

United States Consumer Product Safety Commission

2

0

0



2003

ANNUAL
REPORT

3

CONTENTS

Introduction.....	1
CPSC Highlights.....	2
Compliance Activities	2
Import Surveillance.....	2
Baby Bath Seats	2
Candle Fires	2
Engine-Driven Generators	2
Arc-Fault Circuit Interrupters	3
Mattress/Bedding Fires	3
Recall Effectiveness.....	3
Toy Assembly Instructions	3
Water Heaters.....	3
Electrical Hazards around Swimming Pools	4
Wireless Smoke Alarms.....	4
Upholstered Furniture	4
Burn Center Reporting System	4
Lead Use in Candlewicks and Candles	5
Recall Round-Up	5
Civil Penalties	5
Media Activities.....	5
Consumer Support	6
Administrative Litigation.....	6

APPENDICES

Appendix A: Deaths, Injuries, and Cost of Injuries from Consumer Products	A-1
Appendix B: Policies, Final Regulations, and Proposed Regulations	B-1
Appendix C: Meetings of Substantial Interest	C-1
Appendix D: Log and Status of Petitions and Applications	D-1
Appendix E: Voluntary Standards Activities	E-1
Appendix F: Voluntary Corrective Action Plans and Product Recalls	F-1
Subsection A/Regulatory Recalls	
Subsection B/Section 15 Recalls	
Appendix G: Litigation and Settlements	G-1
Appendix H: Index of Products Regulated by CPSC	H-1
Appendix I: Federal-State Cooperative Program	I-1
Appendix J: Organizational Structure and Functions	J-1

Introduction

The U.S. Consumer Product Safety Commission (CPSC) is an independent federal regulatory agency created to protect the public from unreasonable risks of injuries and deaths associated with some 15,000 types of consumer products.

CPSC works to reduce the risk of injuries and deaths from consumer products by:

- working with industry and other interested parties to develop voluntary product safety standards
- issuing and enforcing mandatory product safety standards; banning hazardous consumer products if no feasible standard would adequately protect the public
- obtaining the recall of products or arranging for their repair
- conducting research on potential product hazards
- informing consumers through the media, state and local governments, private organizations, and by responding to consumer inquiries.

The 2003 Annual Report gives brief highlights of the Commission's accomplishments for fiscal year 2003. The highlights are followed by a set of appendices that present more detailed information on the year's activities of the Commission's efforts to help keep Americans safe.

CPSC Highlights

Compliance Activities

In fiscal year 2003, CPSC announced 279 recalls involving about 40 million consumer product units that either violated mandatory safety standards or presented a significant risk of injury to the public including: 2.7 million slow cookers with handles that can break posing a risk of burns from hot food spilling and nearly 1.7 million sparklers with bamboo stick handles that can catch fire and present a risk of burn injury. Other recalls address a variety of product hazards, including camp heaters that posed carbon monoxide poisoning, all-terrain vehicles with steering failure, and smoke alarms that failed to alarm.

Import Surveillance

Working together, CPSC and the U.S. Customs Service refused admission into the United States, or detained for reconditioning or destruction, more than 180 shipments of imported consumer products that did not meet U.S. safety standards. As a result, about 1.5 million dangerous product units that violated CPSC safety standards never reached store shelves. Many of these dangerous products are children's products, fireworks and cigarette lighters. Working with the U.S. Customs Service since 1988, CPSC has seized or detained nearly 17 million unsafe toys or children's products and more than 450 million hazardous fireworks at the docks, and since 1995, has seized or detained more than 31 million hazardous lighters at the docks.

Baby Bath Seats

In 2003, CPSC staff supported ongoing rulemaking involving baby bath seats, and actively participated in revising the ASTM voluntary standard to address hazards that may lead to children drowning in bath seats. Staff presented a briefing package to the Commission that recommended a proposed rule with requirements addressing bath seat stability, leg opening sizes and warning labels.

Candle Fires

In recent years, residential fires and fire deaths in the United States have decreased, while fires and deaths related to candle use have increased. In 2002, the CPSC staff continued providing technical support to the ASTM Candles and Candle Products Subcommittee that resulted in the approval of a new standard addressing glass candle containers and a provisional fire safety standard. The "Provisional Fire Safety Specification for Candles" addresses flame height, secondary ignition, self-extinguishment, and stability. The staff continues to participate in ASTM voluntary standards activities to address additional candle hazards.

Engine-Driven Generators

In response to deaths caused when consumers used engine-driven generators in confined spaces, CPSC staff developed a video news release to be distributed to local media and shown *before* predicted severe weather. CPSC and the US Department of Homeland Security (DHS) jointly produced a separate video news release warning consumers of the CO hazard posed by engine-driven

generators. DHS and CPSC developed a one-page information sheet that is currently available on both agencies' web sites. In addition, CPSC staff participated in the development of an Underwriters Laboratories voluntary standard for portable engine-driven generators by providing recommendations related to safety features and labeling.

Arc-Fault Circuit Interrupters

On September 23, 2003, CPSC staff sponsored a public forum on *Arc-Fault Circuit Interrupters - Getting the Word Out*. The purpose of the meeting was to solicit ideas for better informing the public about the benefits of protection for electrical circuits and increasing consumer awareness of Arc-Fault Circuit Interrupter (AFCI) devices. AFCIs, when combined with good wiring practices, offer the best electrical protection available to reduce deaths and injuries related to home wiring hazards. There was general consensus at the forum that more efforts are needed to acquaint both consumers and professionals with the safety benefits of AFCIs. CPSC staff continues to pursue this issue.

Mattress/Bedding Fires

Fires involving mattresses and bedding are among the leading causes of fire deaths and injuries involving consumer products. In 2001, the Commission published an advance notice of proposed rulemaking (ANPR) to develop a mandatory standard for the open flame ignition of mattresses. In 2003, CPSC staff evaluated the public comments received following the ANPR, and continued work with the National Institute of Standards and Technology, the Sleep Products Safety Council, and the State of California to develop the technical basis for a proposed standard. CPSC staff also considered the role of bedding items in fires, and began preparing a briefing package for a Commission decision on regulatory options for mattresses and bedding.

Recall Effectiveness

CPSC conducted a Recall Effectiveness Project that consisted of a contractor's literature search and three public forums. The literature search identified existing literature on motivating consumer behaviors and the public forums focused on topics related to recall effectiveness: motivating consumers, developing new tools for recalls, and measuring recall effectiveness. CPSC staff is preparing recommendations on enhancing recall effectiveness for Commission consideration.

Product Assembly Instructions

CPSC staff completed the *Manufacturer's Guide to Developing Consumer Product Instructions*. The purpose of the guide is to help manufacturers develop instructions that are clear and easy to understand for consumers. The guide is posted on the CPSC Web site.

Water Heaters

A major revision of the voluntary standard for natural draft water heaters, supported by CPSC staff, became effective on July 1, 2003. The revised standard requires that all 30-, 40-, and 50-gallon

storage type water heaters be able to resist ignition of flammable gasoline vapors. Ignition of flammable vapors has caused fires and explosions leading to deaths and serious injuries.

Electrical Hazards around Swimming Pools

In 2003, CPSC partnered with the American Red Cross to warn consumers of electrocution hazards associated with swimming pools, hot tubs and spas. The “Don’t Swim with Shocks” program informed consumers of the need to upgrade older electrical systems and to add Ground-Fault Circuit-Interrupters (GFCIs) to protect against electrical shock hazards.

Wireless Smoke Alarms

In 2003, CPSC staff released a contractor report on wireless technologies for smoke alarms. The report presented an evaluation of current smoke alarm and wireless technologies to determine the feasibility of producing a battery-operated smoke alarm that is interconnected by wireless communication. A second report, also completed in 2003, demonstrated three prototype alarms. This work demonstrated the feasibility and potential benefits of producing wireless battery-operated alarms to give consumers more advance warning of hazardous fire conditions and allow more time for safe egress.

Upholstered Furniture

CPSC continued to make progress to address fire hazards related to upholstered furniture. Fires involving upholstered furniture are among the leading causes of fire deaths and injuries involving consumer products. At a 2002 CPSC staff public meeting, industry, government, fire service and other organizations recommended that CPSC issue a uniform national standard addressing cigarette ignitions as well as open flame ignitions. Following this meeting, CPSC staff forwarded to the Commission briefing packages evaluating the public meeting comments and recommending an advance notice of proposed rulemaking (ANPR) to expand the agency’s regulatory proceeding to cover both risks. The staff continued to work with the Environmental Protection Agency to develop a possible Significant New Use rule for flame-retardant upholstery treatments that might be used to meet a standard. The staff also continued to work with the California Bureau of Home Furnishings as they revise that state’s existing upholstered furniture flammability standard.

Burn Center Reporting System

Through a partnership with the American Burn Association, the Shriners Children’s Hospitals and the National Association of State Fire Marshals, CPSC established a new data collection system called the National Burn Center Reporting System. The system is made up of about 100 burn centers across the U.S. that treat children. Participating centers report all incidents involving children under the age of 15 years whose clothing ignited, melted or smoldered. The system formally became operational on July 1, 2003. By the end of 2003, more than 120 incidents had been reported through the system. These reports will supplement data collected from CPSC’s other systems.

Lead Use in Candlewicks and Candles

In April 2003, the Commission issued a final rule under the Federal Hazardous Substances Act declaring that metal-cored candlewicks containing more than 0.06 percent lead and candles with such wicks are hazardous substances, and banning such wicks and candles. The final rule became effective October 15, 2003.

Recall Round-Up

Recall Round-Up, held on April 29, 2003, proved once again to be CPSC's most successful single-event federal-state-local partnership program. The Recall Round-Up program is a nationwide effort to publicize previously recalled consumer products and urge people to remove the products from their homes. In its seventh year, this year's program was a three-prong approach to reach new audiences with our product safety and recall messages. CPSC Field staff partnered with fire departments, senior citizens and secondary marketplace consultants around the nation to conduct more than 1,000 individual product safety consultations. The video news release about recall round-up reached more than 12 million television viewers nationwide.

Civil Penalties

CPSC obtained civil penalty settlements totaling nearly \$2 million from four separate firms to settle allegations that companies knowingly failed to report potential hazards, failed to report lawsuits and settlements, or knowingly imported or sold products that violated mandatory safety standards. The four firms were Weed Wizard Inc., which paid \$885,000 to resolve allegations that it failed to report lawsuits and settlements concerning its weed trimmer; Wal-Mart, Inc., which paid \$750,000 to resolve allegations that it failed to report numerous injuries associated with exercise machines sold in its stores; Blue Coral Slick-50, Inc., which paid \$150,000 to resolve allegations that it failed to meet the guidelines of the PPPA and violated sections of the FHSA by distributing one million Rain-X products without child-resistant closures; and Lucky Toys, Inc., which paid \$100,000 to resolve allegations that it repeatedly violated the FHSA and the Commission's ban of small parts and small balls.

Media Activities

CPSC's Office of Information and Public Affairs (OIPA) issued 200 press releases about recalls, safety standards and product hazards. In addition, OIPA produced 12 video news releases for the use of television news media on topics such as fireworks safety, recall round-up, toy recalls, carbon monoxide (CO) poisoning, Poison Prevention Week, drowning hazards, window cord strangulation, holiday decoration safety and the CPSC's testing laboratory. CPSC's Spanish spokesperson continued to broaden consumer information outreach to the Hispanic community. She appeared numerous times on the national Spanish networks Univision and Telemundo to discuss fireworks safety, baby safety and other topics.

Consumer Support

CPSC's Web site, www.cpsc.gov, received nearly 9.2 million visits, up from 7.9 million visits from the previous year, and more than 5,200 consumers reported hazardous products through the interactive on-line form. The CPSC Hotline, (800) 638-2772, received about 140,000 calls in fiscal year 2003. The number of e-mail contacts to the Hotline increased to more than 12,000 in fiscal year 2003. CPSC distributed nearly 2 million copies of publications. The National Injury Information Clearinghouse maintains and disseminates reports of accident investigations, product-related incidents, death certificates and statistics and data from CPSC's network of hospital emergency rooms. In 2003, the Clearinghouse responded to about 2,500 requests for data from the American public. In addition, the Clearinghouse forwarded about 10,700 incident reports for confirmation and 9,900 copies of incidents and investigations to manufacturers whose products were named in the reports.

Administrative Litigation

CPSC settled two administrative lawsuits seeking public notification and remedial action to protect the public from substantial risks of injury. One lawsuit involved air rifles, and the second one involved fire sprinklers.

APPENDIX A: Deaths, Injuries and Costs of Injuries from Consumer Products

Deaths, Estimates of Injuries and Estimates of Costs of Injuries From Consumer Products

The Commission, in fulfilling its mission to protect the public against unreasonable risk of injuries associated with consumer products, collects, reviews and analyzes data on deaths and estimated injuries associated with such products. Appendix A presents three tables which contain summary data by totals and by age groups for deaths, estimated injuries and estimated costs of injuries associated with products under the jurisdiction of the Commission. These products are aggregated into 15 product groupings.

While the deaths and injuries in these tables represent product involvement, that involvement does not necessarily indicate causality.

Table 1: Deaths Associated with the Use of Certain Consumer Products, October 1, 2000-September 30, 2001. These data are taken from death certificates the Commission purchases from the states.

Table 2: Estimates of Hospital Emergency Room Treated Injuries Associated with the Use of Certain Consumer Products, October 1, 2002 - September 30, 2003. This is based on data collected from a statistically selected group of hospitals as part of the Commission's National Electronic Injury Surveillance System (NEISS). Comparisons of Table 2 with previous Annual Report tables of injuries associated with the use of these consumer products must be undertaken cautiously. The NEISS hospital sample was most recently updated January 1, 1997 to take into account changes that have occurred in the NEISS sampling frame of emergency departments over time (e.g., including hospital emergency departments opened after the initial sampling frame was constructed). In addition, over time, there have been modifications to the definition of in-scope injuries.

Table 3: Estimates of the Costs of Hospital Emergency Room Treated Injuries Associated with the Use of Certain Consumer Products, October 1, 2002 - September 30, 2003. This is derived by applying the Commission's Revised Injury Cost Model to the injury estimates of Table 2. Estimates are not generally comparable to estimates in previous Annual Report tables because of differences in data and methodology.

For products where Commission remedial action has been considered, additional data have been collected and analyzed to develop more detailed estimates. Based on interviews with victims or witnesses, the Commission identifies causes of accidents, including the interaction among the person, the product and the environment. Using all the available data, the Commission staff periodically prepares hazard analysis reports for selected products. To learn whether an analysis for any particular product is available, or to receive general injury data reports or more detailed data than are included in this appendix, please write to:

National Injury Information Clearinghouse
U.S. Consumer Product Safety Commission
Washington, DC 20207-0001

Table 1

**Deaths Associated With the Use of Certain Consumer Products
October 1, 2000 - September 30, 2001**

Source: CPSC Death Certificate Project

Note: Product association is defined as any involvement of the product with these deaths and does not necessarily imply causality.

Death certificates are made available to CPSC through contracts with each state. The time required for collection and processing varies by state, but the majority of death certificates are received within two years of the date of death.

		AGE GROUP²				
	Product Group¹	Total	Under 5	5-24	25-64	65 And Over
1.	Child Nursery Equipment and Supplies	50	48	0	1	1
2.	Toys	18	15	1	2	0
3.	Sports and Recreational Activities and Equipment	1,855	189	608	854	204
4.	Home Communication, Entertainment And Hobby Equipment	21	3	9	5	4
5.	Personal Use Items	355	36	27	92	200
6.	Packaging and Containers for Household Products	89	24	17	35	13
7.	Yard and Garden Equipment	83	3	3	34	43
8.	Home Workshop Apparatus, Tools and Attachments	78	2	22	42	12
9.	Home and Family Maintenance Products	69	8	18	30	13
10.	General Household Appliances	62	1	1	25	35
11.	Space Heating, Cooling and Ventilating Appliances	149	7	13	78	51
12.	Housewares	27	5	2	7	13
13.	Home Furnishings and Fixtures	1,019	291	75	295	358
14.	Home Structures and Construction Materials	510	35	31	140	304
15.	Miscellaneous	124	7	25	65	27

Table 2

**Estimates Of Hospital Emergency Room Treated Injuries
Associated With the Use of Certain Consumer Products
October 1, 2002 - September 30, 2003 ***

Source: National Electronic Injury Surveillance System (NEISS)³

Note: NEISS data indicate that a product was associated with an injury but not necessarily that the product caused the injury.

Product Group ¹	AGE GROUP ²				
	Total	Under 5	5-24	25-64	65 And Over
1. Child Nursery Equipment and Supplies	85,892	64,174	7,455	11,061	3,202
2. Toys	149,153	67,410	54,849	23,737	3,157
3. Sports and Recreational Activities and Equipment	4,154,068	169,292	2,875,504	1,040,294	68,977
4. Home Communication, Entertainment and Hobby Equipment	159,374	27,070	47,525	65,879	18,901
5. Personal Use Items	772,223	147,996	197,821	243,739	182,668
6. Packaging and Containers for Household Products	362,681	39,316	99,855	190,748	32,761
7. Yard and Garden Equipment	279,212	9,547	46,630	174,482	48,553
8. Home Workshop Apparatus, Tools and Attachments	352,309	10,470	73,838	231,649	36,352
9. Home and Family Maintenance Products	154,307	28,657	37,404	75,966	12,280
10. General Household Appliances	146,299	23,817	29,144	73,921	19,417
11. Space Heating, Cooling and Ventilating Appliances	132,918	29,719	33,449	57,705	12,044
12. Housewares	785,632	45,661	250,317	433,538	56,116
13. Home Furnishings and Fixtures	2,348,738	512,182	486,241	856,444	493,871
14. Home Structures and Construction Materials	3,526,810	410,761	977,572	1,456,495	681,984
15. Miscellaneous	280,910	52,755	111,242	90,676	26,237

*Comparisons with previous Annual Report tables must be done with caution since the NEISS sample was updated on January 1, 1990, and again on January 1, 1997.

Table 3

**Estimates of the Cost of Emergency Room Treated
Consumer Product Injuries**

October 1, 2002 - September 30, 2003

(in millions of dollars)

**Source: CPSC Revised Injury Cost Model⁴ as Applied to NEISS Injury Data for the Period.
Estimates are not comparable to estimates in previous Annual Reports because of changes in data
and methodology.**

AGE GROUP²

Product group¹	Total	Under 5	5-24	25-64	65 and over
1. Child Nursery Equipment and Supplies	3,000	2,540	114	254	92
2. Toys	2,867	1,391	952	439	85
3. Sports and Recreational Activities and Equipment	106,968	5,290	67,127	32,316	2,235
4. Home Communication, Entertainment and Hobby Equipment	3,431	562	713	1,446	710
5. Personal Use Items	19,818	3,175	2,936	6,226	7,481
6. Packaging and Containers for Household Products	6,441	570	1,436	3,705	730
7. Yard and Garden Equipment	7,237	263	1,108	4,518	1,348
8. Home Workshop Apparatus, Tools and Attachments	8,148	257	1,316	5,760	815
9. Home and Family Maintenance Products	2,654	360	485	1,456	353
10. General Household Appliances	3,614	642	612	1,611	749
11. Space Heating, Cooling and Ventilating Appliances	3,457	591	697	1,586	583
12. Housewares	11,585	974	3,157	6,484	970
13. Home Furnishings and Fixtures	65,159	11,724	8,674	23,634	21,128
14. Home Structures and Construction Materials	105,517	11,949	18,766	40,667	34,135
15. Miscellaneous	8,098	1,852	2,618	2,840	788

Product groups and specific products are included in each group. These products are defined in the National Electronic Injury Surveillance System (NEISS) Coding Manual (2003), Directorate for Epidemiology and Health Sciences, U.S. Consumer Product Safety Commission.

1. CHILD NURSERY EQUIPMENT AND SUPPLIES
 - Baby carriages, walkers and strollers
 - Cribs, playpens and baby gates
 - High chairs and youth chairs
 - Miscellaneous
2. TOYS
 - Children's sports and hobby equipment
 - Electric trains, cars and accessories
 - Projectile or flying toys
 - Toy chests and boxes
 - Tricycles (children's)
 - Wagons and other ride-on toys
 - Miscellaneous
3. SPORTS AND RECREATIONAL ACTIVITIES AND EQUIPMENT
 - Amusement rides
 - Archery
 - ATVs, mopeds, minibikes, etc.
 - Barbecue grills, stoves and fuel
 - Baseball/softball
 - Basketball
 - BB guns, BB's and pellets
 - Beach, picnic and camping equipment
 - Bicycles and accessories
 - Billiards or pool
 - Bowling
 - Boxing
 - Cheerleading
 - Curling
 - Dancing
 - Darts
 - Exercise equipment
 - Fencing
 - Fishing
 - Football
 - Golf
 - Gymnastics and equipment
 - Hockey, all kinds

Horseback riding
Horseshoes
Ice or snow boating
Lacrosse, rugby and miscellaneous ball games
Martial arts
Mountain climbing
Playground equipment
Racquet sports
Shuffleboard
Skateboards, Scooters
Skating, all kinds
Snowmobiles
Snow skiing and snow boarding
Soccer
Swimming activity, pools and equipment
Toboggans, sleds, snow discs, etc.
Track and field
Trampolines
Unicycles
Volleyball
Water skiing, tubing and surfing
Wrestling
Miscellaneous

4. HOME COMMUNICATION, ENTERTAINMENT AND HOBBY EQUIPMENT

Sound recording and reproducing equipment
Television sets and stands
Miscellaneous

5. PERSONAL USE ITEMS

Cigarettes, etc., lighters, lighter fluids and matches
Clothing, all
Coins
Desk supplies
Drug and cosmetic poisonings and chemical burns to children under age 5
Grooming devices
Holders for personal items
Infrared lamps and saunas
Jewelry, watches, keys and key chains
Massage devices
Protection devices (eyes, ears, etc.)
Razors, shavers and razor blades
Miscellaneous

6. PACKAGING AND CONTAINERS FOR HOUSEHOLD PRODUCTS
Cans and other containers
Glass bottles and jars
Paper, cardboard and plastic products
7. YARD AND GARDEN EQUIPMENT
Chain saws
Hand garden tools
Hatchets and axes
Lawn and garden care equipment
Lawn mowers, all types
Other power lawn equipment
Outdoor electric lighting equipment
Pumps
Trimmers and small power garden tools
8. HOME WORKSHOP APPARATUS, TOOLS AND ATTACHMENTS
Automotive accessories and chemicals
Batteries, all types
Battery chargers
Chains
Engines, non-automotive
Hoists, lifts, jacks, etc.
Power home tools (excluding saws)
Power home workshop saws
Welding, soldering, cutting tools
Wires, cords, not specified
Workshop chemicals
Workshop manual tools
Miscellaneous
9. HOME AND FAMILY MAINTENANCE PRODUCTS
Cleaning agents (excluding soaps)
Cleaning equipment, non-caustics
Drain, oven cleaners and caustics
Paints, solvents and lubricants
Polishes and waxes
Soaps and detergents
Miscellaneous
10. GENERAL HOUSEHOLD APPLIANCES
Cooking ranges, ovens, etc.
Irons and clothes steamers

Refrigerators and freezers
Washers and dryers
Miscellaneous

11. SPACE HEATING, COOLING AND VENTILATING EQUIPMENT

Air conditioners
Chimneys and fireplaces
Fans (excluding stove exhaust fans)
Furnaces
Heating stoves and space heaters
Pipes (heating and plumbing)
Radiators
Water heaters
Miscellaneous

12. HOUSEWARES

Cookware
Drinking glasses
Knives, unpowered
Scissors
Skewers and picks
Small kitchen appliances
Tableware and accessories
Miscellaneous

13. HOME FURNISHINGS AND FIXTURES

Bathtub and shower structures
Beds, mattresses and pillows
Blankets
Carpets and rugs
Chairs, sofas and sofa beds
Desks, cabinets, shelves, racks, etc.
Drapery rods and accessories
Electric fixtures, lamps and equipment
Fireplace equipment
Holiday and party supplies
Hot tubs, spas and whirlpools
Ladders and stools
Mirrors and mirror glass
Other miscellaneous furniture and accessories
Scales (excluding baby scales)
Sinks and toilets
Tables

Window, table, chair and bed covers
Miscellaneous

14. HOME STRUCTURES AND CONSTRUCTION MATERIALS

Automatic doors and door openers
Cabinet or door hardware
Ceilings and walls of a completed structure
Counters and counter tops
Fences
Glass doors, windows and panels
Handrails, railings and banisters
Insulation
Nails, carpet tacks, etc.
Non-glass doors and panels
Outside attached structures and materials
Outside unattached structures
Porches, open side floors, etc.
Stairs, ramps, landings and floors
Window and door sills (including frames)
Wood panelling and particleboard
Miscellaneous

15. MISCELLANEOUS PRODUCTS

Alarms and escape equipment
Business and office machines
Dollies and carts
Elevators, Escalators and other lifts
Fireworks and flares
Fuel-burning lighting equipment and fuels
Gasoline and diesel fuels
Generators
Miscellaneous

²"TOTAL" includes incidents where the age was not recorded. Therefore, the aggregated age groups may not equal the total.

³The NEISS is a probability sample of the hospital emergency departments in the United States and its territories. Consumer product-related injuries reported in the sample hospitals are transmitted via computer to the Commission on a daily basis. These injury reports not only provide the means for estimating the magnitude of consumer product-related injuries in the United States, but also provide a source for gathering further information concerning the nature and probable cause of the accident.

Since the estimates shown in this table are based on a sample of hospital emergency departments rather than all hospital emergency departments in the United States, they are subject to sampling error. For a description of the sample design and calculation of the sampling error, write:

National Injury Information Clearinghouse
U.S. Consumer Product Safety Commission
Washington, D.C. 20207-0001

⁴The estimates in Table 3 of the costs of emergency room treated injuries associated with the use of consumer products are from the Revised Injury Cost Model (ICM) developed by the Directorate for Economic Analysis. The ICM includes four injury cost components: medical costs; work losses; product liability administration costs; and pain and suffering costs. Cost estimates are based on the emergency room treated injuries reported in Table 2, and do not include the costs of consumer product-related injuries that were treated elsewhere, such as in physicians' offices, health maintenance organizations, and freestanding emergency clinics. Furthermore, cost estimates are not available for many acute and chronic illnesses associated with exposure to chemical hazards. The number and cost of these illnesses would be expected to be large. Table 3 also excludes the economic losses of fatalities associated with the use of a consumer product. These losses may be substantial. Injury cost estimates are adjusted to 2002 price levels using the employment cost index and the per capita medical care consumption expenditure.

Age group costs may not add to product totals because of rounding.

APPENDIX B: Policies, Final Regulations, and Proposed Regulations

Policies, Final Regulations, And Proposed Regulations

Description	Proposed	Final	Effective Date	Resource
Information Quality Act				
Final Action:				
Announcement of availability of final CPSC information quality guidelines under section 515 of P.L. 106-554	04/07/02	10/11/02	10/11/02	67 FR 63382
Federal Hazardous Substances Act				
Final Action:				
Exemption from classification as banned hazardous substances of certain model rocket propellant devices for use with lightweight surface vehicles.	01/30/02	01/30/03	01/30/03	68 FR 4697
Application of CPSC bicycle standard to low speed electric bicycles as required by P.L. 107-319		02/12/03	02/12/03	68 FR 7072
Declaration that metal-cored candle wicks and candles with such wicks that contain more than 0.06% lead are banned hazardous	04/24/02	04/18/03	10/15/03	68 FR 19142

Description	Proposed Final	Effective Date	Resource
-------------	----------------	-------------------	----------

substances.

