens, paperweights, maze toys, liquid timers, and keychains, that contain hazardous chemicals. In several of these cases, the staff determined that these products violated the FHSA because they presented a risk of chemical poisoning and/or chemical pneumonia from aspiration. This determination resulted in recalls or in the replacement of those products with substitutes, as well as in agreements with the manufacturers to discontinue the use of hazardous chemicals in liquid-filled children's products in future production. The Commission believes that these hazardous substances pose a risk to young children and, consequently, manufacturers should not have included them in the product design or manufacturing process.

Therefore, the Commission considers the use of hazardous chemicals in

children's products such as those described above to be ill-advised and encourages manufacturers to avoid using them in such products. Further, the Commission recommends that, before, purchasing such products for resale, importers, distributors, and retailers obtain assurances from manufacturers that liquid-filled children's products do not contain hazardous liquid chemicals.

Dated: May 21, 1998.

**Sadye E. Dunn,**

*Secretary, Consumer Product Safety Commission.*

[FR Doc. 98-14134 Filed 5-27-98; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 98-40]

#### 36(b)(1) Arms Sales Notification

**AGENCY:** Department of Defense, Defense Security Assistance Agency.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. J. Hurd, DSAA/COMPT/RM, (703) 604-6575

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 98-40, with attached transmittal, policy justification and sensitivity of technology.

Dated: May 21, 1998.

**L.M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

BILLING CODE 5000-04-M

<sup>1</sup> This guidance is not a rule. It is intended to highlight certain obligations under the Federal Hazardous Substances Act. Companies should read that Act and the accompanying regulations at 16 CFR Part 1500 for more detailed information.