UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

CPSC/OFFICE OF THE SECRETARY

1999 AUG 19 A 9:01

Memorandum

Date: AUG 18 1999

TO : The Commission
Sadye E. Dunn, Secretary

THROUGH: Pamela Gilbert, Executive Director PG

FROM : Jeffrey Bromme, General Counsel JB
Stephen Lemberg, Assistant General Counsel SL
Patricia M. Pollitzer, Attorney PMP

SUBJECT : Correction to Regulations for Petition Procedures

BALLOT VOTE due: AUG 26 1999

Attached is a draft Federal Register notice correcting two references in the Commission's rules for petitions. As explained in the notice, the references are no longer accurate. This amendment will eliminate the outdated references.

Please indicate your vote on the following options.

I. Approve the draft Federal Register notice without change.

Signature Date

II. Approve the draft Federal Register notice with the following changes (please specify):

Signature Date

CPSA 6 (b)(1) Cleared 8/18/99
No Mfrs/PrvtLblrs or Products Identified
Excepted by
Firms Notified.
Processed

NOTE: This document has not been reviewed or accepted by the Commission.
Initial hh Date 8/18/99

III. Do not approve the draft Federal Register notice.

Signature Date

IV. Take other action (please specify):

Signature Date

DRAFT 8/12/99

Billing Code 6355-01-P

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1051

PROCEDURE FOR PETITIONING FOR RULEMAKING; CORRECTION

AGENCY: Consumer Product Safety Commission.

ACTION: Correcting amendments.

SUMMARY: The Commission is amending its procedures for filing petitions to correct two references to sections that no longer exist.

DATES: The corrections become effective on [insert date of publication in the FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Patricia M. Pollitzer, Office of General Counsel, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504-0980, extension 2219.

SUPPLEMENTARY INFORMATION: This document corrects two references in the Commission's petition procedures. Section 1051.1 explains the scope of the petition procedures. Subsection 1051.1(c), discussing petitions under the Federal Hazardous Substances Act, refers to 16 CFR 1500.201 and 21 CFR 2.65. Neither of these references apply now. 16 CFR 1500.201 merely restated certain statutory provisions and was withdrawn on March 6, 1991 (56 FR 9276). 21 CFR 2.65 was replaced in 1979 with rules that apply only to the Food and Drug Administration (44 FR 22323). Therefore, the Commission is eliminating these references. Because these are technical corrections that do not make a substantive change, notice and comment is unnecessary. 5 U.S.C.

553(b). Nor is there any need to delay the effective date. 5 U.S.C. 553(d).

List of Subjects in 16 CFR Part 1051

Administrative practice and procedure, Consumer Protection.

Accordingly, 16 CFR part 1051 is corrected by making the following correcting amendments:

PART 1051--PROCEDURE FOR PETITIONING FOR RULEMAKING

1. The authority citation for Part 1051 continues to read as follows:

Authority: 5 U.S.C. 553(e), 5 U.S.C. 555(e).

2. In § 1051.1(c), first sentence, remove the comma and the words "16 CFR 1500.201, and 21 CFR 2.65".

Dated:

Sadye E. Dunn, Secretary
Consumer Product Safety Commission