Description	Proposed Final	Effective Date	Resource
--------------------	-----------------------	-----------------------	-----------------

Federal Hazardous Substances Act (Cont.)

Final Action:

Confirmation of effective date of declaration that metal-cored candle wicks and candles with such wicks that contain more than 0.06% lead are banned hazardous substances.	06/27/03	10/15/03	68 FR 38176
Correction to equation in test procedures in CPSC bicycle standard.	09/05/03	09/05/03	68 FR 52690

Poison Prevention Packaging Act

Final Action:

Exemption of hormone replacement therapy products from poison prevention packaging requirements.	02/19/02	11/01/02	11/01/02	67 FR 66550
--	----------	----------	----------	-------------

APPENDIX C: Meetings of Substantial Interest

Meetings of Substantial Interest

During Fiscal Year 2003, Commissioners and staff at the Consumer Product Safety Commission held meetings with outside parties to discuss matters related to the mission of CPSC. The list of those meetings complies with the requirements of section 27(j)(8) of the Consumer Product Safety Act, which requires the Annual Report to account for "the extent of cooperation of Commission officials and representatives of industry and other interested parties in the implementation of this Act." We have compiled this list on the basis of meetings announced in CPSC's weekly Public Calendar.

It is important to note that this list of meetings does not account for all meetings between Commission personnel and outside parties because not all such meetings are required to be listed in the Public Calendar. The Commission's Meetings Policy (16 CFR part 1012) requires that meetings concerning matters of "substantial interest" be listed in the Public Calendar while meetings on "non-substantial interest" are not required to be listed, although many are. For example, field staff meet frequently with a wide range of outside organizations in order to inform consumers and others of CPSC's work, but since these meetings are of "non-substantial interest" as defined by CPSC's Meeting Policy, they are not necessarily listed in the Public Calendar. Also, the list may not fully account for all meetings of voluntary standards development organizations with which CPSC participated. For additional information on voluntary standards efforts, see Appendix E.

CPSC's Meetings Policy defines "substantial interest" as concerning "any issue that is likely to be the subject of a regulatory or policy decision by the Commission." The Meetings Policy imposes the following three requirements on CPSC staff and Commissioners who hold or attend meetings involving matters of "substantial interest:" 1) they must announce the meetings in advance in the Public Calendar, 2) they must hold these meetings open to the public, unless certain specified exceptions apply, and 3) they must submit summaries of such meetings to the Office of the Secretary. In addition, summaries of telephone conversations involving "substantial interest" matters also must be submitted to the Office of the Secretary.

Meeting summaries are available from the Office of the Secretary upon request under the Freedom of Information Act.

Address information requests to:

Office of the Secretary
U.S. Consumer Product Safety Commission
Washington, DC 20207

Abbreviations

We have used the following abbreviations:

CPSC	Consumer Product Safety Commission
EC	Directorate for Economic Analysis
EP	Directorate for Epidemiology
ES	Directorate for Engineering Sciences
EXC	Office of Compliance
EXHR	Office of Hazard Identification and Reduction
EXPA	Office of Information and Public Affairs
EXPE	Office of Planning and Evaluation
HF	Human Factors
HS	Directorate for Health Sciences
LS	Directorate for Laboratory Sciences
OGC	Office of the General Counsel
OEX	Office of the Executive Director

List of Meetings

Alliance for the Polyurethanes Industry

October 16 EC: conference session on furnishings flammability

All-Terrain Vehicle (ATV) Industry representatives

November 13 Chairman Hal Stratton/staff: industry ATV study

American Casual Future Fabrics Association

September 10 EC: CPSC activities on upholstered furniture

American Council on Electrical Safety (ACES)

November 14 ES: CPSC electrical safety activities

April 10 ES: general matters related to electrical safety

American Fireworks Standard Laboratory (AFSL)

February 7-9 LS: various issues relating to fireworks

August 1-3 LS & EXC: various issues regarding fireworks

American Furniture Manufacturers Association

March 18 EC: speech on CPSC activities on upholstered furniture and mattresses and bedding

American National Standards Institute (ANSI)

November 5-6 ES: turkey fryers

November 19 LS: proposed revisions to the harmonized standard for portable type camp heaters

January 22 ES: final proposed changes to the ANSI Z315.1 Tricycle Standard

September 17 ES: safety standards for gas-fired central furnaces

American Pyrotechnics Association

September 10-12 EXC: 55th annual/convention

American Society of Mechanical Engineers (ASME)

December 17 ES: escalators and moving walks

Applica

November 20 ES & other CPSC staff: appliance safety features

Archery Trade Association

January 16 ES: hunting treestand safety

Association of Home Appliance Manufacturers (AHAM)

October 7 Chairman Hal Stratton: recall effectiveness
December 17 ES: power cord fire prevention for room air conditioners
January 30 ES: safety issues related to toaster ovens
July 29 CPSC staff: electric clothes dryers and lint ignition characteristics
August 28 ES: clothes dryer fires

ASTM

October 15-18 ES & other CPSC staff: juvenile products voluntary standards activities
November 5-8 LS: trampolines, headgear, bicycles and playground surfacing
January 21-22 ES: candle products/fire safety
March 5 ES: committee on standards hearing regarding an ASME appeal on safety vacuum release systems
March 26-27 ES: candle products/fire safety
May 6-7 ES: ASTM International F08.10 (Bicycle) committee meetings
May 13-14 LS: standards for non-integral firearm locking devices
May 19-23 ES: playground subcommittee/task group meeting
June 10-11 ES: candle products/fire safety
July 15-16 LS: standards for non-integral firearm locking devices
July 24 ES: glass containers for candle products
August 7 CPSC staff: corner post extension and catchpoints on bunk beds
August 13 ES: ASTM F15.20 Bath Seat Labeling Task Group
September 26 ES: candle products

Bell Sports

May 20 Commissioner Mary Sheila Gall/staff: bicycle helmet safety

Blyth Industries, Inc.

September 17 ES & other CPSC staff: fire safety issues relating to candle products

Business Communication Company

March 31-April 1 ES: Fuel Cells 2003 Conference

Business & Institutional Furniture Manufacturers Association (BIFMA)

March 17 EC: CPSC activities on upholstered furniture and mattress and bedding

California Bedding Flammability Task Force

July 1 ES & other CPSC staff: issues relating to bedding flammability
August 19 ES: issues relating to bedding flammability

Canadian Standards Association (CSA)

December 17-18 ES: turkey fryers
January 14 ES: to develop a work plan for sensor evaluation, review information on available sensor technologies and discussion of sensor testing conducted by CPSC and the Gas Research Institute
March 27 ES: to develop a work plan for sensor evaluation
April 22-24 ES: the development of voluntary standards for gas fired appliances
July 14-16 ES: the development of voluntary standards for gas-fired appliances
July 22 LS: safety standards related to carbon monoxide (CO) emissions from the heaters
July 23-24 LS: safety standards related to carbon monoxide (CO) emissions from the heaters

Carpet and Rug Institute

December 18 ES & other CPSC staff: test data on methenamine pills

Clothes Dryer manufacturers

July 29 CPSC staff: electric clothes dryers and lint ignition characteristic

Dorel Juvenile Group

July 1 ES & other CPSC staff: Dorel's proprietary concepts designs for safer portable bed rails and bath seats

DuPont

July 8 LS, EC & other CPSC staff: upholstered furniture barrier fabric testing

Environmental Protection Agency (EPA)

July 9-10 HS: workshops on PFOA and telomers
August 14-21 HS & other CPSC staff: human exposure to perfluorooctanoic acid (PFOA)
September 16-18 to identify data needs for the compound perfluorooctanoic acid (PFOA) and fluorinated telomers

Fire Protection Research Foundation

October 10 ES: fire research needs for electric wiring in older buildings
December 4 ES: a proposed project to document the effects of aging on the performance and safety of residential electrical systems
April 22 ES: a project to document the effects of aging on the safety of residential electrical systems

Fire Retardant Chemicals Association

March 10-11 EC: flame retardant chemicals in upholstered furniture

The Fire Sprinkler Manufacturers Joint Research Consortium

July 9 ES & LS: the status of the contract research funded by the Consortium dealing with improving long term performance of fire sprinklers

Florida Center for Solid and Hazardous Waste Management University of Florida

August 13 HS & other CPSC staff: CCA-treated wood research and other issues

Fluoropolymers Manufacturers Group

June 25 HS & other CPSC staff: fluoropolymers

Gas Appliance Manufacturers Association

February 20 ES: CPSC's 2003 gas appliance voluntary standards projects

Gradient Corporation (on behalf of the chemical manufacturers of CCA)

October 9 HS & other CPSC staff: presentation on planned CCA studies

Healthcare Compliance Packaging Council (HCPC)

November 18 Executive Director & other CPSC staff: child resistant packaging

Heiden Associates

October 7 Chairman Hal Stratton: recall effectiveness

Home Fashion Products Association

December 11 ES: flammability

Independent Safety Consulting

March 21 Office of Chairman Hal Stratton: hunting treestands

International Association of Electrical Inspectors

September 8-11 ES & other CPSC staff: proposals to revise the *National Electrical Code*

International Brotherhood of Electrical Workers (IBEW)

August 7 ES: CPSC electrical wiring activities

International Consumer Product Health and Safety Organization (ICPHSO)

June 12-13 Commissioner Mary Sheila Gall & other CPSC staff: participated in panel discussion on various compliance and product safety issues

International Life Sciences Institute (ILSI)

December 4-5 HS: sponsored workshop for EPA, "Peroxisome Proliferation Case Study Working Group"

December 6 HS: sponsored workshop for EPA, "Peroxisome Proliferation Case Study Working Group"

Kraft Foods

June 28 EXHR & other CPSC staff: safety issues associated with product development

Korea's Agency for Technology and Standards (KATS)

June 4	LS & other CPSC staff: presentation on Electrical Safety for Consumer Products and Standards-Related Activities/panel discussion with representatives from CPSC, KATS, ASTM, UL & ITS
--------	---

Leggett & Platt

May 16	ES & other CPSC staff: staff activities to develop performance requirements for mattresses
--------	--

Lighter Association, Inc.

March 5	Chairman Hal Stratton/staff: petition for rulemaking pending before the Commission (CP 02-1)
---------	--

MeadWestvaco

July 22	HS & other CPSC staff: new packaging designs under development
---------	--

Michigan ATV Association

July 23	EC & other CPSC staff: the Michigan ATV Association's safety programs
---------	---

National Association of State Fire Marshals (NASFM)

October 28	ES: the Combustion and Fire Sciences Division of the Directorate for Engineering Sciences at CPSC
January 23	ES: mutual activities related to electrical wiring safety
July 9-13	ES: NASFM 2003 conference

National Fire Protection Association (NFPA)

November 18	ES: conference on residential smoke alarms
January 13-15	ES: proposals for the 2005 <i>National Electrical Code</i>
January 19-24	ES: proposal to revise the <i>National Electrical Code</i>
May 18-21	ES: world safety conference

National Floor Safety Institute

August 5	ES: slip and fall prevention issues
----------	-------------------------------------

National Institute of Occupational Safety and Health (NIOSH)

June 25	ES: concepts being considered for Chemical Biological Radiation Nuclear (CBRN) Escape Respirator standards. NIOSH, the U.S. Army Soldier and Biological Chemical Command, and the National Institute for Standards and Technology (NIST) presented information on the concept development for the Escape Respirator CBRN standard
---------	---

National Personal Protective Technology Laboratory (NPPTL)

June 25	ES: concepts being considered for Chemical Biological Radiation Nuclear (CBRN) Escape Respirator standards. NIOSH, the U.S. Army Soldier and Biological Chemical Command, and the National Institute for Standards and Technology (NIST) presented information on the concept development for the Escape Respirator CBRN standard
---------	---

Outdoor Power Equipment Industry representatives

April 4	EXC: general matters concerning powered lawn and garden equipment
---------	---

Outdoor Power Equipment Institute (OPEI)

October 10	ES & other CPSC staff: communications between OPEI and CPSC and potential voluntary standard approach to leaking plastic fuel tanks on powered products
------------	---

Pass & Seymour/Legrand

December 19	ES: witness arc-fault circuit-interrupter testing
-------------	---

Pfizer, Inc.

July 30	HS & other CPSC staff: non-reclosable unit dose packaging
---------	---

Playcore & Gametime

April 3	ES & other CPSC staff: presenting playground research data to CPSC staff
---------	--

Proctor and Gamble Company

February 10	HS & other CPSC staff: the technical aspects of three new end points (aspiration, respiratory tract irritation, and water activated toxicity) and potential for cooperation in the implementation of globally harmonized system of classification and labeling
-------------	--

Rocket Pack LLC

May 13	EC & other CPSC staff: information developed by Veritas DGC Land, Inc. regarding ATV safety
--------	---

Sensors Expo & Conference

June 2-4	ES: sensors
----------	-------------

Sleep Products Safety Council

February 24	ES & other CPSC staff: review of the National Institute of Standards and Technology (NIST) data report on recent bedding tests
June 5	ES & other CPSC staff: issues relating to the mattress standard development process

Soap and Detergent Association

February 10	HS & other CPSC staff: the technical aspects of three new end points (aspiration, respiratory tract irritation and water activated toxicity) and potential for cooperation in the implementation of globally harmonized system of classification and labeling
-------------	---

Toy Industry Association

October 22	ES: revisions to the ANSI Z315.1 – Tricycle Standard
------------	--

Treestand Manufacturers Association

January 16	ES: hunting treestand safety
June 24	Office of Chairman Hal Stratton: background on TMA and its efforts in product safety area
June 24	Commissioner Mary Sheila Gall/staff: background on TMA and its efforts in the product safety area
June 24	Commissioner Thomas H. Moore/staff: background on TMA and its efforts in the product safety area

Underwriters Laboratories, Inc. (UL)

October 1	ES: cord entry to hair dryers
January 29	EXC: safety standards for CO alarms
January 30	ES: safety issues related to toaster ovens
March 4	ES: fuel cell power units and fuel storage containers for portable devices

Underwriters Laboratories, Inc. (UL) cont'd.

March 10	ES: proposed changes to the entrapment protection provisions of UL 325 (Door, Drapery, Gate, Louver, and Window Operators and Systems) to account for partially open garage doors
March 24-25	Commissioner Thomas H. Moore: 2003 Annual Meeting
March 24-25	ES: general issues related to fire safety
March 24-25	ES & other CPSC staff: CPSC's Engine Driven Tools Project and CPSC's Furnace Carbon Monoxide/Combustion Sensor Project
March 24-25	ES: safety standards for gas fired appliances
March 27	ES: electric juicer working group development of proposed testing requirements to UL 982
June 5	HF & ES: possible changes to UL 325 to address incidents involving partially open garage doors
June 17-18	ES: items related to the UL voluntary standards UL 1042, 1278, and 2021
July 15-16	ES: safety standards for portable engine-generators
July 29	CPSC staff: electric clothes dryers and lint ignition characteristics
July 31-August 1	ES: portable luminaries – item related to the UL voluntary standards UL 153 and 1786
August 26	ES & other CPSC staff: review of various product topics involving UL standards

U.S. Pharmacopeia (USP)

January 13	HS & OGC: packaging, storage and distribution
------------	---

Veritas DGC Land, Inc.

May 13	EC & other CPSC staff: information development by Veritas DGC Land, Inc. regarding ATV safety
--------	---

Window Covering Manufacturers Association

February 6	ES & other CPSC staff: window blind technology that can address child strangulation hazards in window blind cords
June 24	ES: review of window blind cord incident reports

YKK-USA.COM

October 15	HS & other CPSC staff: a design for a restraint for child seats in shopping carts
------------	---

APPENDIX D: Log and Status of Petitions and Applications

Log and Status of Petitions and Applications

The Consumer Product Safety Amendments of 1981 repealed former section 10 of the Consumer Product Safety Act (CPSA). That section provided that any person could petition the Commission to issue, amend or revoke a consumer product safety rule, and required the Commission to grant or deny the petition within 120 days.

The Administrative Procedure Act (APA) requires each agency to give interested persons the right to petition for the issuance, amendment, or repeal of a rule. Therefore, notwithstanding the revocation of former section 10 of the CPSA, the Commission continues to receive and act on petitions for rulemaking under the CPSA and the other statutes which the Commission administers:

The Federal Hazardous Substances Act (FHSA);

The Flammable Fabrics Act (FFA);

The Poison Prevention Packaging Act (PPPA); and

The Refrigerator Safety Act (RSA).

Although the Commission is no longer required to act on petitions for consumer product safety rules within 120 days, the Commission addresses all petitions as responsively and expeditiously as possible.

The status of each petition under consideration during Fiscal Year 2003 is listed in this appendix using the following terminology:

Granted - The Commission has decided to initiate a rulemaking proceeding.

Denied - The Commission has decided not to initiate a rulemaking proceeding.

Decision - Commission review and analysis of the petition is incomplete at this time.

Pending

Number	Petitioner	Summary of Petition	Disposition as of September 30, 2003
Consumer Product Safety Act			
CP 01-1	Consumer Federation of America	Requests rule requiring product registration cards	Denied 4/28/03
CP 02-1	David A. Baker Lighter Association Inc.	Requests rulemaking to establish general safety standards for cigarette lighters	Decision Pending
CP 02-2	Al Lokosky Michelle Robillard Snow Glow, Inc.	Requests rulemaking on the need for hazard lighting on all future snowmobiles	Denied 8/5/03
CP 02-3	Carol Pollack-Nelson	Requests a standard for hunting tree stands and a ban of waist belt restraints used with hunting tree stands	Decision Pending
CP 03-1/ HP 03-1	Lee Baxter John J. Walsh The Danny Foundation	Requests to establish mandatory safety standards for bunk bed corner posts	Decision Pending
CP 03-2	Stephen F. Gass	Requests rulemaking for table saws	Decision Pending
CP 03-3	V. Patteson Lombardi, PhD University of Oregon Dept. of Biology	Requests warning labels for press benches	Decision Pending
Federal Hazardous Substances Act			
HP 99-1	National Environmental Trust et. al.	Requests ban of polyvinyl chloride (PVC) in toys and other children's articles	Denied 2/21/03
HP 00-2	Debi Adkins Latex Rubber News	Requests rule declaring natural latex a strong sensitizer	Decision Pending

Number	Petitioner	Summary of Petition	Disposition as of September 30, 2003
Federal Hazardous Substances Act cont'd			
HP 00-4	Consumer Federation of America et. al.	Requests ban of baby bath seats	Granted 5/30/01 ANPR Published 7/28/03
HP 01-1	The Children's Hospital of Philadelphia	Requests regulation of bicycle handlebars	Denied 7/14/03
HP 01-3	Environmental Working Group	Requests a ban of arsenic treated wood in playground equipment	Decision Pending
HP 02-1	Rachel Weintraub Consumer Federation of America	Requests a ban of all-terrain vehicles sold for use by children under 16 years old and to provide refunds for consumers	Decision Pending
HP 03-1 (CP 03-1)	Lee Baxter John J. Walsh	Requests to establish mandatory safety standards for bunk bed corner posts	Decision Pending
Poison Prevention Packaging Act			
PP 03-1	Peter Mayberry Healthcare Compliance Packaging Council	Requests amendment to child-resistance testing pass/fail criterion for unit dose packaging (HCPC)	Decision Pending

APPENDIX E: Voluntary Standards Activities

Voluntary Standards Activities

Thirty-two new, revised, and reaffirmed voluntary consumer product safety standards, for which the CPSC staff provided technical support, received final approval in FY 2003: stationary activity centers, baby swings, baby walkers, bath seats, bed rails, toddler beds, bicycles (two standards), candles, hook-on chairs, plastic chairs for outdoor use, soft/travel carriers, child-resistant packaging, cribs, exercise equipment (four standards), fire escape masks, fun-karts, gasoline containers, recreational helmets (two standards), utility lighters, nail guns, playground surfacing, pool covers, pool suction release devices, non-powered scooters, trampolines, trimmers & brushcutters, and gas water heaters.

In total, the staff provided technical support to the development of 69 voluntary safety standards during the year, each of which is addressed in the information that follows. Also included is information on voluntary standards for which the CPSC staff provided technical support in prior years but which were approved in FY 2003. Nearly all of these voluntary standards were handled by three standards development coordinating organizations - the American Society for Testing and Materials International (ASTM International), the American National Standards Institute (ANSI), and Underwriters Laboratories Inc. (UL). These standards provide performance safety provisions addressing potential hazards associated with consumer products found in our homes, schools, and recreational areas. In addition, the CPSC staff continued monitoring conformance to selected voluntary consumer product safety standards.

SUMMARY LISTING OF FY 2003 VOLUNTARY STANDARDS PROJECTS

1. Activity Centers, Stationary⁽¹⁾
2. Alarms, CO
3. All-Terrain Vehicles
4. Baby Bouncers
5. Baby Swings
6. Baby Walkers
7. Basketball Systems, Residential
8. Bassinets and Cradles
9. Bath Seats
10. Bed Rails
11. Beds, Toddler⁽¹⁾
12. Bicycles (Structural Integrity)
13. Blind Cords
14. Candles
15. Chairs, Hook-On⁽¹⁾
16. Chairs, Plastic for Outdoor Use⁽¹⁾
17. Carriers, Infant Hand-Held
18. Carriers, Soft/Travel
19. Changing Tables, Diaper
20. Child-Resistant Packaging
21. Circuit-Interrupters, Arc-Fault (AFCIs)
22. Circuit Interrupters, Ground-Fault (GFCIs)
23. Clothes Dryers
24. Cribs
25. Escalators
26. Exercise Equipment (Treadmills)
27. Fans, Portable Electric
28. Fire Escape Masks
29. Furnaces & Vented Appliances
30. Fun-Karts⁽¹⁾
31. Garage Doors
32. Garage Door/Gate Operators
33. Gas Grills
34. Gas Systems, LP
35. Gasoline Containers
36. Gasoline Containers, Outdoor Power Equipment
37. Gun Locks
38. Hair Dryers
39. Heaters, Fixed Room

40. Heaters, Portable Propane
41. Helmets, Recreational
42. High Chairs
43. Hunting Stands
44. Infant Bedding and Accessories
45. Juicers
46. Lamps, Portable Electric
47. Lighters, Utility⁽¹⁾
48. Nail Guns
49. National Electrical Code
50. Playground Equipment, Aquatic
51. Playground Equipment (< 2 Years Old)
52. Playground Equipment, Home
53. Playground Equipment, Public
54. Playground Equipment, Soft Contained
55. Playground Surfacing
56. Play Yards
57. Pool Alarms
58. Pool Covers⁽¹⁾
59. Pool Suction Release Devices
60. Ranges (Fire)
61. Saws, Chain
62. Saws, Table
63. Scooters, Non-Powered
64. Smoke Alarms
65. Sprinklers, Fire
66. Strollers
67. Surge Suppressors
68. Tools, Engine Driven
69. Toy Safety
70. Toys, Battery-Operated Ride-On
71. Trampolines
72. Tricycles
73. Trimmers & Brushcutters
74. Turkey Fryers
75. Water Heaters, Gas

NOTE: (1) CPSC staff involvement prior to FY 2003 with standard completed in FY 2003.

Description of CPSC FY 2003 Voluntary Standards Activities

1. Activity Centers, Stationary

Purpose – To revise the American Society for Testing and Materials International (ASTM) *Consumer Safety Performance Specification for Stationary Activity Centers (F2012-00a)* to strengthen its safety provisions.

Highlights – A revised ASTM *Consumer Safety Performance Specification for Stationary Activity Centers (ASTM F2012-03)* was approved on 8/10/03. CPSC staff participated on the ASTM F15.17 Carriages, Strollers, Walkers, and Stationary Activity Centers Subcommittee which revised the standard to include safety provisions dealing with child developmental criteria in instructional literature, among other things.

2. Alarms, Carbon Monoxide (CO)

Purpose – To revise the Underwriters Laboratories Inc. (UL) *Single and Multiple Station Carbon Monoxide Alarm (UL 2034)* standard based on the results of CO alarm testing at conditions that approximate in-use conditions of rising CO concentrations, and concentrations other than those specified in the standard.

Highlights – The CPSC staff tested 40 CO alarms to simulate foreseeable in-home conditions and thereby confirm or refute claims that CO alarms do not activate properly to protect consumers from hazardous levels of CO. Test results and a health assessment were under staff review at the end of the reporting period. The CPSC staff developed recommendations to improve the UL 2034 standard for dissemination to UL.

3. All-Terrain Vehicles (ATVs)

Purpose – To revise the American National Standard Institute (ANSI) *Standard for Four-Wheel All-Terrain Vehicles (ANSI/SVIA 1-2001)* thereby strengthening its safety requirements relating to current models of ATVs.

Highlights – Work on this standard was put on hold. The Commission held a meeting in West Virginia and the CPSC Chairman held meetings in Alaska and New Mexico to learn more about the issues related to ATV safety.

4. Baby Bouncers

Purpose: To revise and strengthen the safety provisions of the ASTM safety standard for infant bouncer seats.

Highlights: The CPSC staff provided technical assistance to the ASTM F15.21

Subcommittee which was revising the safety provisions of the ASTM *Standard Consumer Safety Specification for Infant Bouncer Seats (ASTM F2167-01)*. The Subcommittee began an evaluation of problems associated with dynamic slip and static load testing. The order of the testing, not the tests themselves, was of concern.

5. Baby Swings

Purpose – To revise the ASTM *Standard Consumer Safety Specification for Infant Swings (ASTM F2088-01)* in order to strengthen its safety provisions.

Highlights – The revised ASTM *Standard Consumer Safety Specification for Infant Swings (F2088-03)* was approved on 3/10/03. The CPSC staff provided technical assistance to the ASTM F15.21 Infant Carriers, Bouncers and Baby Swings Subcommittee on such items as infant swing restraints, stability and structural integrity.

6. Baby Walkers

Purpose – To revise the ASTM *Consumer Safety Performance Specification for Infant Walkers (ASTM F977-00)*.

Highlights – A revised *Consumer Safety Performance Specification for Infant Walkers (ASTM F977-03)* was approved on 3/10/03. The CPSC staff provided technical support to the F15.21 Infant Carriers, Bouncers and Baby Swings Subcommittee during the revision of the standard. The revision included a cycle rate provision to the drop weight test and added information in the instructional literature regarding cleaning of friction strips on baby walkers.

7. Basketball Systems, Residential

Purpose: To revise and strengthen the ASTM residential basketball systems standard in order to reduce the injuries from protruding parts.

Highlights: The CPSC staff provided technical support to the ASTM Subcommittee F08.25 which was developing revisions to the ASTM *Standard Specification for Residential Basketball Systems (ASTM 1882-98)*. In 8/03, the CPSC staff made recommendations with regard to protrusion safety provisions.

