MFR/PRVLBR NOTIFIED
✓ No Comments made
Comments attached
Excisions/Revisions
Firm has not requested further notice
8/17/84

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OFFICE OF ...
APR 28 ...
CONSUMER PRODUCT SAFETY COMMISSION

#200

U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

APR 28 1975

Mr. Steve Mack
Clopay Corporation
Clopay Square
Cincinnati, Ohio 45214

Dear Mr. Mack:

Tom Folkes has referred to the Office of the General Counsel your letter inquiring whether vinyl window shades, folding doors, and self adhesive wall covering are subject to the Commission's jurisdiction.

Under the Consumer Product Safety Act (15 U.S.C. 2051) the Commission has jurisdiction over all consumer products. The term "consumer product" as defined in the Act includes any article or component part produced or distributed for sale to a consumer or for the personal use, consumption or enjoyment of a consumer in or around a permanent or temporary household or residence, a school, in recreation, or otherwise. Certain products regulated by other federal agencies, such as motor vehicles, aircraft, food, drugs and cosmetics, are excluded from the definition of "consumer product."

The products you describe appear to be subject to the Commission's jurisdiction as consumer products. To date, the Commission has issued no safety rules in regard to these products. However, section 15 of the Consumer Product Safety Act (15 U.S.C. 2064) requires the manufacturer, distributor and retailer of a consumer product to immediately notify the Commission upon obtaining information that the product fails to comply with a safety rule issued by the Commission or contains a defect which could create a substantial product hazard. A substantial product hazard is defined to include a product defect that, because of the pattern of the 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. A failure to report to the Commission a substantial product hazard is a violation of the act and could result in the imposition of civil or criminal penalties.

The Congressional Record contains the proceedings and debates of Congress, but it is not an official record of the law. Enclosed for your information is a copy of the CPSA.

Sincerely,

Margaret A. Freeston

Margaret A. Freeston
Acting Assistant General Counsel

Enclosure