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U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

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CONSUMER PRODUCT SAFETY COMMISSION

Foster C. Wilson
Owens-Corning Fiberglass Corporation
Product Testing Laboratories, Bldg. 300
Technical Center
P.O. Box 415
Granville, Ohio 43023

Dear Mr. Wilson:

This letter is in reply to your correspondence in which you inquired about the Commission's position on referencing standards in connection with products not specifically regulated by the standard referenced. Specifically, you asked if the Standard for the Flammability of Children's Sleepwear would be referenced in connection with curtains and draperies, with the manufacturer labeling the curtains or draperies as complying with the Children's Sleepwear Standard. We apologize for the delay in answering your letter.

The flammability standard for children's sleepwear promulgated under the Flammable Fabrics Act, like all regulations promulgated by the Commission, was developed to address hazards specific to a given product or class of products. As you are undoubtedly aware, the development of standards involves considerable analysis of hazard patterns, product use and product technology. In our view application of a standard for one class of products to another class without data and analysis establishing the soundness of this action would appear to be contrary to good technical practice.

As you probably know, the Commission encourages manufacturers to upgrade voluntarily safety characteristics of their products. In this connection, a manufacturer may wish to qualify a particular product under the auspices of a voluntary organization or petition the Commission to commence a standard development proceeding for a particular product.

Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

Margaret A. Freeston

Margaret A. Freeston
Assistant General Counsel

ADVISORY OPINION

OWENS-CORNING FIBERGLAS CORPORATION TECHNICAL CENTER: P. O. BOX 415 / GRANVILLE, OHIO 43
PRODUCT TESTING LABORATORIES BLDG. 30

February 20, 1975

Mr. Michael A. Brown, General Counsel
Consumer Product Safety Commission
1750 K Street N.W.
Washington, D.C. 20207

Dear Mr. Brown:

I am writing you at the suggestion of Commissioner Pittle on a question that was raised at the last meeting of the National Advisory Committee for the Flammable Fabrics Act.

Does the Flammable Fabrics Act, the Consumer Product Safety Act, or any policies established by the Commission preclude reference to regulations established by the Commission in connection to products not specifically regulated by that standard? To be more specific, could the Children's Sleepwear Standard be used in connection with curtains and draperies? This of course assumes that the manufacturer has complied with all provisions of the standard and proceeds to so label the product, stating that it is in compliance with the standard.

I understand that the Federal Trade Commission may have other views on the subject, but would like to determine the position of your Commission.

Many products on the market today have substantial utility for reduction of hazard from fire. However, standards have not been established for the regulation of these products. If this reference were permitted by the Commission, it would provide a means by which industry could adopt and comply with a standard on a voluntary basis, and would provide a means to communicate this level of performance to the consumer.

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Mr. Michael A. Brown
Consumer Product Safety Commission

February 20, 1975

I understood from Dave that he intended to ask you or your staff for a position on this, but he also recommended that I write to directly.

Thanks for any information you may be able to provide on this question.

Sincerely,

Foster C. Wilson

Foster C. Wilson, Member
National Advisory Committee
for the Flammable Fabrics Act

FCW/lm

cc: Commissioner Pittle - CPSC