8. Bassinets and Cradles

Purpose – To revise the ASTM *Standard Consumer Safety Specification for Bassinets and Cradles (ASTM F2194-02)* in order to strengthen its safety provisions.

Highlights – The CPSC staff participated in task group activities that included developing a warning label and an instructions statement. The task group results were balloted to

the ASTM F15.18 Cribs, Toddler Beds, Play Yards, Bassinets, Cradles, and Changing Tables Subcommittee as well as to the ASTM F15 Committee on Consumer Products. Negative votes were received on the ballot which required future resolution. To help access possible requirements for side height, the CPSC staff continued to gather data on falls from bassinets and cradles.

9. Bath Seats

Purpose – To revise the ASTM *Consumer Safety Specification for Infant Bath Seats (ASTM F1967-01)* in order to eliminate or reduce the risk of infant drowning resulting from tipover, submarining, and climbing out hazards.

Highlights – The revised ASTM *Consumer Safety Specification for Infant Bath Seats (ASTM F1967-03)* was approved on 3/10/03. The revision included: (1) change to the block material for the static load test, (2) addition to warnings on the product to address use on slip-resistant surfaces, (3) addition of warnings to the instructional literature, (4) addition of a requirement to indicate the age grade and developmental stage of the product, and (5) addition of a performance requirement to limit the size of the leg openings and seating space. During its 2/03 meeting, the ASTM F15.20 Bath Seats Subcommittee voted to ballot an additional requirement pertaining to stability that closely matched the CPSC staff recommendations.

10. Bed Rails

Purpose – To revise the ASTM *Standard Consumer Safety Specification for Bed Rails (ASTM F2085-01)* in order to eliminate or significantly reduce the risk of suffocation and strangulation resulting from head entrapment.

Highlights – A revised ASTM *Standard Consumer Safety Specification for Bed Rails (ASTM F2085-03)* was approved on 4/10/03. This revision included performance requirements for testing two different style bed rails on two different mattress platforms. This standard was technically a revision to an existing standard, but in essence, it was a new standard. The previous version (*ASTM F2085-01*) did not have any performance requirements, only labeling and instructional requirements. In 7/03, the standard was edited and designated as *ASTM F2085-03e1*. There were no significant changes. The CPSC staff also participated in a task group of the ASTM F15.11 Bed Rails Subcommittee to look at the scope of the standard.

11. Beds, Toddler

Purpose – To revise the ASTM *Standard Consumer Safety Specification for Toddler Beds (F1821-97)* in order to eliminate or significantly reduce the risks of suffocation and strangulation that may result from head entrapment.

Highlights – A revised ASTM *Standard Consumer Safety Specification for Toddler Beds*

(F1821-03) was approved on 3/10/03. The revised standard included a test method for partially bounded openings.

12. Bicycles

Purpose – To develop new or revised ASTM safety standards for bicycles and bicycle components.

Highlights – A new ASTM *Standard Specification for Condition 3 Bicycle Forks (ASTM F2274-03)* was approved on 5/10/03. A new ASTM *Standard Test Methods for Bicycle Forks (ASTM F2273-03)* was approved on 7/10/03. The CPSC staff worked with the ASTM F08.10 Bicycle Subcommittee to develop standards for the structural integrity of bicycle forks, attenuation of handlebar impact injury, and wheel retention.

13. Blind Cords

Purpose – To revise the ANSI *Safety of Corded Window Covering Products (ANSI/WCMA A100.1-2002)* standard, as appropriate.

Highlights – In preparation for making specific recommendations to revise the safety standard, the CPSC staff and members of the Window Covering Manufacturers Association (WCMA) performed a joint review of fatal incidents associated with window covering products.

14. Candles

Purpose – To develop new ASTM safety standards to eliminate or significantly reduce fire hazards associated with candles and candle products.

Highlights – A new ASTM *Provisional Specification for Fire Safety for Candles (ASTM PS 59-02)* was approved on 12/04/02. The performance standard addressed stability, end-of-life issues, flame height, and secondary ignition. The CPSC staff continued to provide technical support in the development of the full consensus standard by the ASTM F15.45 Candles and Candle Products Subcommittee.

15. Chairs, Hook-On

Purpose – To review the ASTM *Consumer Safety Specification for Hook-On Chairs (ASTM F1235-98)* in accordance with ASTM's requirement to review and update all standards every five years.

Highlights – The revised ASTM *Consumer Safety Specification for Hook-On Chairs (ASTM F1235-03)* was approved on 8/10/03. The CPSC staff worked with the ASTM F15.16 Highchairs, Hook-On Chairs, and Expandable Gates Subcommittee to revise safety provisions

dealing with definitions, symbols, rough edges, holes, and other items in the standard. This was done to update and make the safety provisions consistent with safety provisions found in similar juvenile product safety standards which were approved since the hook-on chair standard was last published.

16. Chairs, Plastic for Outdoor Use

Purpose – To revise the ASTM *Performance Requirements for Plastic Chairs for Outdoor Use (ASTM F1561-96)* to strengthen its safety provisions.

Highlights – The ASTM *Performance Requirements for Plastic Chairs for Outdoor Use (ASTM F1561-03)* was approved on 3/10/03. The CPSC staff worked with the ASTM F15.33 Outdoor Plastic Lawn Furniture Subcommittee to revise the safety provisions dealing with the physical performance of the product as related to outdoor weathering, impact strength, static load, and rear leg testing.

17. Carriers, Infant Hand-Held

Purpose – To revise the ASTM *Standard Safety Performance Specification for Hand-Held Carriers (F2050-01)* to minimize the risk of injuries to occupants.

Highlights – The CPSC staff provided technical support to the ASTM F15.21 Infant Carriers, Bouncers and Baby Swings Subcommittee to strengthen performance requirements, test results, and marking requirements so as to promote the safe use of hand-held infant carriers. At the end of the reporting period, a revised safety standard was in the final stage of the approval process.

18. Carriers, Soft/Travel

Purpose – To develop a new ASTM safety standard for soft infant carriers and frame-type infant carriers.

Highlights – A new ASTM *Standard Consumer Safety Specification for Soft Infant Carriers (ASTM F2236-03)* was approved on 3/10/03. The new standard included leg opening, dynamic load, static load and marking/labeling requirements. CPSC staff provided technical support to a task group of the ASTM F15.21 Infant Carriers, Bouncers and Baby Swings Subcommittee which developed the standard.

19. Changing Tables, Diaper

Purpose – To develop a new ASTM *Consumer Product Safety Specification for Baby Changing Tables for Domestic Use*.

Highlights – The CPSC staff participated on task groups dealing with entrapment and four-sided barrier issues as related to baby changing tables for domestic use. In 7/03, a draft *ASTM Consumer Product Safety Specification for Baby Changing Tables for Domestic Use* was balloted to the ASTM Subcommittee. The draft standard contained performance requirements addressing collapse, tipover, falls, and entrapment. The ballot received several negative votes which remained to be addressed at the end of the reporting period.

20. Child-Resistant Packaging

Purpose – To develop voluntary national consensus safety standards for child-resistant packaging (CRP).

Highlights – A revised ASTM *Classification of Child-Resistant Packages (ASTM D3475-03a)* standard was approved on 4/10/03. It included new packaging designs. This standard was being revised and updated continuously to include new classification designations for novel designs. The CPSC staff participated on the task group responsible for the updates as well as on the ASTM D10.31 Child-Resistant Closures Subcommittee.

21. Circuit-Interrupters, Arc-Fault (AFCIs)

Purpose – To strengthen the safety provisions of the UL *Arc-Fault Circuit-Interrupters (UL 1699)* standard in order to reduce the fire hazard associated with electrical wiring in homes.

Highlights – The CPSC staff continued to participate on the UL Standard Technical Panel (STP) for UL 1699 to develop requirements for AFCIs and test instruments for electrical inspection and troubleshooting of AFCIs. At the end of the reporting period, the CPSC staff anticipated a ballot of a forthcoming draft standard with safety requirements to address environmental concerns such as corrosion and electrical surges.

22. Circuit-Interrupters, Ground-Fault (GFCIs)

Purpose – To improve the reliability of GFCIs by making them more resistant to corrosion, electrical surges, and improper installation; to revise the *Standard for Safety for Ground-Fault Circuit-Interrupters (UL943)* and its ANSI counterpart standard, as appropriate.

Highlights – UL previously approved significant GFCI product certification requirements to address CPSC staff concerns regarding corrosion, electrical surges, and improper installation. However, these certification requirements were not part of the ANSI standard on this subject. UL often processes its standards through the ANSI standard development procedures in order to achieve national consensus. At the end of the reporting period, UL was completing the ANSI process to add new requirements to the ANSI standard for: (1) resistance to moisture and corrosion and (2) reverse line-load miswire testing.

23. Clothes Dryers

Purpose – To evaluate the adequacy of the CSA/ANSI *Gas Clothes Dryers - Volume 1-Type 1 Clothes Dryers (CSA/ANSI Z21.5.1)* and the UL *Electric Clothes Dryers (UL 2158-1997)* fire safety standards and to make recommendations for revisions to the standards, as appropriate.

Highlights – The CPSC staff proposed revisions to the UL *Electric Clothes Dryers (UL 2158-1997)* standard. The proposed revisions sought to improve the safety instructions regarding dryer venting materials. The CPSC staff also proposed several recommendations to address lint ignition.

24. Cribs

Purpose – To revise the ASTM *Specification for Full Size Baby Crib (ASTM F1169-99)* safety standard to more adequately address hazards associated with full size crib hardware.

Highlights – A revised ASTM *Specification for Full Size Baby Crib (ASTM F1169-03)* was approved on 8/10/03. The revised standard included revised provisions on corner post extensions and referenced standards banning lead paint and toys presenting choking hazards, among other things. The CPSC staff provided technical support to the ASTM F15.18 Cribs, Toddler Beds, Play Yards, Bassinets, Cradles, and Changing Tables Subcommittee which developed the revision of the standard.

25. Escalators

Purpose – To revise the American Society of Mechanical Engineers (ASME) *Safety Code for Elevators and Escalators (ANSI/ASME A17.1)* to require stronger, clearer warning signs.

Highlights – The CPSC staff previously proposed a revision to the standard to include stronger, clearer warning labels/signs. At a meeting on 6/03 the Escalator and Moving Walk Committee decided to reject the CPSC staff proposal with no further action planned. This was done after multiple unsuccessful attempts to ballot a stronger warning label.

26. Exercise Equipment (Treadmills & Selectorized Strength Equipment))

Purpose – To revise two treadmill standards: (1) the ASTM *Standard Test Methods for Evaluating Design and Performance Characteristics of Motorized Treadmills (ASTM F2106)* and (2) the ASTM *Standard Specification for Motorized Treadmills (ASTM F2115-02b)*. Further, to create two new ASTM standards: (1) *Standard Specification for Selectorized Strength Equipment (ASTM F2216-03)* and (2) *Standard Test Methods for Evaluating Design and Performance Characteristics of Selectorized Strength Equipment (ASTM F2277-03)*.

Highlights – The CPSC staff provided technical support to the ASTM F08 subcommittees which developed the new standards and standards’ revisions referenced below. The revised ASTM *Standard Test Methods for Evaluating Design and Performance Characteristics of Motorized Treadmills (ASTM F2106-03)* was approved on 5/10/03. This revision clarified angular measurement criteria. The revised ASTM *Standard Specification for Motorized Treadmills (ASTM F2115-02b)* was approved on 12/10/02. This revision added a safety provision related to a clearance area for the treadmill in reference to the handrail. The new ASTM *Standard Specification for Selectorized Strength Equipment (ASTM F2216-03)* was approved on 1/10/03 and the new ASTM *Standard Test Methods for Evaluating Design and Performance Characteristics of Selectorized Strength Equipment (ASTM F2277-03)* was approved on 5/10/03.

27. Fans, Portable Electric

Purpose – To revise the UL *Electric Fans (UL 507)* safety standard in order to reduce the risk of fire associated with portable electric fans.

Highlights – The CPSC staff participated on a working group of the UL Standard Technical Panel for Electric Fans to address the potential fire and shock hazards associated with mechanical damage to fan cords. Incident reports and a CPSC staff report of test work conducted on portable fans were provided to the working group for review.

28. Fire Escape Masks (Smoke Hoods)

Purpose – To develop a revised ANSI *Air-Purifying Respiratory Protective Escape Devices (ANSI/ISEA 110)* performance standard for air-purifying respiratory protective smoke escape devices (RPEDS), a type of personal protection commonly called a "smoke hood" or "fire escape mask."

Highlights – A revised ANSI *Air-purifying Respiratory Protective Escape Devices (ANSI/ISEA 110-2003)* standard was approved on 8/27/03 and was published by the International Safety Equipment Association. The standard provided design guidance to manufacturers in the form of a detailed set of performance requirements and testing procedures. Included in the standard were sections covering certification, labeling, design, performance, conditioning and testing requirements.

29. Furnaces & Vented Appliances

Purpose – To revise the *Gas-Fired Central Furnaces (ANSI Z21.47)* safety standard to include performance requirements to: (1) prevent a furnace from producing excessive levels of carbon monoxide (CO) and (2) shutdown the furnace in response to excessive CO levels.

Highlights – As a preliminary step to the revision of the standard, the CPSC staff worked with the ANSI Z21/83 Committee and the ANSI Z21/83 CO/Combustion Sensor Ad Hoc Working Group to develop a work plan and test criteria necessary to begin evaluation of appropriate CO/combustion sensor usage in gas appliances. In addition, the CPSC staff conducted testing and evaluation of additional CO/combustion sensor technologies to help determine their appropriate use in revision of the standard.

30. Fun-Karts

Purpose – To revise and improve the ASTM *Standard Specification for Safety and Performance of Fun-Karts (ASTM F2011-00)*.

Highlights – The revised ASTM *Standard Specification for Safety and Performance of Fun-Karts (ASTM F2011-02)* was approved on 11/10/02. The major revision was the inclusion of a finger probe test and a hair entanglement test for rotating parts in the shield and guards section of the standard. Editing changes were made later which resulted in the numerical designation of the standard changing to *ASTM F2011-02e1*. The CPSC staff monitored the ASTM F15.41 Fun-Karts Subcommittee work to develop this revised standard.

31. Garage Doors

Purpose – To revise the ANSI *Section Interfaces on Residential Garage Door Systems (ANSI/DASMA 116-01)* safety standard in order to eliminate or significantly reduce the potential for finger and hand injuries between folding panels of garage doors.

Highlights – The CPSC staff provided comments as a part of an ANSI Board of Standards Review (BSR) evaluation as to whether a negative vote on a proposed revision to the standard was properly handled.

32. Garage Door/Gate Operators

Purpose – To revise the UL *Door, Drapery, Gate, Louver, and Window Operators and Systems (UL 325-02)* standard as appropriate to address safety hazards associated with garage door/gate operators.

Highlights – The CPSC staff participated on the Standard Technical Panel for the UL325 standard. The STP considered revisions to the standard and addressed incidents identified by the CPSC staff involving a risk of injury to persons crawling under a stopped, partially open garage door.

33. Gas Grills

Purpose – To revise the ANSI *Outdoor Cooking Gas Appliances (ANSI Z21.58)* standard, as appropriate, to reduce the fire hazard associated with gas-fired grills.

Highlights – Prior to making specific recommendations for revising the safety standard, the CPSC staff identified gas grill incidents and started engineering and human factors analyses to determine failure modes and identify possible solutions to the problems.

34. Gas Systems, LP

Purpose – To revise several voluntary standards covering the 20-pound LP-gas fuel system used with the grills, as appropriate.

Highlights – Prior to making specific recommendations for revisions to safety standards, the CPSC staff identified gas grill incidents and started engineering and human factors analyses to identify failure modes and determine possible solutions to the problems.

35. Gasoline Containers

Purpose – To develop an ASTM *Specification for Portable Gasoline and Kerosene Spill Resistant Fueling Systems for Consumer Use* based on the provisional standard *ASTM PS 91-00* and to develop an ASTM *Specification for Child Resistant Portable Gasoline Containers for Consumer Use* based on the provisional standard *ASTM PS 199-01*.

Highlights – The CPSC staff worked with the ASTM F15.10 Standards for Flammable Liquid Containers Subcommittee to convert two provisional standards into full consensus standards. The ASTM *Specification for Portable Gasoline and Kerosene Spill Resistant Fueling Systems for Consumer Use (ASTM F2234-03)* was approved on 7/10/03. The Subcommittee continued to work on the conversion of PS 119-01 for child-resistance; however negative votes that had to be addressed prevented the completion of this standard prior to the end of the reporting period.

36. Gasoline Containers, Outdoor Power Equipment

Purpose: To develop a new ANSI safety standard to preclude fuel leaking from plastic fuel tanks on outdoor power equipment.

Highlights: An organization meeting of the ANSI B71.10 Fuel and Exhaust Systems Committee and the Outdoor Power Equipment Institute (OPEI) was scheduled to take place on 8/19/03. The purpose of the meeting was to discuss the development of a new safety standard to ensure that plastic fuel tanks on outdoor power equipment such as lawn mowers do not leak. The meeting was cancelled and there was no further activity before the end of the reporting period on 9/30/03.

37. Gun Locks

Purpose – To develop an ASTM safety standard for cable and trigger gun locks and a separate safety standard for gun lock containers.

Highlights – The ASTM F15.53 Non-Integral Firearm Locking Devices Subcommittee (SC) continued to draft provisions for a safety standard dealing with cable and trigger gunlocks. The ASTM SC task groups reported on the development of various tests to support the provisions. The SC met in 1/03, 5/03, and 7/03. A draft standard was balloted in 3/03 and several negative votes were received. In the 5/03 and 7/03 meetings the negative votes were considered and the standard redrafted to address the negative votes. The CPSC staff monitored the activities of the ASTM F15.55 Firearm Security Containers Subcommittee which continued to develop requirements for locking containers for firearms.

38. Hair Dryers

Purpose – To revise the UL *Household Electric Personal Grooming Appliances (UL 859)* standard in order to reduce the risk of fire associated with hand-held hair dryers.

Highlights – The CPSC staff continued to participate in working groups to develop draft standard revisions to address fire hazards associated with hair dryers. Proposed revisions addressed requirements for cord flexure, switch material and heater coil fastening. It was planned to send these proposed standard revisions to the UL Standards Technical Panel 859 for review and approval.

39. Heaters, Fixed Room

Purpose – To revise the UL *Electric Baseboard Heating Equipment (UL 1042)* and UL *Fixed and Location-Dedicated Electric Room Heaters (UL 2021)* safety standards to reduce the risk of fire.

Highlights – The CPSC staff participated in meetings of UL Standard Technical Panel 1042 to present and discuss recommendations for improvements to the voluntary standards. CPSC staff participated in the working groups that were established to examine the maximum radiant heat flux and temperatures of accessible surfaces for heaters.

40. Heaters, Portable Propane

Purpose – To develop a new safety standard for portable catalytic camp heaters and to develop a new safety standard for direct-mount (tank top) portable heaters to eliminate or significantly reduce the CO poisoning hazard associated with these products.

Highlights – The CPSC staff worked with the CSA/ANSI Z21/83 Joint Technical

Advisory Group (TAG) on Gas Refrigerators and Portable Camping Equipment to develop a new safety standard for portable catalytic camp heaters. Approval of the new safety standard was delayed until differences between US requirements and Canadian requirements of a similar standard for portable radiant camp heaters were reconciled. The CPSC staff participated in meetings of the CSA/ANSI Z21/83 TAG on Standards for Construction Heaters and Agricultural Heaters, and the CSA/Z21 TAG on Gas-Fired Infrared Heaters to develop a new safety standard for direct-mount portable heaters. Currently, direct-mount heaters are not covered by any safety standard. Prior to proposing specific standards safety provisions, the CPSC staff tested various types of these products and assessed the technical feasibility to incorporate a safety shut-off means to address high CO levels.

41. Helmets, Recreational

Purpose – To revise and strengthen the safety provisions of the following: (1) *Standard Specification for Helmets Used in Recreational Bicycling or Roller Skating (ASTM F1447)*, (2) *Standard Specification for Headforms (ASTM F2220)*, and (3) *Standard Test Methods for Equipment and Procedures Used in Evaluating Performance Characteristics of Protective Headgear (ASTM F1446-01a)*.

Highlights – The revised ASTM *Standard Specification for Helmets Used in Recreational Bicycling or Roller Skating (ASTM F1447-02)* was approved on 11/10/02. The *Standard Specification for Headforms (F2220-02)* was approved on 12/10/02. The CPSC staff provided technical review of the two standards in support of ASTM Subcommittees F08.53 and F08.30 respectively. The CPSC staff continued technical support to the *ASTM F08 Committee* which was revising the basic standard for testing helmets, the *ASTM Standard Test Methods for Equipment and Procedures Used in Evaluating Performance Characteristics of Protective Headgear (ASTM F1446-01a)*. The standard's proposed revisions sought to clarify the laboratory procedures used in the roll-off and labeling tests.

42. High Chairs

Purpose – To revise the ASTM *Standard Consumer Safety Specification for High Chairs (ASTM F404-99a)* to reduce the risk of falling or strangulation from submarining or occupant escape.

Highlights – The CPSC staff worked with three task groups of the ASTM F15.16 High Chairs, Hook-On Chairs, and Expandable Gates Subcommittee to develop recommendations to revise the safety standard. The task group on 5-point-harness systems recommended that use of the harness system remain an option and that no performance testing of this harness system should be added to the standard. The task group on high chair tray disengagements held a telephone conference in 8/03 to discuss issues involving performance requirements for latching mechanisms on high chair trays to improve tray retention and reduce the number of falls. The task group on passive crotch restraints developed a recommendation that the high chair standard should be amended to require both a passive crotch distance and a leg-hole-size requirement.

Currently, adherence to only one of these provisions is necessary to meet the standard.

43. Hunting Stands

Purpose: To develop a new standard for fall arrest safety systems used with hunting tree stands.

Highlights: The CPSC staff provided technical support to the ASTM F08.16 Subcommittee which was developing a new *Standard Test Method for Treestand Fall Arrest System* which subsequent to the end of the reporting period was approved and designated as ASTM F2337-03. A draft standard was balloted in 7/03 and on 7/31/03 the CPSC staff commented by letter that there should be safety specifications to enable a hunter to safely escape while suspended from a fall arrest harness.

44. Infant Bedding and Accessories

Purpose – To revise the ASTM *Standard Consumer Safety Performance Specification for Infant Bedding and Related Accessories (ASTM F1917-00)* in order to address entanglement in fitted sheets and soft bedding issues, as appropriate.

Highlights – As a prerequisite for revising the standard, the ASTM F15.19 Subcommittee on Infant Bedding had five laboratories test a series of fitted crib sheets according to a draft procedure involving pulling on sheet corners until they release from a standard mattress. At the end of the reporting period, CPSC staff was analyzing the reliability of the test procedure.

45. Juicers

Purpose – To revise the UL *Standard for Motor-Operated Household Food Preparing Machines (UL 982)* to include safety provisions for electric centrifugal juicers.

Highlights – The CPSC staff worked with the UL 982 Standard Technical Panel (STP) working group to revise the electric centrifugal juicer section of the standard. In doing so, the CPSC staff conducted independent testing of electric centrifugal juicers and provided input to the UL STP working group.

46. Lamps, Portable Electric

Purpose – To revise the UL *Portable Electric Luminaires (UL 153)* safety standard to improve the fire safety of torchiere style incandescent portable lamps.

Highlights – The CPSC staff continued to monitor the standard for portable lamps. Proposed changes to the voluntary safety standard for incandescent torchiere lamps to address the potential fire hazard associated with combustibles contacting higher wattage bulbs were

scheduled to become effective after the end of the reporting period on 4/10/04. In addition, CPSC staff contributed to a working group developing a definition of “play value” to clarify provisions regarding luminaries with toy-like features.

47. Lighters, Utility

Purpose – To develop a new ASTM *Consumer Safety Specification for Utility Lighters* which includes the requirements for child resistance set forth in the 16 CFR 1212 *Safety Standard for Multi-purpose Lighters*.

Highlights – A new ASTM *Consumer Safety Specification for Utility Lighters (ASTM F2201-02)* was approved on 10/10/02. This standard included requirements for child resistance set forth in 16 CFR 1212 *Safety Standard for Multi-purpose Lighters* and safety provisions similar to those in the ASTM *Consumer Safety Specification for Lighters (ASTM F400-01.)* The CPSC staff provided support to the ASTM F15.02 Safety Standards for Lighters Subcommittee which developed the voluntary standard.

48. Nail Guns

Purpose – To revise the ANSI *Safety Requirements for Portable, Compressed-Air-Actuated, Fastener Driving Tools (ANSI/SNT-101-2002)* standard to provide safer activation mechanisms on nail guns, as appropriate.

Highlights – The revised ANSI *Safety Requirements for Portable, Compressed-Air-Actuated, Fastener Driving Tools (ANSI/SNT-101-2003)* was approved 12/3/02 and became effective for nail guns manufactured after 5/1/03. The revised standard requires a sequential actuation system on most nail guns.

49. National Electrical Code

Purpose – To revise the safety provisions of the *National Electrical Code (NEC)* to reduce electrical fires and shock associated with consumer products including appliances, electrical equipment, and wiring products.

Highlights – The CPSC staff continued to support proposals for the 2005 edition of the *NEC*. The CPSC staff proposals called for widespread utilization of ground-fault circuit-interrupters (GFCIs) throughout homes and public places. The proposals also included new requirements for introducing arc-fault circuit-interrupters (AFCIs) into older homes in order to reduce the risk of fire caused by some electrical arcing conditions.

50. Playground Equipment, Aquatic

Purpose – To develop a new ASTM safety and performance standard for various types

of aquatic play equipment intended for public use in aquatic facilities.

Highlights – The aquatic play equipment task group (a combined ASTM F15 Committee on Consumer Products and the ASTM F24 Amusement Rides and Devices Committee harmonization task group) compiled information and developed a proposed new safety provision for the ASTM F15.29 Subcommittee on Playground Equipment for Public Use to review as the basis for a possible new safety standard. The major effort for development was shifted to the ASTM F24 Amusement Rides and Devices Committee along with several members of the ASTM F15.29 Subcommittee participating in the process.

51. Playground Equipment (< 2 Years Old)

Purpose – To develop a new ASTM safety standard for playground equipment intended for children from 4-months old through 23-months old. Such equipment often is found in childcare facilities.

Highlights – The CPSC staff joined working groups within the ASTM F15.44 Play Equipment for Children Under Two Subcommittee that continued development of safety provisions for indoor and outdoor play equipment intended for use by children under 2 years of age. At the close of the reporting period, an ASTM F15 Committee ballot for a new ASTM *Safety Performance Specification for Public Use Play Equipment for Children Under Two* was being prepared.

52. Playground Equipment, Home

Purpose – To revise the ASTM *Consensus Safety Performance Specification for Home Playground Equipment (ASTM F1148)* to strengthen its safety provisions.

Highlights – CPSC staff provided technical assistance to the ASTM F15.09 Home Playground Subcommittee that reviewed a new safety provision to address stability and restraint performance for “tot swings.” Work continued on refining the toddler swing stability test, as did work on revising and reformatting other portions of the current standard.

