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July 12, 1973

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NEISS Product Code Listing: Items Not Under CPSC Jurisdiction

An examination of the NEISS Product Code Listing reveals (1) several products which are not under the jurisdiction of the Commission; (2) many which are clearly covered ; (3) several which are questionable because they are arguably outside the scope of the definition of "consumer product" in section 3 of the CPSA, or because jurisdiction is limited under section 31 of the Act; and (4) a few which are subject to the concurrent jurisdiction of the CPSC and one or more other federal agencies.

Examples of this fourth category are (1) microwave ovens which are subject regulation by the Bur. of Radiological Health, FDA as far as their radiation hazards are concerned, and CPSC for other hazards; (2) eyeglasses and sunglasses which are excluded under the CPSA because they are "devices" under the FD & C Act; but those intended for use by children are subject to concurrent jurisdiction under the FHSA; and (3) foods, drugs, and cosmetics excluded under the FHSA and CPSA, but subject to concurrent jurisdiction with FDA under the PPPA.

Examples of the questionable category include utility meters, trains, construction materials, and farm equipment. Resolution of the categorization of these products must await treatment on a case by case basis.

The following product codes appear at this time not to be within the jurisdiction of the Commission:

1910	1635
1907	1624
1906	1511
1901	1203
1717 - ADULT	
1706 - ADULT	

I will keep you informed from time to time as changes occur, or when more definite statements of jurisdictional authority can be made with regard to particular product or categories of products.

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