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JAN 8 1974

Matthew Brown, Esq.
Brown, Rudnick, Freed & Gesmer
85 Devonshire Street
Boston, Massachusetts 02109

Dear Mr. Brown:

This is to confirm Mr. Lemberg's statement regarding the application of the notification requirements of section 15(b) of the Consumer Product Safety Act to toys and other articles intended for use by children regulated under the Federal Hazardous Substances Act.

Since the Federal Hazardous Substances Act does not have a similar notification provision, the Commission has determined, under section 30(d) of the Consumer Product Safety Act, that risks of injury from products regulated under the Federal Hazardous Substances Act cannot be sufficiently eliminated or reduced by action taken solely under that Act, and that the notification provisions of the Consumer Product Safety Act must therefore be applied to such products.

A copy of your letter and this response is being forwarded to the Office of the Secretary so that you may be sent a copy of the section 15(b) regulations, when published.

Sincerely,

Michael A. Brown
General Counsel

SLemberg:mab:1/4/74

cc: Secretary (Mr. Brown is requesting a copy of 15(b) regs. when published)
E. Finch
F. Barrett
S. Lemberg
GC/Files--CPSA 15(b)
✓GC/Chron
GC/Reading