53. Playground Equipment, Public

Purpose – To revise the ASTM *Consumer Safety Performance Specification for Public Playground Equipment (ASTM F1487-01E01)* to improve its safety provisions.

Highlights – The CPSC staff continued participation on the ASTM F15.29 Playground Equipment for Public Use Subcommittee which met on 5/19-23/03 and 9/15-17/03. The subcommittee focused on safety provisions for playground stepping stones, test methods for toddler swings, and safety provisions to address entanglement risks.

54. Playground Equipment, Soft Contained

Purpose – To revise the ASTM *Standard Safety Performance Specification for Soft Contained Playground Equipment (ASTM F1918-98)* to strengthen its safety provisions.

Highlights – The CPSC staff assisted the ASTM F15.36 Soft Contained Play Systems Subcommittee to develop revised safety provisions for the standard. A task group to address soft foam products intended for toddler play areas in public settings was formed.

55. Playground Surfacing

Purpose – To create a new ASTM *Standard Guide for ASTM Standards on Playground Surfacing (ASTM F2223-03)* and revise the ASTM *Safety Specification for Impact Attenuation of Surface Systems Under and Around Playground Equipment (ASTM F1292-01)* in order to enhance its safety provisions.

Highlights – A new ASTM *Standard Guide for ASTM Standards on Playground Surfacing (ASTM F2223-03)* was approved on 1/10/03. The CPSC staff supported the ASTM F08.63 Playground Surfacing Systems Subcommittee in the development of ASTM F2223-03 and also worked with the Subcommittee on the development of a revision to the ASTM F1292 safety standard which should result in improved reproducibility of the test data on playground surfacing.

56. Play Yards

Purpose – To revise the ASTM *Consumer Safety Specification for Play Yards (ASTM F406-99)* in order to strengthen its safety provisions.

Highlights – A revised ASTM *Consumer Safety Specification for Play Yards (ASTM F406)* was balloted to the ASTM F15 Committee on Consumer Products in 6/03. The revision included scope changes and changes to marking and labeling requirements for play yards. The CPSC staff participated in task groups to develop these two revisions. In a 9/03 meeting of the ASTM F15.18 Cribs, Toddler Beds, Play Yards, Bassinets, Cradles and Changing Tables Subcommittee, the ballot negative votes and comments were reviewed. The CPSC staff was asked to review corner post extension incidents to determine if additional safety provisions should be added to the proposed revised standard.

57. Pool Alarms

Purpose – To develop a new ASTM safety standard based on the ASTM *Provisional Specification for Pool, Spa, and Hot Tub Alarms (ASTM PS 128-01)*.

Highlights – The CPSC staff provided technical assistance to the ASTM F15.49 Swimming Pool Alarms Subcommittee as it expanded its interest to include various aspects of swimming pool safety and worked on drafting a new *Consumer Safety Performance Specification for Removable Barrier Fencing for Swimming Pools, Hot Tubs, and Spas* as well as the proper use of pool safety devices.

58. Pool Covers

Purpose – To revise or reaffirm the *Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs* (ASTM F1346-91(1996.))

Highlights – The *Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs* (ASTM F1346-91(2003)) was reaffirmed on 2/10/03 and published in 5/03. The CPSC staff monitored the work of the ASTM F15.28 Covers for Pools, Spas, and Hot Tubs Subcommittee which handled the reaffirmation process.

59. Pool Suction Release Devices

Purpose – To develop a performance standard for swimming pool and spa vacuum release devices to protect against drowning incidents related to body suction entrapment.

Highlights – An ASTM *Provisional Specification for Manufactured Safety Vacuum Release Systems (SVRS) for Swimming Pools, Spas and Hot Tubs* (PS 10-03) was approved on 3/6/03. The CPSC staff assisted the ASTM F15.51 Safety Vacuum Release Systems Subcommittee which developed the standard.

60. Ranges (Fire)

Purpose – To revise the industry voluntary standards for gas ranges (ANSI 221.1) and electric ranges (UL 858) in order to reduce the potential fire hazard from cooktop cooking fires.

Highlights – To support revisions of the voluntary standards, the CPSC staff continued to evaluate strategies for addressing cooktop cooking fires. The CPSC staff sponsored a study to evaluate potential temperature measurement techniques for electric ceramic glass cooktops, which resulted in the development of an experimental system that prevented ignition of food in a pan but did not increase cooking times. The results are presented in *Identification and Evaluation of Temperature Sensors for Preventing Fires on Electric Smooth-Top Ranges*. In 9/03, the CPSC staff initiated a contract to validate the results for other ranges besides the one that was used for the FY 2003 development and to study manufacturing issues more thoroughly. Recommendations for revisions to voluntary safety standards will follow the results of these studies, as appropriate.

61. Saws, Chain

Purpose – To improve the kickback safety provisions in the *ANSI Safety Requirements for Gasoline Powered Chain Saws (ANSI B175.1-2000)*.

Highlights – The CPSC staff participated as a member the ANSI canvass group maintaining the standard and monitored the efficacy of the standard.

62. Saws, Table

Purpose – To revise the *UL Standard for Safety for Stationary and Fixed Electric Tools (UL 987)*, in order to reduce the risk of laceration and amputation associated with table saw blade contact.

Highlights – UL formed a Standard Technical Panel for power tools which held its first meeting in 2/03. Table saws were within the scope of the STP and on 2/10/03 the group discussed injuries associated with table saws. A separate ad hoc table saw guarding group prepared proposals which would require that all table saws employ a riving knife. These proposals were about to be sent out for ballot to the STP at the end of the reporting period.

63. Scooters, Non-Powered

Purpose – To develop a new ASTM performance safety standard for non-powered scooters intended for use by children 5 years old and older.

Highlights – A new *ASTM Standard Consumer Safety Specification for Non-Powered Scooters (ASTM F2264-03)* was approved on 2/10/03. This 5-year standard updated the *Provisional Consumer Safety Specification for Non-Powered Scooters (PS 130-01)*. The standard provided performance requirements, test methods, and labeling requirements to minimize the risks associated with non-powered scooters.

64. Smoke Alarms

Purpose – To revise the *UL Single and Multiple Station Smoke Alarms (UL 217)* safety standard in order to improve the alarm response to residential fires and avoid nuisance alarms.

Highlights – The CPSC staff participated on the UL Standards Technical Panel 217 providing staff recommendations to address premature failure of batteries used in long-life smoke alarms. Staff also participated in a working group of interested parties to discuss potential research areas that could address concerns regarding children not waking to smoke alarms. Results of such research might be used to modify the safety provisions of the UL standard.

65. Sprinklers, Fire

Purpose – To revise the NFPA and ANSI/UL fire sprinkler safety and installation standards to make them more effective in preventing fire deaths.

Highlights – The CPSC staff provided technical assistance in the preparation of revisions to the *UL Standard for Automatic Sprinklers for Fire-Protection Service (UL 199)* to improve the reliability for dry sprinklers. A waterway clearance test to ensure water release and a sealed atmosphere test to prevent ice build up were added to the standard. A direct side impact test for glass bulb sprinklers was added to require them to be equipped with protective covers.

66. Strollers

Purpose – To revise the *ASTM Standard Consumer Safety Specification for Carriages and Strollers (ASTM F833)* to strengthen its safety provisions.

Highlights – The CPSC staff worked with a task group of the ASTM F17.17 Carriages, Strollers, Walkers, and Stationary Activity Centers Subcommittee to develop draft requirements for the locations of restraint strap anchor points on stroller restraints. The staff provided injury data involving infant carriers attached to strollers (multi-use stroller). The Subcommittee agreed to develop stroller collapse performance tests and to add an additional test for multi-use strollers. Additional work continued on performance requirements for stroller restraint systems, jogging strollers, and stroller collapse.

67. Surge Suppressors

Purpose – To revise the *UL Standard for Transient Voltage Surge Suppressors (UL 1449)* to reduce the risk of fire associated with power strips that incorporate surge suppression components (surge suppressors).

Highlights – The CPSC staff recommended that UL develop requirements to address the potential fire hazard associated with the failure of surge suppressor components.

68. Tools, Engine Driven

Purpose – To develop the first edition *UL Portable Engine Generator Assemblies (UL 2201)* standard in order to eliminate or significantly reduce carbon monoxide deaths associated with portable generators.

Highlights – In conjunction with recommending additional requirements in the draft

standard for weatherization and warning markings, CPSC staff developed a test plan and began preliminary testing to characterize the health hazard when portable generators are operated in enclosed spaces.

69. Toy Safety

Purpose – To revise the ASTM *Consumer Safety Specification on Toy Safety (ASTM F963-96aE02)* in order to strengthen its safety provisions and reduce injuries associated with toys.

Highlights – The CPSC staff provided technical assistance to the ASTM F15.22 Toy Safety Subcommittee while it revised a number of the safety provisions of the ASTM F963 toy standard. By the end of the reporting period, the draft revised toy standard was at the final stage of the ASTM approval process; the revised standard was completed subsequent to the end of the reporting period. The CPSC staff activities focused on, but were not limited to, hemispherical shaped toys, toys with rounded ends, and new safety provisions for battery-operated ride-on toys as shown in the following entry.

70. Toys, Battery-Operated Ride-On

Purpose – To revise the ASTM *Consumer Safety Specification on Toy Safety (ASTM F963)* to include new safety requirements for battery-powered ride-on (BPRO) toys.

Highlights – The CPSC staff worked with the ASTM F15.22 Toy Safety Subcommittee to add safety provisions for BPRO toys to the revision of the ASTM F963 toy standard. These provisions addressed hazards involving fires due to overheating components and conditions resulting in run-away toys. The revised ASTM standard neared final ASTM approval at the end of the reporting period.

71. Trampolines

Purpose – To create a new ASTM *Standard Safety Specification for Consumer Trampoline Enclosures* and revise the ASTM *Consumer Safety Specification for Components, Assembly and Use of a Trampoline (ASTM F381-99)* to include safety requirements for frame padding.

Highlights – A new ASTM *Standard Safety Specification for Consumer Trampoline Enclosures (ASTM F2225-03e1)* was approved 1/10/03. The CPSC staff continued to work with the ASTM F08.17 Subcommittee on the impact attenuation performance of frame padding and on other requirements for padding retention. New safety provisions on frame padding were readied for Subcommittee discussions based on test results at two laboratories.

72. Tricycles

Purpose – To revise the ANSI *Tricycles – Safety Requirements (ANSI Z315.1-1996)* standard to provide strengthened safety provisions.

Highlights – The CPSC staff worked with ANSI Z315.1 canvass group to improve safety revisions for the tricycle standard.

73. Trimmers & Brushcutters

Purpose – To revise the ANSI *Outdoor Power Equipment – Grass Trimmers and Brushcutters – Safety Requirements (ANSI B175.3-1997)* standard to improve its safety provisions.

Highlights – The revised ANSI *Outdoor Power Equipment – Grass Trimmers and Brushcutters – Safety Requirements (ANSI B175.3-2003)* standard was approved 7/9/03. The revised standard addressed operator cutting positions, product integrity, labeling, and vibration test procedures, among other safety issues. To assist in the development of the safety provisions, the CPSC staff in 3/03 published a report entitled “Injuries Associated with String Trimmers or Brushcutters and Edgers: 2002.” The CPSC staff participated on the ANSI canvass group which developed the revised standard.

74. Turkey Fryers

Purpose – To revise the ANSI *Standard for Outdoor Cooking Specialty Gas Appliances (ANSI/CSA 1.18)* to reduce the fire hazards associated with turkey fryers/boilers.

Highlights – The CPSC staff participated on the Outdoor Cooking Technical Advisory Group (TAG) and proposed new requirements for thermometer performance, temperature limiting devices, and additional warnings for consumers in 9/03. These proposals will be forwarded to the parent committee for final approval.

75. Water Heaters, Gas

Purpose – To revise the ANSI *Gas-Fired Water Heaters, Volume I, Storage Water Heaters with Input Ratings of 75000 Btu Per Hour or Less (ANSI Z21.10.1)* safety standard to include flammable vapor ignition resistance provisions and eliminate any lint clogging that might cause a carbon monoxide hazard.

Highlights – The revised ANSI *Gas-Fired Water Heaters, Volume I, Storage Water Heaters with Input Ratings of 75000 Btu Per Hour or Less (ANSI Z21.10.a - 2001/CSA 4.1-2002)* safety standard was approved on 11/14/02 and became effective on 7/1/03. This revised standard included provisions to protect against ignition of flammable vapors and possible CO poisoning caused by lint buildup. The CPSC staff provided technical support to the development

of this standard.

APPENDIX F: Voluntary Corrective Action Plans and Product Recalls

Subsection A: Regulatory Recalls

Subsection B: Section 15 Recalls

Voluntary Corrective Action Plans and Product Recalls

Voluntary Corrective Action Plans and Recall of Products Subject to Product Safety Standards and Other Specific Regulations Exclusive of Section 15 of the Consumer Product Safety Act

The Office of Compliance and the Regional Offices are jointly responsible for identifying consumer products that fail to comply with a specific product safety standard or the CPSC product-related requirements mandated by statute or regulation. CPSC worked cooperatively with the responsible companies to obtain voluntary corrective action plans monitored by the Commission during Fiscal Year 2003.

Consumers may find products on the market that resemble those appearing on this list. After manufacturers and importers correct violations, they may distribute complying versions of products which were recalled. CPSC monitors recalls to ensure that the noncomplying products have been removed from the market. It is unfair to responsible manufacturers and importers to conclude that toys and children's products on the list are still offered for sale.

Subsection A: Regulatory Recalls

Date	Product/ Model	Violation	Manufacturer/Imp.
10/1/2002	Cigarette Lighter	Lighter Child-Resistance 16 CFR 1210.3(a)	Cigarettes 4 Less Oakley, CA 94561
10/1/2002	Five 40 BIKE HELMET	Bicycle Helmet Structural Failure 16 CFR 1203.17	Mosa Extreme Sports, Inc Champaign, IL 61822
10/1/2002	Pro-Tec CLASSIC	Bicycle Helmet Structural Failure 16 CFR 1203.17	Mosa Extreme Sports, Inc Champaign, IL 61822
10/9/2002	Animal Toy Sponges 840785	Small parts 16 CFR 1501	Dollar Tree Stores, Inc. Chesapeake, VA 23320
10/10/2002	Pull-Along Caterpillar 5104	Small parts 16 CFR 1501	Brio Corporation Germantown, WI 53022
10/10/2002	Stuffed Pool Animals RN# 87254	Small parts 16 CFR 1501	Dollar Tree Stores, Inc. Chesapeake, VA 23320
10/31/2002	10 -Piece School Supply Sets	Sharp edge 16 CFR 1500.49	Damo Plus Corp. Vernon, CA 90058
11/18/2002	Petroleum Distillates 8052-41-3	Paint/solvent/remover Labeling 16 CFR 1500	Creative Paint And Wallpaper Mabelton, GA 30126
11/19/2002	Ultimate Snuggle Jackets BT2018	Clothing Flammability Failure 16 CFR 1610	Estyle, Inc. Los Angeles, CA 90017
12/2/2002	Talking Learn N' Play Dolls 072000792384	Small parts 16 CFR 1501	Lovee Doll & Toy Co., Inc. New York, NY

Date	Product/ Model	Violation	Manufacturer/Imp.
12/6/2002	Fleece Sweatshirt Y6F25461	Clothing Flammability Failure 16 CFR 1610	Trends Clothing Corp. Miami, FL 33178
12/18/2002	Sweat Jacket And Pant Set 40801002 and 03	Lead-in-Paint Toy/Children's Product/CPSA 16 CFR 1303	Wear Me Apparel Corp. New York, NY 10001
12/19/2002	Hip Hoppy Stuffed Bunny Toys	Small parts 16 CFR 1501	Zutano, Inc. Cabot, VT
12/19/2002	Hip Hoppy Stuffed Bunny Toys	Small parts 16 CFR 1501	Zutano, Inc. Cabot, VT
12/29/2002	Wooden Vehicles	Small parts 16 CFR 1501	Kmart Corporation Troy, MI 48084
1/9/2003	Unknown	Volatile Butyl Nitrites Ban 15 U.S.C. 2057a	Second Skin Leather New Orleans, LA 70116
1/21/2003	Butterfly Border Nightgown 27502	Sleepwear Flammability Failure 16 CFR 1615/16	Storybook Heirlooms Kirkland, WA 98033
1/21/2003	Dragon Fly Short Set 27501	Sleepwear Flammability Failure 16 CFR 1615/16	Storybook Heirlooms Kirkland, WA 98033
1/21/2003	Heart Printed Pjs 27500	Sleepwear Flammability Failure 16 CFR 1615/16	Storybook Heirlooms Kirkland, WA 98033
1/21/2003	Leopard Print Pj 27490	Sleepwear Flammability Failure 16 CFR 1615/16	Storybook Heirlooms Kirkland, WA 98033
1/21/2003	Leopard Print Robe 27291	Sleepwear Flammability Failure 16 CFR 1615/16	Storybook Heirlooms Kirkland, WA 98033

Date	Product/ Model	Violation	Manufacturer/Imp.
1/21/2003	Leopard Print Robe 27491	Sleepwear Flammability Failure 16 CFR 1615/16	Storybook Heirlooms Kirkland, WA 98033
1/28/2003	Novelty Lighters	Lighter Child-Resistance 16 CFR 1210.3(a)	Young's Jk Portland, OR 97230
1/29/2003	Novelty Lighter 7"Matchstick	MP Lighter Reporting 16 CFR 1212.17 (b)	Amen Wardy Las Vegas, NV 89103
4/1/2003	Plush Bear 130454	Small parts 16 CFR 1501	Dollar Tree Stores Inc. Chesapeake, VA 23320
4/1/2003	Plush Snowman 130456	Small parts 16 CFR 1501	Dollar Tree Stores Inc. Chesapeake, VA 23320
4/8/2003	Cute Puzzle KK-228	Small parts 16 CFR 1501	Kole Imports Carson, CA 90745
4/8/2003	Wooden Truck 27/316	Small parts 16 CFR 1501	Oriental Trading Company, Inc. Omaha, NE 68137
4/12/2003	Novelty Lighter ALIEN	Lighter Child-Resistance 16 CFR 1210.3(a)	H.H.B., Inc. South Daytona, FL 32119
4/12/2003	Novelty Lighter BLOCKHEAD	Lighter Child-Resistance 16 CFR 1210.3(a)	H.H.B., Inc. South Daytona, FL 32119
4/12/2003	Novelty Lighter MINI BEAR	Lighter Child-Resistance 16 CFR 1210.3(a)	H.H.B., Inc. South Daytona, FL 32119
4/18/2003	Lamaze Flower Stroller Wrap SKU #97222	Lead-in-Paint Toy/Children's Product/CPSA 16 CFR 1303	Racing Champions Ert/Learning Curve, Int Chicago, IL 60610
4/18/2003	Lamaze Soft Bead Buddies SKU #97325	Lead-in-Paint Toy/Children's Product/CPSA 16 CFR 1303	Racing Champions Ert/Learning Curve, Int Chicago, IL 60610

Date	Product/ Model	Violation	Manufacturer/Imp.
5/15/2003	Swim Ways Deluxe Dive Buddies	Dive Stick Ban 16 CFR 1500.18	Swimways Corp. Virginia Beach, VA 23455
5/20/2003	Cigarette Lighter DZ-6-36	Lighter Child-Resistance 16 CFR 1210.3(a)	Debon Sales Houston, TX 77036
5/20/2003	Viking Mini Chubbies	Small parts 16 CFR 1501	International Playthings, Inc. Parsippany, NJ 07054
5/22/2003	Bicycle Helmet KOMPACT	Bicycle Helmet Structural Failure 16 CFR 1203.17	Monarch Velo, Llc Houston, TX 77007
6/11/2003	Cigarette Shaped Lighter	Lighter Child-Resistance 16 CFR 1210.3(a)	Style Asia Incorporated Moonachie, NJ 07074
6/11/2003	Novelty Cigarette Lighter WATCH	Lighter Child-Resistance 16 CFR 1210.3(a)	Style Asia Incorporated Moonachie, NJ 07074
7/15/2003	Wooden Plane 2229	Small parts 16 CFR 1501	Hobby House Press Grantsville, MD 21536
8/11/2003	Bunk Bed S116	Bunk Bed Entrapment Violation 16 CFR 1213.4/1513.4	Home Line Industries, Inc. Philadelphia, PA 19124
8/11/2003	Bunk Bed S-130	Bunk Bed Entrapment Violation 16 CFR 1213.4/1513.4	Home Line Industries, Inc. Philadelphia, PA 19124
8/11/2003	Bunk Bed S135	Bunk Bed Entrapment Violation 16 CFR 1213.4/1513.4	Home Line Industries, Inc. Philadelphia, PA 19124
8/21/2003	Falcon Action Toy Jets C.D.L.22338D	Small parts 16 CFR 1501	C.D.X. Trading, Inc. Ridgewood, NY 11385
8/23/2003	Recycling Truck Puzzle 2574	Small parts 16 CFR 1501	Small World Toys Culver City, CA 90231

Date	Product/ Model	Violation	Manufacturer/Imp.
8/25/2003	Amsterdam Poppers	Volatile Butyl Nitrites Ban 15 U.S.C. 2057a	Sev Distributors Coral Springs, FL 33076
8/25/2003	Jungle Juice	Volatile Butyl Nitrites Ban 15 U.S.C. 2057a	Sev Distributors Coral Springs, FL 33076
8/25/2003	Rush Liquid Incense	Volatile Butyl Nitrites Ban 15 U.S.C. 2057a	Sev Distributors Coral Springs, FL 33076
8/27/2003	Big Boy Dump & Tow Trucks 1435	Small parts 16 CFR 1501	The Children's Group, Inc. Madison, VA 22727
9/4/2003	Ultra Citrus 47262	Hydrocarbon Hazardous Substance Packaging 16 CFR 1700.14(a)(31)	Medo Industries Inc. Moorpark, CA 93021
9/17/2003	Comforts Latex Pacifier 35826	Pacifier 16 CFR 1511	Apothecary Products Inc Burnsville, MN 55337
9/17/2003	Comforts Latex Pacifiers 35829	Pacifier 16 CFR 1511	Apothecary Products Inc Burnsville, MN 55337
9/17/2003	Comforts Silicone Pacifier 35827	Pacifier 16 CFR 1511	Apothecary Products Inc Burnsville, MN 55337
9/17/2003	Comforts Silicone Pacifiers 35828	Pacifier 16 CFR 1511	Apothecary Products Inc Burnsville, MN 55337
9/17/2003	Dora Children's Board Book 85154	Small parts 16 CFR 1501	Simon & Schuster Inc. New York, NY 10020

**Subsection B: Voluntary Corrective Action Plans Under
Section 15 of the Consumer Product Safety Act and
Section 15 of the Federal Hazardous Substances Act**

