#199

OFFICE OF ... APR 21 ... CONSUMER PRODUCT SAFETY COMMISSION

U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

MFR/PRVLBR NOTIFIED
____ No comments made
✓ Comments attached
____ Excisions/Revisions
____ Firm has not requested further notice

APR 2 4 1975

Mr. E. B. Brookbank, Jr.
Mead Corporation
Talbott Tower
Dayton, Ohio 45401

Dear Mr. Brookbank:

This is in reply to your letter of September 17, 1974, in which you inquired whether the provisions of 16 CFR 1500.83(a)(3) are applicable to "plastic" paper. The regulation at 16 CFR 1500.83(a)(3) exempts paper items such as newspapers, wrapping papers, toilet and cleansing tissues, and paper writing supplies from the labeling requirements of section 2(p)(1) of the FHSA insofar as they apply to the products being considered hazardous because of being "flammable" or "extremely flammable" as defined in 16 CFR 1500.3(c)(6)(iii) and (iv).

It is the opinion of the Office of the General Counsel that the exemption provision of 16 CFR 1500.83 (a)(3) is also applicable to "plastic" paper as described in your letter, as long as the burning characteristics of the plastic paper are not significantly different from "paper" made of cellulose fibers. Further, we believe the exemption provision also applies to paper, including "plastic" paper used in such items as children's books, components of toys (such as pressure-sensitive labels), maps, educational charts and the like. While the views expressed in this letter are based on the most current interpretation of the law by this office, they could subsequently be changed or superseded by the Commission.

Please let us know if we can be of further assistance.

Sincerely,

Michael A. Brown
General Counsel

ADVISORY OPINION

Mead

Talbott Tower
Dayton, Ohio 45401

Telephone: 513-222-9561

September 17, 1974

Consumer Product Safety Commission
Washington, D. C. 20207

Request for Interpretation of Federal Hazardous Substances Act Regulations §1500.83(a)(3)

Sirs:

The subject regulation provides, for paper items such as newspapers, wrapping papers, toilet and cleansing tissues, and paper writing supplies, an exemption from the labeling requirements of section 2 (p)(1) of the act (repeated in §1500.3(b)(14)(i) insofar as they apply to the products being considered hazardous because of being "flammable" or "extremely flammable" as defined in §1500.3(c)(6)(iii) and (iv).

Does this exemption include plastic papers?

The Mead Corporation markets plastic papers composed of polyolefin resins opacified with mineral pigments such as calcium carbonate and titanium dioxide and produced by extrusion of the composition through a heated, slit-like die. These plastic papers are converted by Mead's customers into such items as children's books, components of toys (such as pressure-sensitive labels, see enclosed ad), maps, educational charts, and the like.

The plastic papers are completely washable, strong and non-toxic. They are less flammable than cellulosic papers as evidenced by the following comparitive data, using the procedure set forth in §1500.44:

Type of Paper	Basis Weight*	Burn Rate inches/second MD	CD	Ave.
Bond(stationery)	51	0.212	0.250	0.231
Grocery Bag	41	0.240	0.234	0.237
Newspaper	38	0.305	0.352	0.328
Magazine Cover Paper	80	0.142	0.137	0.140
Acro Art Plastic Paper	80	0.140	0.070	0.105
Acro Print Plastic Paper	90	0.099	0.107	0.103

*expressed as pounds per ream of 500 sheets 25" x 38".

All samples were unprinted.

2

Mead

It was noted during the tests that the two plastic papers could be easily extinguished by lightly blowing on them, while the cellulosic paper samples could not be extinguished in this manner.

The plastic papers marketed by The Mead Corporation are sold under the brand names of AcroArt and AcroPrint. They differ in some physical properties such as smoothness, opacity and strength. These brands are manufactured by Acroline Company, a Mead/Union Carbide Affiliate.

Your prompt response to this request will be greatly appreciated.

Respectfully yours,

THE MEAD CORPORATION

E. B. Brookbank, Jr.

EBB:fmf

Enclosures: Typical samples of AcroArt and AcroPrint plastic papers.