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Aug 23, 1973

Honorable James C. Cleveland
House of Representatives
Washington, D. C. 20515

Dear Mr. Cleveland:

We are responding to your letter of June 26, 1973, regarding the explosion hazards of pressurized spray containers which has been forwarded to this agency by the Office of Consumer Affairs. Your letter refers to a complaint from your constituent, Miss [redacted], [redacted] Nashua, New Hampshire, objecting to a sample of [redacted] deodorant having been mailed to her home.

At the present time, this agency has no regulation dealing with the explosion hazards of pressurized spray containers. Deodorants, being cosmetics and subject to the Federal Food, Drug, and Cosmetic Act, are specifically exempted from the Consumer Product Safety Act, which we administer. In our view, however, the container itself is a "consumer product" which is subject to regulation under the Consumer Product Safety Act.

Although information available to us now leads us to believe that products in pressurized spray containers may be safely used and stored in the household, provided that normal precautions are taken to avoid puncturing containers or subjecting them to excessive heat or incineration, you can be assured that appropriate regulatory action will be taken should it become necessary.

We hope these comments are helpful to you in responding to your constituent. A copy of your letter is enclosed for your convenience.

If we can be of further assistance in this matter, please let us know.

Sincerely,

Richard O. Simpson
Chairman

Enclosure

cc: Mrs. Virginia H. Knauer

Office of Legislative Services
Food and Drug Administration

RGPoth:cvi 8/13/73 496-7641
Rewritten:DSLemberg/MABrown:tdr:8/22/73

bcc: Chairman Simpson,
S. M. Hart c/cy incoming,
J. W. Leake w/cy incoming,
E. B. Finch, R. G. Poth, GC,
R. D. Early w/cy incoming,
J. L. Sharman w/cy incoming

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