Date	Firm and Product	Alleged Hazard	Remedy
10/02	Pier 1 Imports Fort Worth, TX Giant Champagne floating candleholder #1884160	The glass candleholder may unexpectedly shatter or break.	The firm is offering a refund or a merchandise credit to consumers.
10/02	Cadet Manufacturing Company Vancouver, WA In-wall electric heater #RM and ZM	The heaters can generate fires from electrical arcing or overheating.	Cadet is providing a free in-home inspection of RM or ZM model heaters. A free repair will be provided for RM and ZM heaters installed in a pre-1994 ZAC heater can.
10/02	Tiro Industries, Inc. Minneapolis, MN Aerosol Halloween silver hair spray	The cans may unexpectedly explode.	The firm stopped manufacturing the product and all inventory was returned.
10/02	American Honda Motor Co., Inc. Torrance, CA Honda ATV Four Trax Rincon	The vehicle contains a defect that causes the rider to lose control of the vehicle, which can result in serious bodily injury.	The firm offered consumers a repair of the product.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
10/02	American Suzuki Motor Corporation Brea, CA All terrain vehicles Eiger 2003, LT-A400FK3 & LT-F400FK3	The product fails in such a manner that consumers may sustain bodily injury.	The firm is offering to repair consumers' units.
10/02	Manco Products, Inc. Fort Wayne, IN All Terrain Vehicle models Agritax 8260-09 & Talon 8260-01	Use of the machines presents fire hazards.	The firm offered consumers a free repair or a full refund of the purchase price.
10/02	BRIO Corporation Germantown, WI Plan Toys dancing caterpillar #5104	Use of the toy presents a potential choking hazard to young children.	The firm offered a refund to consumers that returned the toy.
10/02	Oriental International Trading Co. Los Angeles, CA Honey Baby Walkers models 820, 860, 862, 895	The design of the walkers allows a child to fall down steps or stairways sustaining fractures, abrasions and/or bruises.	The firm recalled the products offering consumers a refund of the purchase price.
10/02	BSH Home Appliances Corporation Huntington Beach, CA Thermador electric built-in cook top range model# TMH45PS	Use of the range presents a potential shock hazard.	The firm will provide consumers with free in-home inspections and repairs.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
10/02	IKEA North America Services, Inc. Plymouth Meeting, PA SNUTTIG 6" red, black, yellow or blue plush bears # 700-371-56	The seams can break exposing children to small beads that present an aspiration hazard to children who may inhale the beads.	Consumers are to return the bears to any IKEA store. A \$5.00 gift card is offered towards another IKEA product of consumer's choice.
10/02	Fanimation Design and Manufacturing Inc. Indianapolis, IN Ceiling fan	The hanger bracket could break causing the fan to fall on consumers.	Consumers should call (888) 284-8928 for a free repair kit.
10/02	Cannondale Corporation Bethel, CT All terrain vehicles "Cannibal" models 2002 & 2003	The design of the front shocks is inadequate. This can cause the driver to lose control, resulting in serious bodily injury.	The firm is to replace the front shocks.
10/02	Seasonal Specialties LLC Eden Prairie, MN Ceramic Jack-O-Lantern decoration October Harvest item #1434	Use of the product presents a fire hazard.	The firm offered consumers a refund of the purchase price.
10/02	Kent International Inc. Parsippany, NJ Kent Pro X bicycle model t #22682 DH2100 26"	The frame may fail causing the rider to fall from the bike.	The firm offered refunds to owners of the defective bikes.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
10/02	Swingline Division of Acco Lincolnshire, IL Swingline cordless electric rechargeable staple	The stapler's spring loaded magazine can be ejected inadvertently causing laceration injuries when the stapler is held near the users face.	Consumers are to return the product for a free repair.
10/02	Williams-Sonoma, Inc. San Francisco, CA Pottery Barn Scary Tree tealight holder #4306718	The tea light candles have the potential to flare up unexpectedly.	The product was removed from sale and refunds were offered to consumers.
10/02	Cincinnati Window Shade, Inc. Cincinnati, OH Motorized window shade "ElectroShades" by MechoShade Systems	The center support bracket may fail allowing the shade system to fall possibly injuring persons nearby.	The firm notified purchasers to examine shades; will repair or replace center support bracket if needed.
10/02	Snapper McDonough, GA Riding lawn mowers models #280922B, #281022BE, #FRP2167517BV, LT145H33HBV & #YZ145333BVE; side chute #42965	The discharge chute can break allowing projectiles to fly out from under the mower deck exposing bystanders to possible injuries from flying debris.	Consumers are to call (800) 935-2967 for a free replacement discharge chute.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
11/02	Century Tool and Manufacturing Co. Cherry Valley, IL Century propane gas camping stoves #4660, 4665, 4675, & 4730 & 4960, Hillery #72861 & LL Bean matchless stoves #4960	The products can leak gas causing a fire or explosion. The stove user could be burned.	The firm will repair or replace incorrectly manufactured burner assembly fuel line fittings.
11/02	Jason International, Inc. North Little Rock, AR Whirlpool bath models Air Masseur & Air Whirlpool	The heating element can fail to shutoff presenting a risk of fire.	The firm incorporated a thermal fuse in the product.
11/02	Outland Sports Overland Park, KS API outdoor hunting stand	The product fails in such a manner that the hunter can unexpectedly fall to the ground.	The firm will replace the stand or its cables free of charge.
11/02	Sunrise Medical Germany Spirit 470-arm crank bicycle for the handicapped	The product fails in such a manner that the rider can unexpectedly fall from the bicycle.	The firm offered consumers a free repair of the quick release axle.
11/02	Cannondale Corporation Bethel, CT Gemini mountain bike frame	The frame may crack or break causing the rider to fall.	The firm will repair and or replace the frame free of charge to owners.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
11/02	The Disney Store, Inc. Glendale, CA Monsters, Inc. Sulley with Boo 12" plush doll	The ponytail holders and the rubber bands on the Boo doll's hair present a choking hazard.	Consumers may return the item for a refund of the purchase price or remove the ponytail holders and rubber bands from the Boo doll's hair.
11/02	Meijer Corporation Grand Rapids, MI Home Creations three tier tea light candleholder # 76023633224	Use of the product presents a fire hazard.	The firm offered consumers a refund of the purchase price.
11/02	S.I.T. Inc. Quincy, MA Plastic patio chairs	The plastic patio chairs can collapse causing the user to fall to the ground.	Consumers are to contact the firm for a refund of the purchase price.
11/02	The Toro Company Bloomington, MN Toro Twister utility vehicle	The vehicle fails in such a manner that the driver could lose control and possibly sustain injury.	The firm sent letters to all dealers, distributors, and consumers offering free repairs.
11/02	Evercel, Inc. Hingham, MA Everplore M100-12V- 12.5A-100 nickel-zinc battery charger	The power cord can overheat presenting a potential fire hazard.	The charger has been redesigned to eliminate the condition that can cause the reported overheating. Affected consumers will receive a free replacement.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
11/02	W.C. Wood Company, Inc. Ottawa, OH Dehumidifiers; Edison model EMD40 and Wood's model WMD40W	Internal wiring can abrade on metal parts, presenting a risk of electric shock to consumers if the insulation wears through.	The firm is offering free repairs to consumers with affected products.
11/02	Kohl's Department Store, Inc. Menomonee Falls, WI Ghost With Pumpkin tea light candleholder	Use of the product presents a fire hazard.	The firm offered consumers a refund of the purchase price.
11/02	Eveready Battery Company, Inc. St. Louis, MO Energizer Kidz Club flashlights	The flashlights can overheat causing the batteries to leak, posing a risk of burns to children.	Consumers should take these flashlights away from children immediately, remove the batteries and contact Eveready for instructions on returning the flashlights to receive a \$12 refund.
11/02	Gen-X Sports Inc. Toronto, ON Bicycle stunt ramp	The plastic ramp can break causing the user to fall while riding his bike or skateboard.	The firm will refund the purchase price to consumers.
11/02	Bear Archery Gainesville, FL Bear Archery, Warrior and Buckmaster compound bows	The bow's limbs can break causing bumps, bruises and abrasions to the shooters' arms, hands or face.	The firm will replace the bows free of charge or offer consumers a refund of the purchase price.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
11/02	Chelsea & Scott, Ltd. Lake Bluff, IL Flexi-Chair adjustable growth chair	The chair may collapse in a manner that may cause injury to its occupant.	The firm stopped distributing the product.
11/02	Halo Burgers Flint, MI 6 inch flashlight kid's meal promotion	The batteries can leak causing a minor skin irritation if contact is made with its contents.	Consumers should discard the flashlight and batteries or return them to any Halo Burger store for a \$5.00 gift certificate.
11/02	Advanced Transportation Products, Inc. Mountlake Terrace, WA Tandem recumbant bicycle model Vision, VR82 & VR85	The bike's frame can crack causing the rider to lose control and possibly fall to the ground.	The firm will repair and replace frames as needed.
11/02	Gruppo, Spa Valencia, CA Gruppo 3T Zepp stem bolts	The bike stem can fail during use causing the rider to fall.	The firm will distribute replacement bolts to all dealers, distributors and consumers free of charge.
11/02	Viking Sewing Machine Inc. Westlake, OH Sewing machine model H0250157A	The machine contains insufficient electrical connections that can cause overheating and fires.	The firm provided consumers with a redesigned power supply.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
11/02	Elkton Sparkler Co. North East, MD Bamboo stick sparklers	The bamboo stick sparklers' handles can ignite causing burn and fire hazards.	Consumers are to contact the firm for a refund of the purchase price.
11/02	Lollipop Import & Export Brooklyn, NY Electric fan models V1865, V1185, V1186 & V1873	The electric fans can cause electric shock and fire hazards.	Consumers are to contact the firm for a refund of the purchase price.
11/02	Makita U.S.A., Inc. La Mirada, CA Makita circular saw model #5740NB	The product fails in a manner that presents a laceration hazard.	The firm provided a free repair of the product.
11/02	Good Lad Apparel Philadelphia, PA Girls, newborn & infant dresses and capri sets w/ sandals	The clothing's attachments present choking hazards for children.	The firm offered consumers a refund of the purchase price.
11/02	Wegmans, Inc. Rochester, NY Wegmans Wkids 8 oz. bottle & cap for spring water	The cap or pull-up spout can be pulled off by children presenting a choking risk to children.	The firm stopped sale of the product and offered consumers a refund.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
12/02	ABC Distributing Company North Miami, FL Three-Piece Children's Tent Set	The product's exposed wire tip on the connecting tunnel presents a laceration hazard.	The firm offered consumers a free, newly designed replacement tunnel.
12/02	Miracle Recreation Equipment Co. Monett, MO Slashproof swing seat #28	The metal inserts in the seats are exposed which presents a laceration hazard to children.	Owners will receive a repair kit of replacement seats, hardware and drill bit.
12/02	Stihl Incorporated Virginia Beach, VA Chain saw models MS170 & MS180	The fuel tank leaks creating a potential fire hazard.	Consumers are to return the chain saw to a Stihl Dealer for a free repair.
12/02	Tecumseh Products Company Tecumseh, MI Snowthrowers, chipper-shredders, generators, pressure washers, and wheeled leaf blowers with 8 to 11 horsepower engines	The fuel line leaks presenting a fire hazard.	Consumers are to contact the firm for a free repair.
12/02	LTD Commodities, Inc. Bannockburn, IL Three-piece children's tent set	The set's connecting tunnel has a exposed wire tip which presents a laceration hazard.	The firm is offering consumers a free replacement tunnel with a new design.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
12/02	Pace Products, Inc. Apopka, FL Soap making kit for children	The heated soap can drip out of its tray posing a risk of burns to children.	Consumers are to contact the firm for a refund of the purchase price.
12/02	Home Interiors and Gifts Inc. Carrollton, TX Tea light candles	Use of the candles presents a fire hazard.	The firm offered consumers a full refund of the purchase price.
12/02	Norelco Consumer Products Company Stamford, CT Phillips 3-in-1 Waffle/Grill/Sandwich Maker model HD2420	The sandwich plate hinge mechanism abrades the heating element wire presenting an electrocution/shock hazard.	A full refund will be provided to affected consumers. A redesigned unit will be introduced into the market and be marked with "Revision A" to denote that it's not affected by this recall program.
12/02	Milwaukee Electric Tool Corp. Brookfield, WI 15 amp grinder models 6086-20; 6088-20; 6089-20	The grinder's engine may continue to stay on and run.	The firm offered consumers a replacement switch.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
12/02	Kenroy International Ltd. (Antica) Jacksonville, FL Eclipse adjustable floor lamps, Kenroy model 11793 & Eddie Bauer model 2217	The lamp cord can be pinched in the pole's adjusting mechanism presenting an electric shock hazard.	The firm provided a replacement re-designed lamp base and pole.
12/02	Kolcraft Enterprises, Inc. Chicago, IL Baby walker models Kolcraft Tot-Rider #14401 & 14303, Carter # 14303 & 14304	The flower toys on the baby walker's tray can detach from the stems, exposing sharp edges and posing a laceration hazard to young children.	Consumers should remove the detachable toy bars or music center toy trays on these walkers immediately and contact Kolcraft for a replacement toy bar or music center toy.
12/02	Morgan Buildings & Spas, Inc. Dallas, TX Pelopincho Pool pump/filter intake models 1105 & 1097	The excess suction created by the water pump/filter intake presents a risk of body and hair entrapment hazards.	The firm provided retrofit kits to pool owners to address the hazards.
12/02	DCD Incorporated. Malibu, CA Ab Swing exercise unit	The welds on the handle bars can break causing the user to fall and sustain injury.	The firm offered owners replacement handle bars to address the potential problem.
12/02	The Lakeside Collection Lincolnshire, IL Three piece children's play tent	Users of the play tent may sustain lacerations from the exposed wire tip on the connecting tunnel.	The firm offered consumers a free replacement for the tunnel piece of the set.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
12/02	Spin Master Ltd. Toronto, Ontario, Canada Sky Patrol Remote Control Helicopter item 40134 - 40135	Upon high impact with the ground or other hard surface, the rotor of helicopter may break off.	Production and retailer units are being reconditioned or destroyed.
12/02	Lovee Doll & Toy Co., Inc. New York, NY Talking Learn 'n Play doll with buttons	The buttons may detach from the doll's clothing presenting a potential choking hazard.	Consumers may return the dolls to the retailers for a full refund.
12/02	Baby Trend, Inc. Ontario, CA "Trend Swing" portable infant swing models 8711-khaki/gingham and 8722-navy/white plaid	A screw on the swing's support arm can loosen or detach, causing the seat to separate and drop to one side, presenting a potential fall hazard to infants.	Consumers should stop using the swings and contact Baby Trend for a free repair kit.
12/02	Xerox Corporation Stamford, CT Haruna/Ninja A3 network printer model 8808, Hitachi Typhoon 8 and 16, GCC Elite models XL408, XL608, XL608LC, XL808, XL1208, XL1208PM, XL616	The fuser can overheat due to arcing, creating a possible fire hazard.	The fuser was redesigned to eliminate the screw which created the arcing hazard. A free repair will be provided to owners of affected printers.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
01/03	Carlisle Company Carson City, NV Decorative light-up snake sculpture models 8311, 8312, 8313 & 8320	The circuit board in the lamps can overheat and melt the plastic housing, posing a fire or thermal burn hazard to consumers.	Chuck E. Cheese restaurants will provide a replacement prize of equal value to consumers that return affected products.
01/03	Kohl's Department Store, Inc. Menomonee Falls, WI First Moments & Second Steps girls' pink fleece 2-Piece pant set #NG22130 & IG22130	Small pieces of fabric can be torn from the decorative edges of the garment, posing a possible choking hazard.	Consumers are to return the clothing to store for a full refund of the purchase price.
01/03	Retail Strategic Alliances Chester, NY Microwave bread warmer	The microwave heat pad has incorrect instructions that can result in burn injuries.	Consumers are to contact the firm for a refund of the purchase price.
01/03	Trak, Inc. dba Karhu USA Burlington, VT Sweepers ski binding, Karhu and Morph	The bindings have screws that are too short that allow the bindings to separate from the skis.	Consumer are to contact the firm or the retailer for a retrofit kit.
01/03	Build-A-Bear Workshop, Inc. St. Louis, MO Founding Bear #1616 & #2332	The nose of the bear can detach presenting a potential choking hazard to children.	Consumers are to return the bears for a free replacement.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
01/03	Magic Cabin, Inc. Madison, VA Wooden teething rings "Snail," "Bird," and "Fish"	Use of the teething rings presents a potential choking hazard.	Consumers are to contact the firm to obtain a full refund and a \$15 gift certificate in exchange for returning the product.
01/03	Innova, Inc. Davenport, IA Non-Stick cookware, 8" open fry pan #04914; 8" omlet pan #04908; 9-1/2" fryer pan #04973; and 11- 1/2" deep chicken fry pan #04953	The pans could explode if used with high heat.	The firm will provide a single wall fry pan to consumers who have one of the affected frying pans.
01/03	Brother International Corp. Bridgewater, NJ Laser printer models HL- 1040, HL-1050, HL-1060 & MFC-P2000	The fuser can overheat posing a potential fire hazard.	The firm replaced the fuser with a redesigned fuser.
01/03	Atico International USA, Inc. Ft. Lauderdale, FL Christmas twelve piece tealight candles item #C74Q2223	Use of the product presents a fire hazard.	The firm offered consumers a refund of the purchase price.
01/03	Blue Star Candles, LP Lubbock, TX Christmas candle	Use of the product presents a fire hazard.	The firm offered consumers a free replacement product.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
01/03	Saks Incorporated Birmingham, AL Newborn and infant Kennet style pant sets labeled Parisian Bebe (style# H25-4702P) or URit Baby (style# H25-470)	The decorative flowers sewn to pant legs, cardigan top and hat may detach, presenting a possible choking risk.	Consumers are to return the products to the retail store for a refund.
01/03	Lenox, Inc. Lawrenceville, NJ Gorham glass gravy boat w/ ladle	The product may unexpectedly break apart exposing consumers to broken glass and hot liquids.	The firm recalled the product offering consumers a refund or the purchase price or a \$20.00 coupon.
01/03	Thermoserv, Inc. Dallas, TX Stainless steel travel mug 15 oz. size	The use of the mugs presents a burn hazard from hot liquids.	The firm recalled the lids.
01/03	Cracker Barrel Old Country Store Lebanon, TN Novelty figure lamps; Pumpkin Motion Lamp, Snowman Motion Lamp	There are bare live wires at the bulb sockets which present risks of electric shock or electrocution to consumers.	The firm provided refunds to consumers that returned the cord sets.
01/03	Cooper Lighting, Inc. Elk Grove Village, IL 500-watt halogen bulbs without warning labels	A fire hazard is present when used in halogen torchiere floor lamps.	A warning label is being placed on products at retailers and on future production.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
02/03	Bombardier Inc. Quebec, Canada, Snowmobile models Ski Doo, Legend & Grand Touring	Use of the snow mobiles can result in serious bodily harm.	The firm recalled the products at dealership level.
02/03	Fireworks of Alabama, Inc. Adamsville, AL Bamboo stick sparklers # LB-NO11-7	The device can ignite, burn, disintegrate and emit burning fragments during use.	Consumers are to contact the firm for a refund.
02/03	Harman Specialty Group, Madrigal Division Middletown, CT Subwoofer model Revel B-15	A screw inside the subwoofer can cause a high voltage short, presenting a risk of severe electric shock to consumers.	The firm is offering a free repair, free software and a one-year warranty extension.
02/03	American Power Conversion W. Kingston, RI Back-UPS uninterruptable power supply #CS 500 & CS 350	Internal failure can cause the unit to overheat and melt the exterior case, possibly igniting nearby combustibles.	The firm will replace recalled product with a redesigned unit.
02/03	Kawasaki Motor Corporation Santa Ana, CA Youth ATV model KFX50, model year 2003	The steering control may fail causing the vehicle to crash. This could cause serious bodily injury.	The firm offered consumers a repair of the product.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
02/03	General Cable Corporation Highland Heights, KY Romex NM-B 14/2 electrical cable with ground	The current in undersized conductors can cause excess heating, presenting risks of fire or electric shock/electrocution to consumers.	The firm notified its customers and captured affected product still in the possession of those customers.
02/03	E-Ton America, LLC Spartanburg, SC All terrain vehicle model 40cc-Viper Junior	The ATV fails in a manner that presents a risk of bodily injury to riders.	The firm offered consumers a replacement product.
02/03	Polaris Industries Inc. Minneapolis, MN 2003 800 RMK snowmobile model Vertical Escape	Use of the product can result in serious bodily injury.	The firm offered repair service to owners.
02/03	Kawasaki Motor Corporation Santa Ana, CA 27 horsepower engine garden tractors	The product fails in a manner that presents a fire hazard.	The firm offered to repair consumers' products.
02/03	Evenflo Company Vandalia, OH Portable wood cribs, Gerry or Evenflo brand models	If the hardware is not tight, the mattress support platform can fall to the floor, posing a risk of injury to a baby in the crib.	Consumers are to contact Evenflo for a free repair kit.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
02/03	Thomas & Betts Corporation Memphis, TN Lightalarms, Emergi-Lite & Dynary emergency exit signs	A capacitor could overheat and emit smoke or melt and damage the enclosure.	A free repair kit will be provided to all affected owners of this product.
02/03	Park Structures Coral Springs, FL DuraMax & SuperMax Twister Playwheel models 200-966 & 900-966, part 6413	The metal welds may fail, resulting in falls and possible injury to riders of the playground equipment.	The firm will repair all playwheels sold.
02/03	Kindermusik International Inc. Browns Summit, NC Fiddlesticks children's rhythm instruments	End caps may come off, exposing ball bearing noise-making components. Both the end caps and the ball bearings present a potential choking hazard to children.	Consumers are to return the product to place of purchase for a replacement product.
02/03	The Toro Company Bloomington, MN "0" turn radius lawn mower models Exmark Lazer HP & Toro Z-100	The fuel lines are too long and come in contact with moving parts resulting in fuel leakage.	Consumers should contact the dealer to receive a free repair kit.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
02/03	BRIO Corporation Germantown, WI Plastic bird trumpet w/ slide whistle, model #31038	The knob may break off presenting a potential choking hazard.	Consumers are to return the product for a replacement toy.
02/03	U-Bild, Inc. Van Nuys, CA Portable crib, # 689	The corner posts protrude presenting a strangulation hazard.	The firm notified consumers and offered a repair for the cribs.
02/03	Panasonic Company Secaucus, NJ Pedalec folding bike pedal	The pedal may fail causing the ride to fall from the bicycle.	The firm offered a free replacement of the crank and pedals.
02/03	Playnation Play Systems Kennesaw, GA Fun Bucket swing attachment	The bucket's free-hanging rope can entangle a child's neck causing strangulation.	Consumers are to return the Fun Bucket to a retailer for a refund.
03/03	Random House, Inc. New York, NY Children's board book sets Monsters To Go!, The Princess Collection 2, Winnie The Pooh-A Very Merry Christmas & My Barbie Fun Box	The book sets were sold in cardboard boxes with plastic snaps. The plastic snaps can detach, posing a choking hazard to young children.	Consumers should cut off the lid of the box with plastic snaps, throw away the rest of the box and send the lid to the address provided for a free replacement book set.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
03/03	IBM Research Triangle Park, NC IBM-brand computer monitor models G51 & G51t 15	The products have defective solder connections that can overheat posing a fire hazard.	The affected units will be repaired or replaced at no charge to the consumer.
03/03	Murray Manufacturing Company Brentwood, TN Murray 38", 40", 42", 46" & 52" lawn tractors models 405014X92, 405015X92, 40508X92, 425007X92, 42515X92, 42516X92, 425302X92, 425303X92, 425614X92, 42576X92, 465305X92, 465603X92, 64581X92, 435605X692, 465606X692 and 525607X692	The fuel tanks can crack and leak gasoline presenting a fire hazard.	The firm is to install redesigned fuel tanks on the recalled lawn tractors.
03/03	Robert Bosch Tool Corporation Chicago, IL Skil Warrior battery charger models 92950, 92970 & 92980	Use of the product presents a fire hazard.	The firm will replace the charger and drill with a different model product.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
03/03	Fire-Lite Alarms, Inc. Northford, CT Alarm system power supply, Notifier models ACPS2406, FCPS24S6, FCPS24S8 & Fire-Lite models FCPS24FS6, FCPS24FS8	Notification of a fire hazard may not occur in the event of a fire.	A replacement circuit board or power supply will be provided by the firm at no charge.
03/03	The Disney Store, Inc. Glendale, CA 13-inch Woody cloth doll, UPC: 0012120003	The buttons can detach from the doll presenting a potential choking hazard.	Consumers are to return the product for a refund of the purchase price.
03/03	Commonwealth Toys New York, NY Animal Alley 20" Lots A Legs stuffed activity toy, item 87183	The mylar material on the toy can crack and break during use, presenting a potential choking or laceration hazard.	The product was removed from retail sales.
03/03	Atico International USA, Inc. Ft. Lauderdale, FL Kitchen Gourmet electric hot pot, item #802497	The hot pot presents a burn hazard.	The firm will provide a full refund to consumers.
03/03	Makita U.S.A., Inc. La Mirada, CA Electric sander model # B05000 & B05001	Part of the sander attachment can loosen and strike the user.	The firm will provide free repair service to consumers.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
03/03	Weed Wizard Acquisition Corporation Waco, TX Weed Wizard EZ-Trim, Weed Wizard Flexi-Trim, Easy Gardener Trimmer Head for Grass & Easy Gardener Trimmer Head for Grass & Weeds	Pieces of the trimmer attachment may detach during use causing laceration injuries.	The firm corrected the molding process that caused the irregularity.
03/03	Trudeau Corporation Woodridge, IL Fondue set model 082-384	The plastic handles may break causing the pot to fall, spilling its hot contents unto consumers.	The firm recalled the pot offering consumers a new pot with acceptable handles.
03/03	Planet Toys International, Inc. Boca Raton, FL Disney Princess 46" spring horse with sound	The ride-on horse can break during use causing a child to fall and be injured.	The firm will reinforce the bracket support on the legs for ride-on horses in inventory, at the retailers and for all future production.
03/03	The Betesh Group New York, NY Busy Bug, Smart Scents	Use of the products presents a potential choking hazard.	Consumers are to receive a refund for return of the product.
03/03	Maytag Corp. Newton, IA Kenmore refrigerator model TRIO	There is a possible electrical shock presented by a screw that penetrates a dislocated wiring harness.	The firm is to locate and test all recalled refrigerators, and replace them with a new unit.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
03/03	Maytag Corporation Newton, IA Maytag Gemini gas range	The product has oven delayed ignition that can cause a fire or explosion possibly resulting in burn injuries.	The firm extended the lower oven vent and reprogrammed the oven control to ensure proper air flow in the upper oven, and to eliminate incidents of delayed ignition.
03/03	Polaris Industries Inc. Minneapolis, MN Predator 500 ATV model year 2003	The brakes could fail, resulting in serious bodily injury or death.	The firm offered to repair the ATV's.
03/03	Black Diamond Equipment Salt Lake City, UT Telemark ski binding # O2	The binder can fail unexpectedly causing the skier to fall.	The firm will replace cracked bindings free of charge through dealers and retailers.
03/03	Raleigh America, Inc. Seattle, WA Diamondback bicycle frame models X10 and X20	The frame can fail causing the rider to fall and possibly be injured.	The firm offered consumers a replacement bicycle or a credit towards a new bicycle.
03/03	UWATEC USA INC Brunswick, ME Aladin dive computer model Air X NitrOx	The dive computer may miss read or fail presenting a risk of drowning.	The firm will replace the dive computers free of charge to all owners.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
03/03	Ryobi Technologies, Inc. Easley, SC Craftsman router model #315.17510	Use of router presents a laceration hazard.	The firm will offer a replacement router.
03/03	Hitachi Koki USA, Ltd. Norcross, GA Circular saw models # C7SB2 & C7BD2	The blade guard can stick which presents a laceration hazard.	The firm will offer a free repair to consumers.
03/03	Lands' End, Inc. Dodgeville, WI Little Kids' Reversible Parka, (# 79725) and Little Girls' Fur Trimmed Parka, (#79721).	The zipper box may detach, allowing the zipper slide to detach. The small parts, if detached, could pose a risk of choking.	Consumers are to contact Lands' End to discuss the return, refund or replacement of your child's parka.
03/03	Valence Enterprises Brooklyn, NY Electric fan model CH-S 187	The electric fan can cause electric shock and fire hazards.	Consumers are to contact the firm for refund of the purchase price.
03/03	Creative Kids, Inc. Monsey, NY Jumbo Art Set #11519	The unit contains a mini razor cutter as part of the set that is for children 5 years and older. The unit presents risk for lacerations.	Consumers are to contact the firm for a replacement part.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
03/03	QVC, Inc. West Chester, PA Little Red Chef food chopper	Users may sustain cuts from the exposed sharp blades.	The firm provided owners with a cover to protect users from the sharp blade.
03/03	The First Years, Inc. Avon, MA Fold-Away tub and step stool model #3141	When used as a tub, babies' body parts can be pinched if the product's footrest is not fully extended until it clicks firmly into place.	The firm revised instructions and provided a warning label to attach to the product for consumers who call the toll-free number.
03/03	Raymond Oak, Inc. Buena Park, CA Toy chest, item #SC51CT-MP birch or oak finish	The lid can unexpectedly fall causing injury to the child's head, neck, fingers or hands. Spaces at the end of the hinge on the lid can cause pinch, crush or laceration injuries to children's fingers.	The firm stopped distribution and offered consumers a refund.
03/03	Raven Industries Earth City, MO Handheld remote controls sold with Adjustamagic, Scape & Maxwell adjustable beds	An internal component can overheat, presenting risks of fire or thermal burns to consumers.	The firm is offering a free replacement to consumers with affected products.
03/03	The Toro Company Bloomington, MN Snow Commander Snowthrower models 38600 & 38602	The fuel tank can crack and leak gasoline presenting a potential for fire or burn injury.	The firm will replace the fuel tank with a redesigned tank.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
04/03	BJ's Wholesale Club, Inc. Natick, MA Red Devil outdoor gas grill #REDO 011000	The grill can collapse or tip over possibly causing fires and burns.	The firm stopped sales and offered consumers a full refund for return of grill.
04/03	M2Racer Dale City, CA Clipless pedal model ORB	The pedal components may have machine flaws that will fail if you turn your foot. In a sprint, release can occur and a fall may result.	The firm will do 100% refund to consumers and \$30 incentive to retailers to contact each consumer end user, along with free shipping package
04/03	Toys R Us, Inc. Paramus, NJ "Especially for Baby" child's training cup #40042, #40044, #40049	The small vinyl valve in the cup's lid may separate presenting a potential choking hazard.	The product was removed from the retail shelves.
04/03	S. Rothschild & Co., Inc. New York, NY Little Impressions, Rothschild, Izzi's Kids & Clockwise girl's jacket models B2913/12913/32913/52913, 32813/52813, 12816/32816/82816D, 32817 & 82819D	The decorative flower-shaped snaps can detach and pose a potential choking hazard.	Consumers are to return the items to the manufacturer for a repair.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
04/03	Harold J. Lehman Industries, Inc. St. Paul, MN N'ICE fleece toddler hat and mitten set	The tassels attached to the hat can detach, presenting a possible choking risk.	The retailer stopped sell of the hats.
04/03	Komatsu Zenoah America Norcross, GA RedMax professional hedge trimmer models SRTZ2500, LRT-A, LRTZ2500	A bracket could break allowing the blade to come in contact with the user's hand.	The firm offered consumers a free repair and upgrade.
04/03	Eddie Bauer, Inc. Redmond, WA Large Bubblglass Hurricane candleholder #74-3582	The glass can break for no apparent reason.	Consumers are to dispose of the product and obtain a refund.
04/03	Brunswick Corporation Skokie, IL Pro Series smith machine	Observers' fingers may be amputated by the moving locking mechanism within the vertical barbell guide track.	The firm provided end users with a retrofit to address the potential risk of injury.
04/03	Comarco Wireless Technologies Irvine, CA AC plug for Targus, PA-AC-70W-2, AC adapter	The AC plug can break and expose live conductors presenting a risk of shock and electrocution.	The firm replaced the recalled AC plug with a redesigned AC plug.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
04/03	Thomson Consumer Electronics, Inc. Indianapolis, IN RCA 650-watt amplifier model # RT2600, RT2600DVD & RT2600DVD5	The amplifier can overheat presenting a shock hazard.	The firm will provide a free repair.
04/03	The Children's Group, Inc. Madison, VA Happyvillagers #724057 and Happyville Special #724140 HearthSong	Use of the products presents a potential choking hazard.	The firm provided a full refund and a \$15 gift certificate to consumers.
04/03	American Greeting Corporation Cleveland, OH St. Patrick's Day Blarney beads necklace, item # 5349915	If the necklace is broken, its sharp metal pin presents a potential puncture hazard.	The firm stopped sales of the product.
04/03	Dynacraft Industries, Inc. San Rafael, CA Bicycle model Voltage Next	The product fails in such a manner that the rider can fall from the bicycle.	The firm will replace the bicycle's stems free of charge.
04/03	Trivett Industries, Inc. Deland, FL Pancake maker	The handles can break due to the heating operation which presents a risk of burn injuries.	Consumers are to contact the firm for a refund of the purchase price.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
04/03	Trisonic Flushing, NY Night light model TS-4531	The night light presents fire and electrocution hazards.	Consumers are to return the unit for a refund of the purchase price.
04/03	Hasbro, Inc. Pawtucket, RI Playskool Magic Start Crawl 'N Stand activity toy model #6952	If a child falls and pulls the toy over, he can sustain injuries such as bumps, bruises and facial cuts.	The firm offered consumers a free replacement toy.
04/03	Fisher-Price, Inc. East Aurora, NY Little People Animal Sounds Farm #77973 & 77746	Use of the products presents aspiration and choking hazards.	The firm provided a free fix to cover the product's door hinge.
04/03	Design Pac, Inc. Northlake, IL Vintage Rose oil lamps	Use of the product presents a fire hazard.	The firm stopped sales and offered complete refunds at the retailers.
04/03	Spiegel Catalog, Inc. Downers Grove, IL 3-Piece candleholder set item # N65-3401	Use of the product presents a fire hazard.	The firm offered consumers a free base replacement or a refund of the purchase price.
04/03	Pacific Market, Inc. Seattle, WA Microwave food bottle	Use of the product is a burn hazard.	The firm re-designed the product.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
04/03	Panasonic Consumer Electronics Secaucus, NJ Cordless drill battery pack models EY9230, EY9136, EY9231, EY9200, EY9106 & EY9201	The battery pack can unexpectedly detach and fall from the power tool striking the user or bystander.	The firm will provide a free replacement
04/03	WestPoint Stevens Inc. West Point, GA Vellux fahrenheit heated blanket	Use of the blanket presents a potential thermal burn hazard when folded or crumpled.	WestPoint Stevens is offering a full refund and a \$25 bounty for recalled blankets.
04/03	Chang Kiang International Houston, TX Glass landscape painting w/ electric light	Use of the product presents a risk of electrical fire and/or shock.	The firm recalled the product.
04/03	Panline USA, Inc. Northvale, NJ ALEX pocketbook table lamp # 732	Use of the product presents risks of electrocution and burn injuries.	The firm recalled the product.
04/03	Wal-Mart Stores, Inc. Bentonville, AR Fabric lantern	The lantern's fabric is not fire retardant. Use of the lantern presents a fire hazard.	The firm recalled the lanterns.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
04/03	Candle World Inc. New York, NY Holiday novelty candles	Use of the candles presents potential fire and burn hazards.	The firm recalled the candles offering consumers a refund of the purchase price and postage.
04/03	Target Corporation Minneapolis, MN Cherokee infant & toddler peasant blouse item # 031/04/0664 & 033/04/0210	The products' tassels presents a potential choking hazard.	The firm stopped sales and destroyed affected units.
04/03	The Children's Group, Inc. Madison, VA Magic Cabin wooden dump truck & tow truck #828134DT & 828134TT	Use of the toys presents potential choking hazards.	The firm provided a refund plus a \$15 gift certificate.
04/03	Early Advantage LLC Fairfield, CT Wink educational exercises and games #109000	Use of the product presents a potential choking hazard to children.	Each consumer was notified of the proper age/grade and provided with Child Safety Protection Act labeling to apply to the product.
05/03	Weil-McLain Co., Inc. Michigan City, IN Ultra 155 & 230 gas boilers	The boilers leak gas which can result in fires and or explosions causing bodily harm and/or property damage.	The firm inspected and tighten gas valve mounting screws and the union below the gas valve flange.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
05/03	Baby's Dream Furniture, Inc. Buena Vista, GA Baby's Dream full-size convertible crib models Always, Crib 4 Life, Legendary, Set 4 Life and Crib-2-College	The hinges can crack or break causing babies' fingers to be pinched. In older cribs, the latches may not be aligned properly causing the drop gate to open allowing a child to fall out of the crib.	The firm offered consumers free replacement hinges and latches.
05/03	Sea Gull Lighting Products, Inc. Riverside, NJ Celing light fixture models 5359-01, 5359-02, 5359-15, 5370-15, 5370-98 & 5372-02	The socket wire does not meet manufacturing specifications which presents a fire hazard.	The firm is to provide replacement light fixtures with socket wire that meets specifications.
05/03	Battat, Inc. Plattsburgh, NY Parent Bee Bop Band item # PM9137T2 & PM91372	The ends of the drumsticks presents a potential choking hazard.	The firm is providing free replacement drumsticks sold to consumers.
05/03	Weather Works Miami, FL Electric heater model CH 601	The unit presents electrocution and fire hazards.	Consumers are to contact the firm for a refund of the purchase price.
05/03	Black Diamond Equipment Ltd. Salt Lake City, UT Bionic model crampon	The crampon's rails may splay during a climb causing the user to slip and possibly fall.	The firm will inspect each pair of crampons and offer a replacement product when necessary.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
05/03	Design Pac, Inc. Northlake, IL Cider House glass floral oil lamp #S231604-BJ	The bottle may break when its cork is removed possibly injuring a consumer's eye from flying glass.	The firm offered consumers a full refund for the return of the lamp or its receipt.
05/03	Starbucks Coffee Company Seattle, WA Bearista Bear Plastic Tumbler Cups with straws	Young children can choke on the straw when it is bitten off.	The firm offered refunds to the purchasers plus coupons for a future purchase.
05/03	Stihl Incorporated Virginia Beach, VA Chain saws	The fuel tank vent can become dislodged and leak fuel presenting a risk of fire.	Consumers are to contact an authorized Stihl dealer for a free repair.
05/03	Cayset Fashions, Ltd. New York, NY Okie-Dokie brand children's tee shirt with flower-shaped, heat- sealed applique, #322- 1304	The appliqué on front of the shirt may separate after washing and pose a potential choking hazard to children.	The retailer stopped sales of the item.
06/03	Lane Furniture Industries, Inc. Tupelo, MS Upholstered high-leg recliner chairs	A pinch point in the footrest could cause injury to fingers.	The firm provided consumers with a shield to eliminate the pinch point.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
06/03	Advanced Electrical Systems LLC Tullahoma, TN TEPIC generator power transfer cords type 1 & 3	Use of the product presents an electrocution hazard.	The firm will provide a full refund, plus shipping to all consumers with a recalled TEPIC cord.
06/03	Alltrista Consumer Products Co. Cloquet, MN Diamond 11" grill matches	The matches will ignite if the box falls or is dropped.	The firm recalled its inventory and tested future production.
06/03	The Toro Company Bloomington, MN Garden tractor model 400 XT	The operator could lose speed control and sustain injury.	The firm recalled the garden tractors so that repairs could be made by authorized dealers.
06/03	Homelite Anderson, SC Chain saw model UT10946	The improperly adjusted throttle allows the blade to continuously operate.	The firm recalled the product offering owners a repair program.
06/03	Cart Craft Providence, RI LUV Cart motorized lawn utility vehicle	The electric motor switch can fail to shut off the cart's power presenting a risk for the product to move and strike consumers.	The firm provided consumers with a redesigned safety switch.
06/03	Target Corporation Minneapolis, MN Circo children's sandals	Use of the product presents a potential choking hazard.	Target stopped sale of the sandals at their stores.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
06/03	HAG, Inc. Greensboro, NC Office task chair HAG H03	The chair's back may collapse causing the occupant to fall and sustain injuries.	The chairs will be repaired on site or sent to the firm for repair, free of charge.
06/03	CMD Products Lincoln, CA Weed Cutter model 4650, aluminum blade	The blades can break off and hit consumers, causing severe impact and laceration injuries.	The firm is offering free replacement blades to consumers that respond to recall notification.
06/03	Select Comfort Corporation Minneapolis, MN Mattress air pumps for Sleep Number adjustable beds	If exposed to cold weather conditions, the insulation can crack presenting a risk of shock or electrocution.	A new pump will be provided to affected consumers at no charge.
06/03	Homier Distributing Co., Inc. Huntington, IN Fuorescent work light, outdoor extension cords, trouble light	The items present fire and/or electrical shock hazards.	Consumers may return units to the firm for a refund of the purchase price and the cost of shipping.
06/03	Ontel Products Corporation Fairfield, NJ Little Red Chef food chopper	Users may sustain cuts from the product's exposed blade.	The manufacturer redesigned the product to include a blade cover.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
06/03	MTD Products Inc. Valley City, OH Cub Cadet Big Country 4 X 2 utility vehicle models 37AR430A100 & 37AR430D100	Use of the products can result in loss of steering and brakes.	The firm provided repair kits to dealers.
07/03	GSW Water Heater Company Fergus, Ontario, Canada GSW natural gas & propane water heaters w/ S.I.T. model 650 AC4 gas/temperature controls	Use of the products presents a potential burn hazard from ignition flashback or an increase in tank water temperature.	Consumers with the water heaters should visit CPSC or GSW website or call GSW or S.I.T. USA for a revised set of instructions. The firm is sending revised installation and operating instructions to distributors, retailers/installers, and consumers.
07/03	Brunswick Corporation Franklin Park, IL Life Fitness brand Treadmill models 8500, 9000HR & T9i	The product can suddenly accelerate possibly causing the operator to lose control and fall.	The firm will provide a free on-site repair of the affected treadmills.
07/03	Kawasaki Motor Corporation Santa Ana, CA All terrain vehicle model KFX700 V Force	The throttle cable sticks open causing the engine to continue to run. Consumers can lose control of the ATV.	The firm will fix all units that have loose throttle cable adjusters free of charge.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
07/03	Toshiba America Consumer Products, Inc. Wayne, NJ Toshiba rear projection televisions models 50A62, 51H83, 57H83	The capacitor can fail presenting a shock or electrocution hazard.	The incorrect capacitor will be replaced in current and future production. Existing televisions will be replaced at no charge with units having the correct capacitors.
07/03	Franzus Company LLC Beacon Falls, CT International adapter plug models M-500E, TSM-500E, TS-1650E & PS-200E	Use of the plugs presents electric shock or electrocution hazards.	The firm replaced the recalled plugs with reinforced plugs.
07/03	Polaris Industries Inc. Medina, MN Snowmobile models Polaris, Frontier Classic & Frontier Touring	The fuel tank and fuel pump can leak fuel presenting a potential fire hazard.	The flange will be replaced or repaired to terminate fuel leakage.
07/03	BSH Home Appliances Corporation Huntington Beach, CA Thermador gas range cook-top models #RDDS & RDSS	There is a potential for gas build up which can lead to an explosion.	The firm will provide free inspection and repair of the cooktops.
07/03	Clopay Building Products Company, Inc. Mason, OH Garage door track sets	Certain garage doors were shipped with lighter gauge track sets than specified by the firm.	The firm will order, ship, and install replacement track sets free of charge.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
07/03	Perfect Fit Industries Charlotte, NC Soiree and Soft n' Warm brand electric blankets	There is a risk of burn injury from overheating when the blankets are folded or bunched.	The firm recalled the blankets offering consumers a free newly designed replacement low-voltage electric blanket.
07/03	American Promotional Events Florence, AL Fire works reloadable tube device #CP983	The unit contains a defective base that can make the launch unstable sending the device in an undesirable direction.	Consumers are to contact the firm for a refund of the purchase price.
07/03	The Boyds Collection McSherrystown, PA "Egg Dippers" plush Easter bear, duck & rabbit #25306/07/09	There is a potential choking hazard from the beads that can escape from inside the stuffed animals.	Consumers can return the product for a replacement toy.
07/03	Jakks Pacific, Inc. Malibu, CA Nickelodeon Smatter products sold in aerosol cans: Spit, Blueberry, Banana Cream, Lemon Meringue, Fatter & Original	The aerosol cans may forcefully rupture presenting a potential injury.	The firm is offering consumers a refund of the purchase price.
07/03	UWATEC USA INC Brunswick, ME Dive computers Smart PRO and Smart COM	The dive computers have a programming error that can give incorrect readings.	Consumers are to contact the firm for a retrofit.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
07/03	Intercontinental Hotels Group Atlanta, GA Magnetic sketch toy with a stylus	The nib of the stylus can detach and is a small part. A child may swallow the nib or possibly aspirate it.	The firm stopped distributing the products.
07/03	Fisher-Price, Inc. East Aurora, NY Sparkling Symphony crib mobile model #71985	The product leaks battery fluid which can cause chemical burn injuries.	The firm provided free gaskets to consumers to stop any leakage.
07/03	Federated Merchandising Group New York, NY Tools of the Trade Belgique Gourmet cookware	The cookware's copper bottoms may melt if used under certain conditions, resulting in burns to consumers.	The firm discontinued distribution of the subject cookware.
07/03	Step 2 Company Streetsboro, OH Big Band Drum children's drum set #7135	The top of the set's drumsticks can break off, posing a choking hazard to children.	Consumers are to contact the firm for free replacement drumsticks.
07/03	DSP, LLC Rancho Dominguez, CA DSP Power Now Unit models PNKTM4 & PNY4	The motorcycles' throttle slide may become stuck on the wing on the Power Now unit presenting a risk of injury.	The firm recalled the products.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
07/03	Dorel Juvenile Group Columbus, IN Cosco Arriva & Turnabout car seats	The handles may break or unlatch causing an infant in the seat to fall to the ground.	Consumers are to contact the firm for a free repair kit and installation instructions.
07/03	Visual Comfort & Co. Houston, TX Electric light fixture models "Mercer" & "Montgomery"	The decorative plastic sleeve can melt presenting a fire hazard.	The firm offered consumers a refund of the purchase price or provided consumers with a similar replacement product.
07/03	Midwest Cannon Falls, MN Toad Lawn ball sprinkler	The sprinkler may explode under pressure.	The firm recalled the sprinkler.
07/03	LaJobi Industries, Inc. Edison, NJ "Tiffany" and "Josephine" model cribs	The side rail may fail presenting a risk of entrapment or falls from the cribs.	Consumers are to contact the firm for free replacement side rails.
07/03	Hamilton Beach/ Proctor Silex, Inc. Glen Allen, VA Slow cookers of various models	The handles on the base of the slow cookers can break, posing a risk of burns from hot food spilling onto consumers.	The firm will provide a replacement base for recalled slow cookers at no charge.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
07/03	Black & Decker (U.S.) Inc. Towson, MD Black & Decker, 18-volt cordless drill model #s CD1800, PS3700, PS3725 & PS3750	Use of the products presents a potential fire hazard.	The firm will provide a free repair to consumers.
07/03	Battat, Inc. Ilattsburgh, NY Busy Park Playground, model #PM9012	Beads inside the mesmerizing maze toy and wooden pegs around the toy create a small parts hazard, and corners of the product can cause a laceration hazard for young children.	The firm made a series of design changes to address consumer complaints.
07/03	International Playthings, Inc. Parsippany, NJ Earlyears Bobbie Bear Stacking Rings, #E00421	Use of the rings presents a potential choking hazard.	Consumers are to return the product for a free replacement toy.
07/03	Wal-Mart Stores, Inc. Bentonville, AR Home Trends Kiddy Sling Chair #KTS0240-P	Small plastic caps that cover the nuts on the chair may separate from the chair, presenting a potential choking hazard to children.	Consumers may return the product for a refund or remove the nut caps.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
08/03	Shindaiwa, Inc. Tualatin, OR Shindaiwa - gasoline powered commerical hedge trimmer	Gasoline can leak from the fuel cap presenting a fire hazard.	The firm replaced the recalled fuel cap with a redesigned fuel cap.
08/03	Hedstrom Corporation/Backyard Products Ltd Mount Prospect, IL Hedstrom and NBF brand 12-ft; 13-ft, and 14-ft trampolines	One or more welds can break from the trampoline frame rails during use, resulting in injuries.	The firm offered consumers a free in- home repair kit.
08/03	Blason International Miami, FL Electric hair dryer #4030	The units present an electrocution hazard.	Consumers are to contact the firm for a refund of the purchase price.
08/03	Haywood Pool Products, Inc. Elizabeth, NJ H-Series ED2 pool heater	Fire or explosion hazards are presented by flame roll-out.	The firm replaced the circuit boards that have defective software.
08/03	Academy Sports - Southern Outdoor Recreation Katy, TX Timber Creek camping heater #3000 btu radiant heater	There is a risk of excess carbon monoxide emissions and oxygen depletion if used indoors.	The firm discontinued sales, recalled all products and gave consumers a store credit equal to the purchase price.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
08/03	Ideal Industries Inc. Sycamore, IL Ideal solenoid voltage tester models 61-065, 61-066, 61-067, 61-076, 61-079, 61-080	The testers can short out at high voltages, resulting in electrical burns.	The firm will provide consumers with a free replacement tester.
08/03	The Sportsman's Guide South St. Paul, MN Guide Gear Hanging Chair Stand, item #71052	The chair stand may fail or the stand may tip over causing the occupant to fall to the ground.	The firm recalled the chair offering owners a purchase price refund and a \$20 coupon incentive.
08/03	J.C. Penney Plano, TX Okie-Dokie brand rose or yellow sleeveless romper	A child may pull off the small fabric decoration from the romper and possibly choke if it is placed in the mouth.	The retailer stopped sale of this item.
08/03	The Toro Company Bloomington, MN Timecutter Z riding mower	The control arm can fail resulting in a loss of control.	Consumers are to contact a Toro dealer for a free repair.
08/03	Determined Productions, Inc. Larkspur, CA Bobble Headed Dinosaur distributed as premium toy by Wendy's Restaurants	Use of the product presents a potential abrasion hazard to a child's mouth.	The firm stopped sales and destroyed its inventory.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
08/03	GE Interlogix Tualatin, OR GE and ESL smoke alarms 500N series	The units may fail to detect fire or smoke upon installation, or during an extended loss of power.	The firm will provide installation of a replacement smoke detector at no cost.
09/03	CFM Keanall Products Mississauga, Ontario, Canada Great Outdoor horizontal gas grill models GH- 450FBP & GH450XBP	Certain wind conditions can cause overheating or flashbacks under the grill control panel, which might result in flames under the control panel.	The firm provided a retrofit kit consumers to address the problem.
09/03	Essex PB&R Corp. Edwardsville, IL Essex Plus 10 Filter breathing unit/fire escape hood	The Plus 10 may not provide protection against chemical warfare agents as indicated in marketing brochures and on the company website.	The firm will provide a refund to those consumers who purchased the Plus 10 for protection against chemical warfare agents and do not want to use the product for fire escape purposes.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
09/03	Weber-Stephen Products Palatine, IL Vieluxe gas barbecue grill models #360201, 360102, 370201, 370102 & 370299 and Summit models #5210001, 5310001, 5220001, 5320001, 5230001, 5330001, 5260001, 5360001, 5270001, 5370001, 5290001 & 5390001	Cuts, impact injury, or burns can result from the glass cover and thermometer breaking under specific temperature and moisture conditions.	The firm replaced the recalled thermometers with a newly designed thermometer.
09/03	L.M. Becker & Co., Inc. Kimberly, WI Necklace w/ gray metal pendant on black cord	There is a potential for lead poisoning.	Consumers are to contact the firm for a refund.
09/03	IKEA North America Services Plymouth Meeting, PA NICK folding chair	There is a potential for the chair to collapse.	The firm redesigned the chair, stopped sales and destroyed all remaining inventory.
09/03	Clouds and Stars Inc. Denver, CO Zipper pulls on Quick Zip Crib sheet base units	A child can choke on the detached zipper pull.	Consumers are to return the base set for a free replacement.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
09/03	The Wenzel Company St. Louis, MO Eddie Bauer two mantle propane lantern model #EB90001	The lantern emits excess CO emissions.	Consumers are to return the lantern for a refund of the purchase price.
09/03	Marshall Gas Controls San Marcos, TX Low pressure LP-Gas regulator or valve model 450, 451, 452 used on W.C. Bradley gas grills	There is a potential for fire or explosion from propane valve gas leaks.	The firm replaced the problem regulators and worked with the component vendor to resolve the process deficiencies.
09/03	Swimways Corporation Virginia Beach, VA "Sandy Claws" swim trainer flotation device	The restraining strap can detach from the float and release the child into the water. Drowning is possible.	Consumers are to contact firm for a full refund of the purchase price.
09/03	OnQ Middletown, PA Enhanced telecom module 1X8, part #364551-01	The module may prevent alarm systems from notifying emergency authorities, possibly increasing the risk of property damage and/or injuries in the event of a fire.	The firm will provide a free replacement module to consumers.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
09/03	Segway LLC Manchester, NH Segway Human Transporter (HT) battery- powered people mover models i167, e167 & p133	Under certain operating conditions, particularly when the batteries are near the end of charge, some Segway HTs may not deliver enough power, allowing the rider to fall.	Segway will provide a free software upgrade to all affected owners.
09/03	Design Pac, Inc. Northlake, IL Easter Egg oil lamp sold at Target stores	The oil lamp may tip over presenting a risk of fire or thermal burns.	The recalled lamps should be returned to Target stores for a full refund.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

