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Aug 21, 1973

W. O. Schoedinger, President
F. O. Schoedinger, Inc.
Box 28
Columbus, Ohio 43216

Dear Mr. Schoedinger:

We are in receipt of your letter dated August 8, 1973 in which you state that you were told that it is necessary to divulge a hazard in any product that you handle. You have requested clarification as to the definition of a hazard.

Section 15 of the Consumer Product Safety Act, 15 USC 2064, states in relevant part:

> Sec. 15(a). For purposes of this section, the term "substantial product hazard" means -
> (1) a failure to comply with an applicable consumer product safety rule which creates a substantial risk of injury to the public, or
> (2) a product defect which (because of the pattern of defect, the number of defective products distributed in commerce, the severity of the risk, or otherwise) creates a substantial risk of injury to the public.
>
> (b) Every manufacturer of a consumer product distributed in commerce, and every distributor and retailer of such product, who obtains information which reasonably supports the conclusion that such product -
> (1) fails to comply with an applicable consumer product safety rule; or
> (2) contains a defect which would create a substantial product hazard described in subsection (a)(2),
> shall immediately inform the Commission of such failure to comply or of such defect, unless such manufacturer, distributor, or retailer has actual knowledge that the Commission has been adequately informed of such defect or failure to comply.

It can be seen from the foregoing that all "hazards" are not required to be reported to the Commission. Rather, only those product defects which could create a substantial risk of injury to the public, or products which fail to comply

with an applicable consumer product safety rule and create a risk of injury to the public must be reported.

For your information we are enclosing a copy of the Consumer Product Safety Act as well as a proposed regulation governing Section 15(b) of the Act.

Sincerely,

Michael A. Brown

Michael A. Brown
Acting General Counsel

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~~XXXXXX~~;smm:8-17-73

cc: GC File
GC Chron
Alan Schoem

Enclosures (2)