



UNITED STATES
 CONSUMER PRODUCT SAFETY COMMISSION
 4330 EAST WEST HIGHWAY
 BETHESDA, MD 20814

BALLOT VOTE SHEET

DATE: DEC 16 2009

TO: The Commission
 Todd A. Stevenson, Secretary

THROUGH: Cheryl A. Falvey, General Counsel *CAF*
 Maruta Budetti, Executive Director *MB*

FROM: Philip L. Chao, Assistant General Counsel *PLC*

SUBJECT: *Federal Register* Notice: "Consumer Product Safety Act: Notice of Commission Action on the Stay of Enforcement of Certain Testing and Certification Requirements Pertaining to Lead Content"

Ballot Vote Due: DEC 17 2009

Pursuant to the Commission's 5-0 vote at the briefing meeting held on December 16, 2009, where the Commission agreed to: (1) remove a discussion of lead from a draft *Federal Register* notice announcing the Commission's decision to revise the terms of its stay of enforcement of certain testing and certification provisions pursuant to section 14 of the Consumer Product Safety Act; and (2) hold a ballot vote on issues relating to lead content testing and certification and a stay of enforcement, the Office of the General Counsel has prepared this ballot vote sheet.

Please indicate your vote on the following options.

- I. Direct staff to prepare a *Federal Register* notice with regard to lead content testing and certification, with an indication that the stay will be lifted on August 10, 2010.

 (Signature)

 (Date)

CPSA 6(b)(1) CLEARED for PUBLIC

NO MFRS/PRVTLBLRS OR PRODUCTS IDENTIFIED

CPSC Hotline: 1-800-638-CPSC(2772) H CPSC's Web Site: <http://www.cpsc.gov>

EXCEPTED BY: PETITION RULEMAKING ADMIN. PRCDG

Note: This document has not been reviewed or accepted by the Commission.
 Initials RA Date 12/16/09

WITH PORTIONS REMOVED: _____

II. Direct staff to prepare a *Federal Register* notice with regard to lead content testing and certification, with an indication that they stay will be lifted six months after the effective date of a final rule regarding reasonable testing programs under section 14(a)(1) and (b) of the Consumer Product Safety Act and continuing testing under section 14(d)(2) of the Consumer Product Safety Act.

(Signature)

(Date)

III. Take other action. (Please specify.)

(Signature)

(Date)