APPENDIX G: Litigation and Settlements

Litigation and Settlements

Part I of this appendix summarizes the federal court cases, categorized by type, to which the Commission was a party during fiscal year 2003. Part II summarizes the civil penalty settlement agreements accepted by the Commission during fiscal year 2003.

Part I

Civil Penalty/Injunction Cases

U.S. v. Mirama Enterprises, Inc. D/B/A Aroma Housewares Company, No. 00 CV 2269 K (LAB) (S.D. Calif.) and No. 02-56466 (9th Cir.). Beginning in January 1998, Aroma received reports of its juicer shattering. Through October 1998, it had received 19 such incident reports, including 13 injuries. Aroma failed to report this information to the Commission. On November 9, 2000, the government filed a complaint seeking a civil penalty and injunction. On December 13, 2000, Aroma filed an answer. On November 29, 2001, the government filed a motion for summary judgment, which Aroma opposed on January 7, 2002, and to which the government replied on January 11, 2002. On January 23, 2002, Judge Keep granted summary judgment for the government on liability, and she amended her order on February 12, 2002. Following a three-day hearing on the amount of penalty, Judge Keep ordered from the bench that Aroma pay \$300,000 plus costs (\$100,000 and costs forthwith, and \$200,000 within nine months). On August 20, 2002, Aroma appealed. The parties filed briefs in December 2002, January 2003, and February 2003.

U.S. v. Wal-Mart Stores, Inc., Sam's East, Inc., Sam's West, Inc. and Icon Health and Fitness, Inc., No. PJM-01-CV-1521 (D. Md.). Prior to October 1996, Icon made and distributed three types of exercise machines. They had a defective link-arm that permitted the seat to unexpectedly disconnect during use, causing the user to fall abruptly. Between 1996 and 1999, Wal-Mart and Sam's Club sold more than 50,000 pieces of this equipment. Despite knowing of numerous injuries, including nearly 30 that occurred in the retail stores while consumers were trying out the equipment, the companies failed to report to CPSC. On May 24, 2001, the government filed a complaint seeking a civil penalty and injunction. On June 21, 2001, the defendant companies filed answers. Discovery began in July 2001. On November 27, 2001, Judge Messitte entered a Stipulated Judgment and Order settling the case against Icon for a \$500,000 civil penalty. On March 15, 2002, the government filed a motion for summary judgment. On March 29, 2002, Magistrate Judge Day granted the government's motion for a protective order barring the deposition of former CPSC Chairman Ann Brown. On April 12, 2002, Wal-Mart (the only remaining defendant) filed an opposition to the government's motion for summary judgment, a cross-motion for summary judgment, and an objection to the order on Ann Brown's deposition. Discovery ended in May 2002. On May 8, 2002, the government filed an opposition to Wal-Mart's motion for summary judgment, a reply on its own summary judgment motion, and a response on the Ann Brown decision. Judge

Messitte heard oral argument on July 19, 2002 on the cross motions for summary judgment and denied them both. On July 24, 2002, Judge Messitte adopted Magistrate Judge Day's order on the Ann Brown deposition. On October 24, 2002, Wal-Mart made an offer of judgment of \$500,000. In October and November 2002, Wal-Mart moved for leave to proceed to the civil penalty stage of the case, the government responded, and Wal-Mart replied. On November 18, 2002, Judge Messitte denied Wal-Mart's motion from the bench and ordered the parties to mediation. On December 6, 2002, the parties had a mediation session with Magistrate Judge Connelly, and they later negotiated a settlement of the case. On April 23, 2003, Judge Messitte entered a Stipulated Judgment and Order requiring Wal-Mart to (1) pay a civil penalty of \$750,000 and (2) establish and maintain internal recordkeeping and monitoring systems designed to assure its compliance with CPSA section 15(b) reporting requirements.

U.S. v. Weed Wizard Acquisition Corporation; Easy Gardener, Inc.; and U.S. Home and Garden Inc., No. DKC-2002-2290 (D. Md.). By July 1999, Weed Wizard Acquisition Corporation and related companies were aware of at least 30 incidents caused by the detaching during use of the metal chain links on weed trimmer attachments. In most of the incidents, the chain links caused penetration wounds and lacerations to users' or bystanders' legs, heads, necks, ankles or feet. In one incident, the product killed a three-year-old girl when a link detached, flew off, and struck her in the head. The companies failed to report any of this information to CPSC until the staff asked for information on the product. And the companies refused to provide subpoenaed information. On July 7, 2002, the government filed a complaint, which the defendant companies answered on July 30. On August 13, 2002, the defendants filed a motion to dismiss for lack of *in personam* jurisdiction. The government filed an opposition on August 22, and the defendants filed a reply on August 30. On September 16, 2002, the government moved for leave to file an amended complaint naming three additional parties. On September 19, 2002, Judge Chasanow granted the defendants' motion and dismissed the case for lack of *in personam* jurisdiction. On October 31, 2002, the parties signed a consent agreement requiring six companies – U.S. Home and Garden, Inc.; Weed Wizard Acquisition Corporation; Easy Gardener, Inc.; Weed Wizard, Inc.; Ampro; and A.A.B.B. – to pay a civil penalty of \$885,000.

