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Mr. Alan J. Andersen
Orcon Corporation
22735 Sutro Street
Hayward, California 94541

Dear Mr. Andersen:

This is in further response to your December 16, 1974 letter to Albert F. Limberg, Operations Director of our San Francisco Area Office. You requested an advisory opinion as to whether a stadium blanket would be covered by rules and regulations of the Flammable Fabrics Act, Commercial Standard 191-53 in particular, or by the Consumer Product Safety Act.

As you know, CS191-53 is applicable to "clothing and textiles intended to be used for clothing" (section 2.1). In our view, stadium blankets are not "clothing" for the purposes of CS191-53, and are therefore not required to meet that regulation's specifications.

A Notice of Possible Need for a Flammable Fabrics Act standard directly applicable to blankets was published in June 1970 (copy of Federal Register notice enclosed), but no further action has been taken on the notice. If the Commission were to find that it could not utilize the Flammable Fabrics Act to sufficiently reduce a risk of injury related to the flammability of blankets, it could instead use the provisions of the Consumer Product Safety Act to regulate blankets (see section 30(d) of the Consumer Product Safety Act, copy enclosed). However, no such finding has thus far been made.

Please let us know if you have any further questions.

Sincerely,

Michael A. Brown

Michael A. Brown
General Counsel

ADVISORY OPINION

Enclosures

117