U.S. v. Shelton Wholesale, Inc. (d/b/a Shelton Fireworks), Polaris Fireworks, Inc. and Gregory Shelton, an individual, No. 96-6131-CV-SJ-1 (W. D. Mo.) and **In re: Gregory P. Shelton, petitioner**, No. 99-4057WMSJ (8th Cir.). Over a four-year period, Shelton Fireworks imported 23 different shipments of fireworks that failed to comply with CPSC's regulations and with the Federal Hazardous Substances Act. On October 2, 1996 the government filed a complaint seeking a civil penalty and injunction. The defendants (collectively, "Shelton Fireworks") filed an answer on November 29, 1996. Between July 1997 and April 1998, the parties engaged in discovery, including depositions, interrogatories, and document production. The government moved for summary judgment on February 13, 1998, and Shelton Fireworks moved for summary

judgment on March 3, 1998. On April 28, 1998, the court ruled on the cross motions for summary judgment and found that: (a) CPSC has jurisdiction to regulate fireworks, (b) Shelton Fireworks's products were in interstate commerce, (c) the doctrine of laches does not preclude CPSC from seeking civil penalties, (d) CPSC may rely for injunctive relief on violative fireworks that it permitted Shelton Fireworks to sell, (e) CPSC may use sampling to condemn a whole fireworks shipment, (f) the issue of non-random sampling is reserved for trial, (g) Shelton Fireworks's due process arguments lack merit, (h) the statistical validity of a sample that disregards the size of the shipment is reserved for trial, (i) Shelton Fireworks's claim that fuse burn values of 2.51 and higher must be rounded up to 3 is not adopted, (j) Shelton Fireworks's claim about the labeling of small festival balls is wrong, (k) Shelton Fireworks's arguments about the corporate and individual distinctiveness of the three importers are reserved for trial, (l) CPSC's assertion that Shelton Fireworks acted "knowingly" is reserved for trial, (m) there is jurisdiction over the NFA case, and (n) there is no evidence to support Shelton Fireworks's claim that CPSC took "unjustified actions and threats" against Shelton Fireworks.

From May 11-15, 1998, the parties presented evidence at a bench trial (a non-jury trial before the judge). Both sides filed post-trial briefs on August 3, 1998. The court heard oral argument on November 5, 1998. On January 6, 1999, the court ordered Shelton Fireworks to pay a \$100,000 fine, and enjoined Shelton Fireworks from importing violative fireworks in the future. On April 16, 1999, the government moved for summary judgment against Gregory Shelton (he had been added as a defendant in 1997, but was not involved in the bench trial because he had requested a jury trial). After Mr. Shelton opposed the government's motion and the government replied, the court granted the motion in part and denied it in part on September 21, 1999. The court enjoined Mr. Shelton from knowingly or recklessly importing products violative of the CPSC's fireworks regulations. The court further ruled that Mr. Shelton's violations had been established, but whether the violations occurred "knowingly" cannot be determined as a matter of law and would be a question for a jury. Pending appeal, Shelton moved for a stay of enforcement, seeking to post a \$25,000 bond instead of paying the \$25,000 portion of the fine due on August 1, 1999. The government asked for a \$50,000 bond, to cover two installment payments. On July 30, 1999, the court set a bond of \$50,000.

On November 20, 1999, Shelton Fireworks petitioned the U.S. Court of Appeals for the Eighth Circuit for a writ of mandamus seeking an order to the district court (1) to vacate the September 22, 1999 order entering summary judgment, (2) to grant Gregory Shelton a jury trial on all issues, and (3) to set aside judgment against the corporate defendants. On December 11, 1999, the government filed a response to the mandamus petition. On January 11, 2000, the 8th Circuit denied a writ of mandamus, stating that whether any party has a right to a trial by jury can be determined in a timely appeal.

On September 18, 2000, the government filed with the district court a Motion for Reconsideration Regarding Liability of Gregory Shelton for Civil Penalties and Suggestions in Support. Mr. Shelton responded to that motion on October 31, 2000, and the government replied on November 14, 2000. On December 12, 2000 the court denied

the government's motion for reconsideration.

On April 2, 2001, the Eighth Circuit granted Shelton Fireworks' motion to consolidate this case, for appeal, with *Greg Shelton, Shelton Wholesale, Inc. and The National Fireworks Association, Ltd. v. CPSC*, No. 97-6021-CV-SJ-4-6 (W. D. Mo.) and No. 99-1450WMSJ (8th Cir.), discussed below. Shelton Fireworks filed its opening brief on May 4, 2001, the government filed its responsive brief on June 4, 2001, and Shelton Fireworks filed its reply brief on June 18, 2001. The Eighth Circuit heard oral arguments on September 10, 2001. On January 23, 2002, the Eighth Circuit affirmed the district court, 3-0, on all four issues presented on appeal: the CPSC's statutory authority to regulate fireworks; due process; the applicability of the hearsay objection to the government's evidence; and the waiver of the corporate defendants of its rights to a jury trial. On June 27, 2002, the Shelton companies petitioned the Supreme Court for certiorari. On November 4, 2002, the Supreme Court denied certiorari.

U.S. v. Lucky Toys, Inc.; Tin H. Ko; Huu D. Thai [Steve Thai]; Union Import, Inc.; Tin Chwee Ko; Seven Stars Toys Imports, Inc.; Tin Cheng Ko; Rita T. Chin; 333 Imports, Inc.; and Harry Chin, No. CV2-4077 SVW (C.D. Calif.). Since 1997, four companies and six individuals located in Los Angeles imported over 360,000 violative toys of 50 different types. Following each violation, CPSC's field office sent letters of advice to the companies, but the violations continued to occur. On May 21, 2002, the government filed a complaint. Two defendant companies and three individual defendants answered on July 12, 2002. The remaining two companies and three individuals answered on July 19. On August 30, 2002, the court ordered all the defendants to provide financial information to the government. The parties negotiated a settlement of the case, and, on November 4, 2002, the court entered a consent decree. The defendants were required to pay a civil penalty of \$100,000, to comply with all FHSA toy regulations, and to conduct pre-importation age grading and small parts testing.

U.S. v. Thomas S. Scaman and Mary Scaman, individuals, and Max 2000, Inc., a corporation, No. 4:02 CV01745CDP (E. D. Mo.). In late 1997/early 1998, Thomas Scaman, an ATF license holder who was manufacturing consumer fireworks for years as Apollo of the Ozarks, began making an alleged "pest control" agricultural device called the Pest Control Report 2000 or Max 2000. This device is essentially an overloaded firecracker. Scaman specifically targeted fireworks and gun/munitions retailers and wholesalers in his sales of the Max 2000 product. This hand-held, flash-powder device, which is largely obsolete as a wildlife management tool, significantly exceeds the Commission's limit for consumer fireworks. However, the device was widely diverted to and available through consumer channels of distribution, such as retail fireworks stands, gun shows, and the Internet, where it is a popular M-80-type device. On November 11, 2002, the government filed a complaint seeking injunctive relief. After the parties agreed to a settlement of the case, the court entered a consent decree on January 14, 2003. It prohibits the defendants from making or selling PCR 2000s or other illegal "pest control" devices or kits or components intended to produce such devices.

U.S. v. Imperial Toy Corporation, a corporation, and Fred Cort, an individual, No. 03-3448 PA (C. D. Calif.). Between 1998 and 2001, Imperial imported and distributed various toys that violated the small parts requirements. On May 16, 2003, the government filed a complaint seeking a civil penalty and injunction. The defendants filed their answer on June 12, 2003.

U.S. v. Midwest Fireworks Manufacturing Co., Inc.; Fireworks of America Ltd Corp and Pacific Financial Services of America, Inc.; and Larry Lomaz and David Bowman, No. 5:99 CV 2240 (N.D. Ohio) and No. 99-4445 (6th Cir.). Over a five-year period, Midwest Fireworks violated the Federal Hazardous Substances Act by importing more than 70 shipments of non-complying fireworks. When such fireworks were released to Midwest under bond, the company failed to recondition, re-export, or destroy them. In August 1999, an undercover CPSC investigator bought illegal fireworks from two Midwest retail locations. On September 20, 1999, the government filed a complaint, a motion for a temporary restraining order (TRO), a motion for preliminary and permanent injunctions, and supporting papers. On September 27, 1999, the defendants filed responses. On the same day, the court held a TRO hearing and, at the conclusion of the hearing, issued a TRO. On October 6, 1999, the court held a preliminary injunction hearing and, at the conclusion of the hearing, issued a preliminary injunction from the bench. A written order of preliminary injunction followed on November 3, 1999. On November 18, 1999, Midwest appealed the preliminary injunction to the U.S. Court of Appeals for the Sixth Circuit. On November 19, 1999, the district court held a permanent injunction hearing and, at the conclusion of the hearing, issued a permanent injunction from the bench. A written order of permanent injunction that issued on December 29, 1999: (1) enjoined the defendants from receiving, giving away, or otherwise distributing listed banned fireworks, (2) provided access to CPSC to conduct further sampling and inspections, (3) required accounting by defendants, and (4) ordered defendants to destroy banned fireworks. On January 6, 2000, the government moved to amend and supplement the judgment to comport with the court's findings at the permanent injunction hearing. On January 27, 2000, the court entered an amended order of permanent injunction.

On January 25, 2000, the defendants appealed to the Sixth Circuit the December 29, 1999 permanent injunction and moved for a partial stay of enforcement. The defendants filed their opening brief on April 24, 2000, the government filed its responding brief on May 24, 2000, and the defendants filed their reply brief on June 5, 2000. On March 6, 2001, the Court heard oral arguments. On May 3, 2001, the Sixth Circuit affirmed the district court's decision. And the defendants burned approximately 100,000 pounds of fireworks on August 14, 2001.

Following allegations by the government that defendants had violated the January 27, 2000 injunction by importing four shipments of illegal fireworks, the district court entered a consent decree on May 30, 2003. It requires defendants to pay \$30,000 in disgorgement of profits, have all fireworks tested by the American Fireworks Standards Laboratory before importation, and take other compliance-related actions.

On August 8, 2003, the government filed a petition for an order requiring the defendants to show cause why they should not be found in contempt, based on their failure to comply with the May 30, 2003 consent decree. The government supplemented its petition on August 29, 2003 and moved for a hearing on its petition on September 6, 2003.

Criminal Cases

U.S. v. Kenneth Shearer, No. 1:01-CR-49 (D. Ind.). Mr. Shearer operated All American Professional Fireworks, a retail fireworks business in Angola, Indiana that was not licensed by ATF. During 1999, he sold display fireworks without an ATF license. He also tampered with the markings on display fireworks by placing false labels on them. Further, he received display fireworks without an ATF license. On July 25, 2001, Mr. Shearer was indicted. He was arraigned and pled not guilty on July 27, 2001. Following a trial, the jury on June 20, 2002 returned a verdict of guilty on four counts. In June, July, and August 2003, the government and Mr. Shearer filed pleadings on sentencing issues.

U.S. v. STK International, Inc., No. CR 02-950 (C.D. Calif.). In 1997, STK International paid a civil penalty of \$80,000 for violating the Federal Hazardous Substances Act. Then, it violated the FHSA 24 additional times, including eight small parts violations and one rattle violation. On August 28, 2002, the parties signed a plea agreement. On September 3, 2002, the government filed an information specifying misdemeanor charges. On October 15, 2002, STK pled guilty to 12 misdemeanor counts under the FHSA, and the court sentenced the company the same day to pay the maximum allowable fine of \$120,000. (STK also signed a Consent Decree of Permanent Injunction, listed in 2002 report under Civil Penalty/Injunction Cases.)

U.S. v. Victor Dell, No. 02-CR-126a (W.D. Wa.). From June through October 1999, Mr. Dell, along with co-defendant Donald Rockwell, conspired to violate Title 18, U.S.C. § 842(a)(1), by manufacturing and dealing in flash powder devices (e.g., M-100s, M-500s, M-1000s). As part of this scheme, Mr. Dell purchased more than 500 pounds of chemicals and paid more than \$4000 for paper tubes and plastic end caps. On April 24, 2002, Mr. Dell was indicted on one count of conspiracy and two counts of manufacturing explosive materials without a license. On August 9, 2002, Mr. Dell plead guilty to the conspiracy charge. On January 17, 2003, Mr. Dell was sentenced to four years in federal prison followed by three years of supervised release.

U.S. v. Donald Rockwell, No. 02-CR-126b (W.D. Wa.). From June through October 1999, Mr. Rockwell, along with co-defendant Victor Dell, conspired to violate Title 18, U.S.C. § 842(a)(1), by manufacturing and dealing in illegal flash powder devices. As part of this scheme, Mr. Rockwell stored illegal components (including flash powder, plastic end-caps, and containers of aluminum powder) in the basement of one of his houses. On October 21, 1999, the house caught on fire; fortunately, the local fire department

extinguished the fire before there was an explosion. On April 24, 2002, Mr. Rockwell was indicted on one count of conspiracy and one count of manufacturing explosive materials without a license. On October 30, 2002, Mr. Rockwell pled guilty to conspiring to manufacture and deal in explosive materials without a license. On January 23, 2003, Mr. Rockwell was sentenced to three years probation.

U.S. v. Leonard Wayne, No. 02-CR-213a (W.D. Wa.). On June 29, 2001, and July 4, 2001, undercover officers purchased illegal fireworks from Mr. Wayne's fireworks stand located on an Indian reservation outside of Seattle. The devices included M-500s and an M-2000. On June 26, 2002, Mr. Wayne was indicted on one count of conspiracy, in violation of 18 U.S.C. §§ 371 and 844(n); and two counts of dealing in explosive materials without a license, in violation of 18 U.S.C. §§ 842(a)(1), 844(a) and 2. On August 27, 2002, Mr. Wayne pled guilty to one charge of dealing in explosive materials without a license. On November 14, 2002, Mr. Wayne was sentenced to 30 days in prison, five months of home detention, and two years of supervised release.

U.S. v. Kevin Lobehan, No. 02-CR-213b (W.D. Wa.). On July 4, 2002, Mr. Lobehan, in association with Leonard Wayne, sold illegal fireworks to an undercover officer. On June 26, 2002, Mr. Lobehan was indicted on one count of conspiracy, in violation of 18 U.S.C. §§ 371 and 844(n); one count of dealing in explosive materials without a license, in violation of 18 U.S.C. §§ 842(a)(1), 844(a) and 2; and one count of receipt and delivery of a banned hazardous substance, in violation of 15 U.S.C. §§ 1263(c) and 1264(a). On August 27, 2002, Mr. Lobehan pled guilty to the count that charged him with delivery of a banned hazardous substance. On November 14, 2002, Mr. Lobehan was sentenced to 15 days in prison and two years of supervised release.

U.S. v. Raymond Secena, Jr., No. 02-CR-5616a (W.D. Wa.). On July 1, 2001, undercover ATF agents and CPSC investigators bought illegal fireworks from Mr. Secena's fireworks stand located on an Indian reservation outside of Seattle. The devices included an M-500 and M-5000. On June 26, 2002, Mr. Secena was indicted on one count of dealing in explosive materials without a license in violation of 18 U.S.C. § 842(a)(1) and (2); unlawful storage of explosive material in violation of 18 U.S.C. § 842(j), 844 (b) and 2; and receipt and delivery of a banned hazardous substance in violation of 15 U.S.C. §§ 1263(c) and 1264(a). On September 9, 2002, Mr. Secena pled guilty to the count that charged him with dealing in explosive materials without a license. On December 20, 2002, Mr. Secena was sentenced to 90 days in prison and three months of home confinement.

U.S. v. Albert Ortivez, III, No. 02-CR-5616b (W.D. Wa.). On July 1, 2001, undercover ATF agents and CPSC investigators bought illegal fireworks from Mr. Ortivez, an employee at Raymond Secena Jr.'s fireworks stand. The devices included an M-500 and M-5000. On June 26, 2002, Mr. Ortivez was indicted on one count of dealing in explosive materials without a license in violation of 18 U.S.C. § 842(a)(1) and (2); and receipt and delivery of a banned hazardous substance in violation of 15 U.S.C. §§ 1263(c) and 1264(a). On August 27, 2002, Mr. Ortivez pled guilty to the count that

charged him with receipt and delivery of a banned hazardous substance. On December 20, 2002, Mr. Ortivez was sentenced to 10 days in prison and one year of supervised release.

U.S. v. David L. Zoromski, No. 02 CR-225 (E. D. Wisc.). Between May 1992 and June 1998, Mr. Zoromski, who has never held any type of explosives license or permit, bought and sold illegal fireworks such as M-80s and quartersticks, as well as Class B (display) fireworks on numerous occasions. After a CPSC investigator confronted Mr. Zoromski in January 2000 about his illegal conduct, he confessed and began cooperating with the government. As a result of Mr. Zoromski's cooperation, the government developed felony cases against six individuals. On October 28, 2002, the government filed a felony criminal information against Mr. Zoromski. On November 7, 2002, Mr. Zoromski pled guilty to one count of dealing in explosive materials without a license, in violation of 18 U.S.C. §§ 842(a)(1) and 844(a). On February 21, 2003, Mr. Zoromski was sentenced to six months of home detention, two years of probation, a \$10,000 fine, 25 hours/year of community service during probation, and a \$100 special assessment.

U.S. v. Jack Scott, Jr., No. 03-CR-30054-ALL (C. D. Ill.). Jack Scott, Jr. of Bethany Sales Company in Bethany, Illinois, provided David Zoromski (see case above) large quantities of Class B fireworks and other devices on several occasions. While Mr. Scott has an ATF explosives license, his sales to Mr. Zoromski violated the law because he knew that Mr. Zoromski did not have an ATF license or permit to purchase the devices. On June 20, 2000, Mr. Scott distributed 108 aerial salutes to Mr. Zoromski in Bethany, Ill. Mr. Scott also failed to fill out an ATF transaction report. Accordingly, Mr. Scott violated both 18 U.S.C. §§ 842(e) and (f). On July 21, 2003, Mr. Scott pled guilty to one count of a licensee selling to a non-licensee (18 U.S.C. § 842(e)).

U.S. v. Steven Vinyard, No. (C. D. Ill.). Steven Vinyard, of S & N Display Fireworks in Lincoln, Illinois, provided David Zoromski (see case above) Class B fireworks on several occasions. While Mr. Vinyard has an ATF explosives license, his sales to Mr. Zoromski violated the law because he knew that Mr. Zoromski did not have an ATF license or permit to purchase the devices. On June 20, 2000, Mr. Vinyard sold Mr. Zoromski three separate boxes of display fireworks, which are explosive materials under 18 U.S.C. § 841(c). Mr. Zoromski wore a wire during the transaction. On June 11, 2003, Mr. Vinyard signed a plea agreement for violating 18 U.S.C. § 842(f).

U.S. v. Larry Smith, No. 03-CR-30053-ALL (C. D. Ill.). David Zoromski (see case above) implicated Larry Smith for supplying him with illegal fireworks. Mr. Smith was licensed by the ATF, under the name Smith Wholesale Fireworks, Springfield, Illinois, to engage in the business of manufacturing and dealing in explosive materials. On September 19, 2000, Mr. Smith distributed approximately 12,000 “ping pong balls” and “cherry bombs” to Mr. Zoromski. Mr. Smith also failed to fill out an ATF transaction report. Accordingly, Mr. Smith violated both 18 U.S.C. §§ 842(e) and (f). On July 25, 2003, Mr. Smith pled guilty to one count of a licensee selling to a non-licensee (18 U.S.C. § 842(e)).

U.S. v. Archie Crouch, No. 03-CR-30052-ALL (C. D. Ill.). David Zoromski (see case above) implicated Archie Crouch for supplying him with illegal fireworks. On April 7, 2002, Mr. Crouch sold approximately 2,000 flash powder explosive devices, commonly referred to as “quarter sticks,” to Larry Smith (see case above), who wore an ATF-monitored wire during the transaction. On May 24, 2002, Mr. Crouch sold another 15,000 quarter sticks to Mr. Smith. Once again, Mr. Smith was wearing a wire. Both of these transactions violated 18 U.S.C. §§ 842(a) in that Mr. Crouch was engaging in the business of dealing in explosive materials without a license. On July 25, 2003, Mr. Crouch pled guilty to one count of selling explosives without a license (18 U.S.C. § 842(a)(1)).

U.S. v. Gerald Lee Dunnegan, Erma Lee Dunnegan, and Advanced Imports, Inc., No. 03-10053-01,02,03-JTM (D. Kans.). Gerald Dunnegan, an importer and retailer of consumer fireworks, was identified as a seller of illegal fireworks. A search warrant of a storage facility in Wisconsin yielded illegal fireworks sold by Mr. Dunnegan and numerous documents that implicated him in those sales. On March 12, 2003, a grand jury handed down a six-count indictment that charges unlawful distribution of explosive materials, making false statements, and conspiracy. On March 26, 2003, the indictment was unsealed. On May 14, 2003, the defendants were arraigned and the individual defendants were released on their own recognizance but with their passports surrendered. On September 10, 2003, Mrs. Dunnegan moved for a separate trial.

Cases Against the Commission

The Reliable Automatic Sprinkler Co., Inc. v. CPSC, No. 1:01-CV-00025 (D.D.C.) and No. 02-5032 (D.C. Cir.). CPSC had underway an investigation of the safety of Model A Flush fire sprinklers. Reliable maintained that the products are not “consumer products” under the Consumer Product Safety Act, and therefore fall outside of CPSC’s authority. On September 13, 2000, Reliable filed a complaint seeking a declaratory judgment, but did not serve the complaint on the government. On January 8, 2001, Reliable voluntarily dismissed the lawsuit without prejudice. On January 8, 2001, Reliable filed a second (identical) complaint, which it served on the government on May 7, 2001. On July 17, 2001, the government filed a motion to dismiss the case. Reliable filed an opposition on August 31, 2001, and the government filed a reply on October 12, 2001. On November 27, 2001, Judge Huvelle granted the government’s motion to dismiss, based on the lack of subject matter jurisdiction over Reliable’s claim. On January 1, 2002, Reliable filed a notice of appeal. Reliable filed its appellate brief on May 16, 2002, the government filed its brief on June 17, 2002, and Reliable filed its reply brief on July 1, 2002. The court heard oral argument on March 14, 2003. On April 11, 2003, the appellate court (3-0) affirmed Judge Huvelle’s dismissal of the case, holding that the CPSC investigation and letter requesting voluntary action did not constitute final agency action. On May 27, 2003, Reliable filed a petition for rehearing en banc, which the appellate court denied on June 5, 2003.

Krugler v. Consumer Product Safety Commission, No. 1:03-CV-1905 (N. D. Ga.). Mr. Krugler requested information under the Freedom of Information Act on March 11, 2003. CPSC provided some information on May 8, 2003 and withhold other information. Mr. Krugler appealed to the CPSC’s General Counsel on May 26, 2003, and he denied the appeal on June 12, 2003. On July 22, 2003, Mr. Krugler filed a complaint seeking an order that CPSC must disclose the remaining information. On September 24, 2003, the government moved for dismissal of the complaint or, in the alternative, summary judgment.

Frank J. Konarski, et al. v. Ann Brown, Chairman, Consumer Product Safety Commission, et al., No. 01-1648 RMU (D. D. C.). The plaintiffs had fire roofs installed on apartment houses that they own in Tucson, Arizona. When the tiles began to fall off, they requested CPSC to become involved. CPSC decided there was no basis for CPSC involvement. On July 3, 2001, the plaintiffs filed a complaint in Superior Court for the District of Columbia. On July 27, 2001, the government filed a notice of removal to U.S. District Court for the District of Columbia, and the case was so removed on July 30, 2001. On September 27, 2001, the government filed a motion to dismiss the case. The plaintiffs filed an opposition to the motion on October 10, 2001. On May 10, 2002, the parties filed a joint motion recommending that discovery await decision on the motion. On August 17, 2003, plaintiffs moved to compel the government to begin discovery. On September 26, 2003, the court granted the government’s motion and dismissed the case for (1) failure to file an administrative complaint, (2) failure to state a valid jurisdictional claim under the Federal Tort Claims Act or any other statute, and (3) failure to substitute

the United States as a defendant.

Greg Shelton, Shelton Wholesale, Inc. and The National Fireworks Association, Ltd. v. CPSC, No. 97-6021-CV-SJ-4-6 (W. D. Mo.) and No. 99-1450WMSJ (8th Cir.). Since 1969, the Federal Hazardous Substances Act has imposed statutory restrictions on the distribution of certain fireworks devices. Under regulations of the Food and Drug Administration and CPSC, additional restrictions have existed. Under those statutory and regulatory provisions, CPSC takes enforcement actions against the products of Shelton and members of the National Fireworks Association. On February 14, 1997, the plaintiffs filed a complaint and motion for preliminary injunction, alleging that CPSC acted illegally. On March 4, 1997, the government filed a motion to dismiss. On April 10, 1997, the judge filed a Memorandum to Counsel, to which both sides responded. On May 8, 1997, the court denied the plaintiff's motion for a preliminary injunction and the government's motion to dismiss. Between July 1997 and April 1998, the parties engaged in discovery, including depositions, interrogatories, and document production. The government moved for summary judgment on February 13, 1998, and the plaintiffs moved for summary judgment on March 3, 1998. On April 28, 1998, the court ruled on the cross motions for summary judgment and found that: (a) CPSC has jurisdiction to regulate fireworks, (b) Shelton's products were in interstate commerce, (c) the doctrine of laches does not preclude CPSC from seeking civil penalties, (d) CPSC may rely for injunctive relief on violative fireworks that it permitted Shelton to sell, (e) CPSC may use sampling to condemn a whole fireworks shipment, (f) the issue of non-random sampling is reserved for trial, (g) Shelton's and NFA's due process arguments lack merit, (h) the statistical validity of a sample that disregards the size of the shipment is reserved for trial, (i) Shelton's and NFA's claim that fuse burn values of 2.51 and higher must be rounded up to 3 is not adopted, (j) Shelton's and NFA's claim about the labeling of small festival balls is wrong, (k) Shelton's arguments about the corporate and individual distinctiveness of the three importers are reserved for trial, (l) CPSC's assertion that Shelton acted "knowingly" is reserved for trial, (m) there is jurisdiction over the NFA case, and (n) there is no evidence to support Shelton's claim that CPSC took "unjustified actions and threats" against Shelton.

From May 11-15, 1998, the parties presented evidence at a bench trial (a non-jury trial before the judge). Both sides filed post-trial briefs on August 3, 1998. The court heard oral argument on November 5, 1998. On January 6, 1999, the court denied Shelton's and NFA's remaining due process claims and entered judgment for CPSC. On February 5, 1999, Shelton and NFA filed notices of appeal. On March 31, 1999, the Court of Appeals issued an order to show cause why the appellate proceedings should not be held in abeyance pending any further appeal by the Shelton parties in the "fine" case. On April 5, 1999, the Court of Appeals suspended the briefing schedule pending resolution of its show cause order. On April 16, 1999, both sides responded to the show cause order. On April 28, 1999, the Court of Appeals ordered the appeal held in abeyance pending a final judgment in the "fine" case.

On April 2, 2001, the Eighth Circuit consolidated this case for appeal with U.S. v.

Shelton Wholesale, Inc. (d/b/a Shelton Fireworks), Polaris Fireworks, Inc. and Gregory Shelton, an individual, No. 96-6131-CV-SJ-1 (W. D. Mo.) and In re: Gregory P. Shelton, petitioner, No. 99-4057WMSJ (8th Cir.), discussed above. Shelton and NFA filed their opening brief on May 4, 2001, the government filed its responsive brief on June 4, 2001, and Shelton and NFA filed their reply brief on June 18, 2001. The Eighth Circuit heard oral arguments on September 10, 2001. On January 23, 2002, the Eighth Circuit affirmed the district court, 3-0, on all four issues presented on appeal: the CPSC's statutory authority to regulate fireworks; due process; the applicability of the hearsay objection to the government's evidence; and the waiver of the corporate defendants of its rights to a jury trial. On June 27, 2002, the Shelton companies petitioned the Supreme Court for certiorari. On November 4, 2002, the Supreme Court denied certiorari.

Part II: Civil Penalty Agreements Accepted by the Commission

In the Matter of Blue Coral Slick-50, Inc., CPSC No. 03-C0004 – Blue Coral agreed to pay a civil penalty of \$150,000 to resolve allegations it failed to meet the guidelines of the PPPA and violated sections of the FHSA by distributing one million Rain-X products without child resistant closures.

In the Matter of Weed Wizard, Inc., – Weed Wizard agreed to pay a civil penalty of \$885,000 to resolve a lawsuit alleging that despite numerous injuries and a death it failed to report a defect or unreasonable risk in its chain link weed trimmers .

In the Matter of Lucky Toys, Inc., – The Court accepted a Consent Decree in which Lucky Toys agreed to pay a civil penalty of \$100,000 because it repeatedly violated the FHSA and the Commission’s ban of Small Parts and Small Balls. The firm had violated Commission requirements with respect to forty seven separate models of toy.

In the Matter of Wal-Mart Inc., –Wal-Mart agreed to pay a civil penalty of \$750,000 in a Consent Decree to resolve a pending lawsuit. The Commission had alleged Wal-Mart violated the reporting requirements of section 15(b) of the CPSA by failing to report a defect or unreasonable risk in some of its exercise machines. The staff alleged that Wal-Mart knew of at least 30 injuries taking place in its retail stores associated with these exercise machines.

APPENDIX H: Index of Products Regulated by CPSC

Index of Products Regulated By CPSC

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Acetaminophen	PPPA	special packaging exemption	1700.14(a)(16)
Acetic acid	HSA	labeling	1700.14(a)(16)(i),(ii) 1500.129(g)
Acetonitrile (see glue remover)	HSA	labeling	1500.133
Adhesives, containing methyl alcohol	HSA	exemption from labeling	1500.83(a)(34)
nitrocellulose base	HSA	exemption from labeling	1500.83(a)(10)
floor covering	HSA	exemption from labeling	1500.83(a)(13)
extremely flammable contact	CPSA	ban	1302
	CPSA	to be regulated under CPSA	1145.3
Aerosols (see self-pressurized products)	HSA	suggested labeling	1500.130
Aluminized polyester film kite	HSA	ban	1500.18(c)(1)
Ammonia, ammonia water (household), ammonium hydroxide	HSA	labeling	1500.129(g)
Antennas (CB base station and TV) (Omnidirectional CB base station)	CPSA	labeling requirement	1402
	CPSA	performance and certification	1204
Antifreeze, ethylene glycol	HSA	labeling	1500.14(a)(2), (b)(2)
Antiquing kits	PPPA	special packaging exemption from labeling	1700.14(a)(11)
	HSA		1500.83(a)(25)
Appliances, coal and wood-burning	CPSA	provision of performance and technical data	1406
Architectural glazing materials	CPSA	safety standard	1201
Art materials	HSA	exemption from ban	1500.85(a)(4)
	HSA	labeling	1500.14(b)(8)
Artist's paints	CPSA	exemption from lead limit	1303.3(c)(2)
Asbestos-containing patching compounds	CPSA	ban	1304
	CPSA	to be regulated under the CPSA	1145.4
Asbestos-containing garments for general use	HSA	ban	1500.17(a)(7)
Asbestos-containing artificial emberizing materials	CPSA	ban	1305
	CPSA	to be regulated under	1145.5

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
---------	-----	--------------------	---

the CPSA

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Aspirin products	PPPA	special packaging effervescent tablet exemption unflavored powders exemption	1700.14(a)(1) 1700.14(a)(1)(i) 1700.14(a)(1)(ii)
Baby bouncers and walkers	HSA	standard and ban exemption from banning	1500.18(a)(6) 1500.86(a)(4)
Balloons, plastic mixtures	HSA	exemption from banning	1500.85(a)(4)
Batteries, storage, wet-cell	PPPA	exemption from special packaging	1700.14(a)(9)
Benzene (benzol)	HSA	special labeling	1500.14(b)(3)(i)
Benzene (paint solvents)	PPPA	special packaging	1700.14(a)(15)
Bergamot oil	HSA	labeling	1500.13(e)
Betamethasone	PPPA	exemption from special Packaging	170.14(a)(10) (viii)
Bicycles (includes low speed electric)	HSA	ban safety requirements	1500.18(a)(12) 1512
Bicycle helmets	CPSA	safety requirements	1203
Biological specimens, preserved	HSA	exemption from ban	1500.85(a)(4)
Blasting caps	HSA	exemption from labeling	1500.83(a)(35)
Bunk beds	CPSA	standard	1213
Adult	HSA	ban	1500.18(a)(18)
Child		safety requirements	1513
Butane in cigarette lighters	HSA	exemption from labeling	1500.83(a)(29)
Candles with metal-cored wicks containing lead	HSA	ban	1500.17(a)(13)(i)
Candle wicks with metal cores containing lead	HSA	ban	1500.17(a)(13)(ii)
Carbolic acid (phenol)	HSA	labeling	1500.129(d)
Carbon tetrachloride	HSA	ban	1500.17(a)(2)
Carpets and rugs (large)	FFA	standard (FF 1-70)	1630
Carpets and rugs (small)	FFA	standard (FF 2-70)	1631
Caustic poisons	HSA	labeling	1500.129
potash	HSA	labeling	1500.129
soda	PPPA	special packaging	1700.14(a)(5)
	HSA	labeling	1500.129(j)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Cellulose sponges	PPPA HSA	special packaging exemption from labeling	1700.14(a)(5) 1500.83(a)(15)
Cellulose insulation	CPSA CPSA	standard labeling	1209 1404
Charcoal briquettes	HSA	classification as hazardous	1500.12(a)(1)
Chemistry sets	HSA	special labeling exemption from labeling exemption from banning	1500.14(b)(6) 1500.83(a)(23) 1500.85(a)(1)
Child-resistant packaging (see special packaging)	PPPA	criteria and substances subject	1700
Chlorofluorocarbons, self pressurized products containing	CPSA	labeling requirement	1401
Cholestyramine, anhydrous	PPPA	exemption from special packaging	1700.14(a)(10)(v)
Cigarette lighters	HSA	exemption from labeling exemption from labeling	1500.83(a)(29) 1500.83(a)(20)
Clacker balls	CPSA HSA	standard requirements	1210 1500.18(a)(7) 1500.86(a)(5)
Cleaning products	HSA	exemption from labeling	1500.83(a)(11)
Clothing (see wearing apparel, sleepwear)			
Coal burning appliances (see appliances)			
Coldwave permanent neutralizers containing sodium bromate or potassium bromate	PPPA	special packaging	1700.14(a)(19)
Colestipol	PPPA	exemption from special packaging	1700.14(a)(10)(xv)
Combustible hazardous substances	HSA	definition flashpoint testing	1500.3(c)(iii) 1500.43a
Conjugated estrogens tablets	PPPA	exemption from special packaging	1700.14(a)(10)(xvii)
Consumer product	CPSA	reporting of sub- stantial product hazards	1115
Containers, consumer-owned (portable)	HSA	exemption from full labeling	1500.83(a)(14)
Controlled drugs	PPPA	special packaging	1700.14(a)(4)
Corrosive substances	HSA	definition	1500.3(b)(7),(c)(3)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Cosmetics	HSA	exemption	1500.81(a)
Cribs (full-size)	HSA	ban safety requirements	1500.18(a)(13) 1508
Cribs (non-full-size)	HSA	ban safety requirements	1500.18(a)(14) 1509
Cushions, infant	HSA	ban	1500.18(a)(16)
Cyanide salts	HSA	ban	1500.17(a)(5)
Dibucaine	PPPA	special packaging	1700.14(a)(24)
Dietary supplements, iron-containing	PPPA	special packaging	1700.14(a)(13)
Diethylene glycol	HSA	labeling special labeling exemption from labeling	1500.14(a)(1) 1500.14(b)(1) 1500.83(a)(15)
Diethylenetriamine	HSA	labeling	1500.13(c)
Diglycidyl ethers	HSA	labeling	1500.13(c)
Diphenhydramine preparations	PPPA	special packaging	1700.14(a)(17)
Disclaimer deceptive use of	HSA	misbranded	1500.122
Dive Sticks	HSA	ban exemptions	1500.18(a)(19) 1500.86(a)(7)
Drain cleaners, liquid	HSA	ban	1500.17(a)(4)
Drugs, controlled	PPPA PPPA	special packaging special packaging	1700.14(a)(5),(9) 1700.14(a)(4)
Drugs, oral prescription	PPPA	special packaging	1700.14(a)(10)
Except:			
Nitroglycerin tablets (sublingual)			1700.14(a)(10)(i)
Isosorbide dinitrate (10 mg. sub-lingual and chewable tablets)			1700.14(a)(10)(ii)
Erythromycin ethylsuccinate (8 gm oral suspension and granules for oral suspensions)			1700.14(a)(10)(iii)
Erythromycin ethylsuccinate tablets (no more than 16 gm)			1700.14(a)(10)(xvi)
Cyclical oral contraceptives			1700.14(a)(10)(iv)
Anhydrous cholestyramine (powder)			1700.14(a)(10)(v)
Potassium supplements (containing not more than 50 MEq potassium per unit dose package)			1700.14(a)(10)(vi)
Sodium fluoride (264 mg per package of liquid forms and tablet forms)			1700.14(a)(10)(vii)
Betamethasone (12.6 mg per package)			1700.14(a)(10)(viii)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Pancrelipase in tablet, capsule or powder form Prednisone tablets (not more than 105 mg per package) Mebendazole (600 mg per package)			1700.14(a)(10)(ix) 1700.14(a)(10)(x) 1700.14(a)(10)(xiii)
Methylprednisolone tablets (not more than 84 mg per package)			1700.14(a)(10)(xiv)
Colestipol (packages containing not more than 5 grams of powder)			1700.14(a)(10)(xv)
Conjugated estrogens tablets (not more than 32 mg per package)			1700.14(a)(10)(xvii)
Norethindrone acetate tablets (not more than 50 mg per package)			1700.14(a)(10)(xviii)
Medroxyprogesterone acetate tablets			1700.14(a)(10)(xix)
Sacrosidase (sucrase) in a solution of glycerol and water			1700.14(a)(10)(xx)
Drugs, iron-containing	PPPA	special packaging	1700.14(a)(12)
Drugs, RX to OTC	PPPA	special packaging	1700.14(a)(30)
Dry-cleaning solvents	HSA	exemption from labeling	1500.83(a)(18)
Emberizing materials, artificial, containing asbestos	CPSA	ban	1305
Epoxy resins	HSA	labeling	1500.13(c)
Erythromycin ethylsuccinate, Suspension and granules for suspension Chewable tablets	PPPA	exemption from special packaging	1700.14(a)(10)(iii) 1700.14(a)(10)(xvi)
Ethanol-containing mouthwash	PPPA	special packaging	1700.14(a)(22)
Ethylenediamine	HSA	labeling	1500.13(c)
Ethylene glycol in felt pads	HSA	exemption from labeling	1500.83(a)(28)
Ethylene glycol	HSA	labeling special packaging	1500.14(a)(2),(b)(2) 1700.14(a)(11)
Exports (noncomplying products)	All	reporting requirements	1019
Extremely flammable contents of self-pressurized containers	HSA	definition method to determine flashpoint testing exemption from	1500.3(c)(6)(vii) 1500.45 1500.46 1500.83(a)(1)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Extremely flammable hazardous substances	HSA	labeling definition testing method	1500.3(c)(6)(i) 1500.43a
Extremely flammable solids	HSA	definition testing method	1500.3(c)(6)(v) 1500.44
Eye irritants	HSA	testing method definition	1500.3(b)(8),(c)(4) 1500.42
Fabrics	FFA	flammability	1602-1632
Felt-tip marking devices	HSA	labeling exemption	1500.83(a)(9)
Ferrous oxalate	HSA	exemption from labeling	1500.83(a)(17)
Fertilizers, dry granular	HSA	exemption from labeling	1500.83(a)(21)
Fire extinguishers	HSA	exemption from labeling labeling, warning	1500.83(a)(24) 1500.15(a)(b)
Fireworks	HSA	ban (more than 2 grains pyrotechnic material for audible reports) ban (firecrackers more than 50 mg.) exemption from labeling agricultural exemption exemption from classification special labeling ban reloadable tube aerial shells more than 1.7 inches in outer diameter) multiple tube mines & shells; stability test safety requirements	1500.17(a)(3) 1500.17(a)(8)&9 1500.83(a)(27) 1500.17(a)(3) 1500.85(a)(2) 1500.14(b)(7) 1500.17(a)(11) 1500.17(a)(12) 1507.12
First Aid	HSA	policy for emesis labeling	1507 1500.134
Flammable contents of self- pressurized containers	HSA	definition method for determining flashpoint testing exemption from labeling	1500.3(c)(6)(viii) 1500.45 1500.46 1500.83(a)(1)
Flammable solids	HSA	definition testing method	1500.3(c)(6)(vi) 1500.44
Fluoride	PPPA	special packaging	1700.14(a)(27) 1700.14(a)(10)(vii)
Flammable substances	HSA	definition flashpoint testing	1500.3(c)(6)(iii) 1500.43a
Food	HSA	exemption from specific	1500.81(a)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Formaldehyde	HSA	labeling	1500.13(d)
Fuel	HSA	exemptions	1500.81(b)
Fuel kits with difluorodichloromethane	HSA	exemptions from banning special packaging	1500.85(a)(5) 1700.14(a)(7)
Furniture, painted with lead- containing paint	CPSA	exemption from banning warning label	1500.85(a)(12), (13)
Furniture polish, liquid	PPPA	ban	1303
Furniture polish, paste	HSA	special packaging	1700.14(a)(2)
Garage Door Openers, automatic residential	HSA	exemption from labeling	1500.83(a)(8)
Gasoline	CPSA	requirements for	1211
Glazing compounds	HSA	exemption from labeling	1500.83(a)(14) 1500.14(b)(3) 1500.14(a)(3)
Glue remover containing acetonitrile (household)	HSA	exemption from labeling	1500.83(a)(13)
Hartshorn	PPPA	special packaging	1700.14(a)(18)
Heaters (see appliances)	HSA	labeling	1500.129(1)
Highly toxic substances	HSA	definition	1500.3(e)
Household substances	HSA	testing method	1500.40
Hydrocarbons	PPPA	labeling	1500.121
Hydrochloric acid	HSA	definition	1500.3(c)(10)
Hypochlorous acid	HSA	special packaging	1700.14(a)(31)
Ibuprofen	HSA	labeling	1500.129(a)
Imported products & importers	HSA	labeling	1500.129(h)
Imports	PPPA	special packaging	1700.14(a)(20)
Industrial supplies	ALL	policy	1009.3
Infant cushions	HSA	various	1500.265-272
Ink, cartridges	HSA	exemption	1500.3(c)(10)(i)
	HSA	ban	1500.18(a)(16)
	HSA	exemption from labeling	1500.83(a)(7),(38)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
dry concentrate containers	HSA	exemption from labeling	1500.83(a)(12)
Ink-marking devices	HSA	exemption	1500.83(a)(9)
Insulation, cellulose	CPSA	standard	1209
Iron preparations	PPPA	special packaging	1700.14(a)(12),(13)
Irritant substances	HSA	definition	1500.3(g)
Isobutane in cigarette lighters	HSA	testing method exemption from labeling	1500.41 1500.83(a)(29)
Isosorbide dinitrate, pre- scription sublingual and chewable forms	PPPA	exemption from special packaging	1700.14(a)(10)(ii)
Ketoprofen	PPPA	special packaging	1700.14(a)(26)
Kerosene	HSA	labeling special labeling exemption from labeling special packaging special packaging	1500.14(a)(3) 1500.14(b)(3) 1500.83(a)(14) 1700.14(a)(7) 1700.14(a)(7)
Kindling and illuminating preparations	PPPA		
Kites, aluminized polyester film	HSA	ban	1500.18(c)(1)
Labels	HSA	requirements condensation informal comment on exemption from labeling exemption from banning and labeling	1500.121 1500.123 1500.128 1500.83(a)(5) 1500.85(a)(4) 1500.85(a)(5)
Laboratory chemicals, if educational	HSA		
Lacquers	HSA	exemption from labeling	1500.83(a)(13)
Lawn darts	HSA	ban	1500.18(a)(4)
Lawnmowers, power	CPSA CPSA	ban performance standard, labeling rule, and certification rule	1306 1205
Lead in paint	HSA	ban over 0.5% (pre- 1978)	1500.17(a)(6)
	CPSA	ban over 0.06% (1978 and later)	1303
Lidocaine	PPPA	special packaging	1700.14(a)(23)
Lighter fluid, etc.	PPPA	special packaging	1700.14(a)(7)
Lunar caustic (silver nitrate)	HSA	labeling	1500.129(k)
Lye	HSA PPPA	labeling special packaging	1500.129(j) 1700.14(a)(5)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Matchbooks	CPSA	standard	1202
Matches	HSA	exemption from flammability labeling	1500.83(a)(2)
Mattresses	FFA	standard (FF 4-72)	1632
Mebendazole	PPPA	exemption from special packaging	1700.14(a)(10)(xiii)
Medroxyprogesterone acetate tablets	PPPA	exemption from special packaging	1700.14(a)(10)(xix)
Methacrylic acid	PPPA	special packaging	1700.14(a)(29)
Methyl alcohol (methanol)	HSA	exemption from labeling	1500.83(a)(10)
		labeling	1500.14(a)(4), (b)(4)
		exemption from labeling	1500.83(a)(19)
		exemption from labeling	1500.83(a)(34)
Methylprednisolone	PPPA	special packaging	1700.14(a)(8)
	PPPA	exemption from special packaging	1700.14(a)(10)(xiv)
Methyl salicylate	PPPA	special packaging	1700.14(a)(3)
Mineral oil (in toys)	HSA	exemption from labeling	1500.83(a)(33)
Mineral seal oil	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
	PPPA	special packaging	1700.14(a)(2)
Mineral spirits	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
		special packaging	1700.14(a)(15)
Minoxidil	PPPA	special packaging	1700.14(a)(28)
Mirrors	CPSA	exemption from lead limit	1303.3(c)(2)
Mixtures of hazardous substances	HSA	labeling	1500.5
Mouthwash with ethanol	PPPA	special packaging	1700.14(a)(22)
Multiple hazard, substances with	HSA	labeling	1500.127
Multi-purpose lighters	CPSA	standard	1212
		transfer to CPSA	1145.17
Naphtha	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
Naproxen	PPPA	special packaging	1700.14(a)(25)
Nitric acid	HSA	labeling	1500.129(c)
Nitroglycerine, prescription,	PPPA	exemption from special	1700.14(a)(10)(i)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Norethindrone acetate tablets	PPPA	sublingual dosage packaging exemption from packaging	1700.14(a)(10)(xviii)
Oral contraceptives	PPPA	exemption from special cyclical packaging labeling	1700.14(a)(10)(iv)
Orris root, powdered	HSA		1500.13(b)
Oxalic acid and salts	HSA	labeling	1500.129(e),(f)
Packages, child-resistant(see child-resistant packaging)			
Packages, sample	PPPA	submission	1700.14(b)
Paint, lead in	HSA	ban over 0.5% (pre- 1978)	1500.17(a)(6)
	CPSA	ban over 0.06% (1978 and later)	1303
	CPSA	to be regulated under the CPSA	1145.2
Paint solvents	PPPA	special packaging	1700.14(a)(15)
Painting kits	HSA	exemption	1500.83(a)(25)
Pancrelipase	PPPA	exemption from special packaging	1700.14(a)(10)(ix)
Paper items	HSA	exemption from labeling list	1500.83(a)(3)
Paraphenylenediamine	HSA	labeling	1500.13(a)
Patching compounds, containing asbestos	CPSA	ban	1304
Perchloroethylene in visual novelty devices	HSA	exemption from labeling	1500.83(a)(31)
Percussion explosives	HSA	definition	1500.3(c)(7)(i)(a)
Petroleum distillates	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
		exemption from labeling special packaging	1500.83(a)(8),(9), 1700.14(a)(7),(2),(15)
Phenol (carbolic acid)	PPPA		1500.129(d)
Photodynamic sensitizer	HSA	labeling	1500.3(b)(9)
Photographic color processing kits	HSA	definition	1500.3(b)(9)
Photographic color processing kits	HSA	exemption from labeling	1500.83(a)(25)
Plant foods, dry granular	HSA	exemption from labeling	1500.83(a)(21)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Poisons, caustic	HSA	labeling requirements	1500.129
Polishing products	HSA	exemption from labeling	1500.83(a)(11)
Potash, caustic	HSA	labeling	1500.129(i)
Potassium hydroxide	HSA	special packaging	1700.14(a)(5)
Potassium supplements, effervescent	PPPA	labeling	1500.129(i)
	PPPA	special packaging	1700.14(a)(5)
	PPPA	exemption from special packaging	1700.14(a)(10)(vi)
Prednisone	PPPA	exemption from special packaging	1700.14(a)(10)(x)
Pressure-generating substances	HSA	definition	1500.3(c)(7)(i)
Primary irritant	HSA	definition	1500.3(g)(2)
Propellant devices for model rockets	HSA	testing method	1500.41
	HSA	exemption from banning	1500.85(a)(8),(9), (12), (13)
Radiator cleaners	HSA	as household substance	1500.3(c)(10)(i)
Radioactive substances	HSA	defined exemption	1500.3(b)(11),(c)(8)
Refrigerator doors	RSA	standard to permit opening from inside	1750
Refuse bins, unstable	CPSA	ban	1301
Roof coatings	HSA	exemption from labeling	1500.83(a)(13), (34)
Rope, cord, string, etc.	HSA	exemption from labeling	1500.83(a)(4)
Rugs (see Carpets)			
Rubber vulcanizing	HSA	exemption from labeling	1500.83(a)(13)
Sacrosidase (sucrase) in a solution of glycerol and water	PPPA	exemption from special packaging	1700.14(a)(10)(xx)
Salt (sodium chloride)	HSA	exemption from labeling	1500.83(a)(16)
Self-pressurized products	HSA	exemption from full labeling	1500.83(a)(1)
		testing method for flammable or extremely flammable contents	1500.45,46
		information statements required	1500.130
containing chlorofluorocarbons	CPSA	labeling requirement	1401
containing vinyl chloride	HSA	ban	1500.17(a)(10)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Sensitizers	HSA	definitions	1500.3(b)(9), (c)(5)
Signal words	HSA	labeling requirements	1500.121
Silver nitrate (lunar caustic)	HSA	labeling	1500.129(k)
Sleepwear, children's sizes 0-6x, sizes 7-14	FFA	FFA standard (FF 3-71) standard (FF 5-74)	1615 1616
Sodium arsenite	HSA	labeling	1500.132(b)
Sodium fluoride (prescription aqueous solutions)	PPPA	exempting from special packaging	1700.14(a)(10)(vii)
Sodium hydroxide	HSA	labeling	1500.129(j)
Sodium/potassium hydroxide	PPPA	special packaging	1700.14(a)(5)
Solder kit	HSA	exemption from labeling	1500.83(a)(30)
Solder paste	HSA	exemption from labeling	1500.83(a)(22)
Special packaging	PPPA	standards re-use prohibited test procedure restricted flow requirement	1700.15 1700.15(c) 1700.20 1700.15(d)
Spot removers, single- use	HSA	exemption from labeling	1500.83(a)(18),(19),(26)
Spot removing kits	HSA	exemption from labeling	1500.83(a)(25)
Sponges, cellulose	HSA	exemption from labeling	1500.83(a)(15)
Stoddard solvent	HSA	labeling special labeling	1500.14(a)(4) 1500.14(b)(3)(ii)
Stoves, coal and wood burning (see appliances)			
Strong sensitizers	HSA	definition list of	1500.3(b)(9) 1500.13
Sulfuric acid	HSA	labeling	1500.129(b)
Swimming pool slides	PPPA CPSA	special packaging standard	1700.14(a)(9) 1207
Tank coatings	HSA	exemption from labeling	1500.83(a)(34)
Thread, string, twine, etc.	HSA	exemption from labeling	1500.83(a)(4)
Toluene (toluol)	HSA	labeling	1500.14(a)(3)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Toluene (paint solvents)	PPPA	special labeling exemption from labeling special packaging	1500.14(b)(3)(ii),(iii) 1500.83(a)(8),(9), (11),(13) 1700.14(a)(15)
Toxic substances	HSA	definition labeling test method	1500.3(b)(5),(c)(2) 1500.121,129 1500.40
Toys			
balloons, latex	HSA	labeling	1500.19
balls, small	HSA	ban labeling	1500.18(a)(17) 1500.19
caps and toy guns producing impulse-type sound	HSA	ban testing method exemption from banning	1500.18(a)(5) 1500.47 1500.85(a)(2) 1500.86(a)(6)
Toys (continued) clacker balls	HSA	ban exemption from banning	1500.18(a)(7) 1500.85(a)(5)
dolls presenting hazards	HSA	ban exemption from banning	1500.18(a)(3) 1500.86(a)(2)
electrically-operated toys and children's article	HSA	ban requirements labeling performance	1500.18(b) 1505 1505.3 1505.6
games, self-pressurized hollow plastic toys games	HSA HSA	exemption from banning labeling	1500.85(a)(7) 1500.19
marbles	HSA	labeling	1500.19
mineral oil	HSA	exemption from banning	1500.83(a)(32)
mechanical hazards (various)	HSA	ban	1500.18(a)
pacifiers	HSA	ban safety requirements	1500.18(a)(8) 1511
noisemaking toys	HSA	ban	1500.18(a)(2)
painted with lead	HSA CPSA	ban, over 0.5% (pre-1978) ban, over 0.06% (1978 & later)	1500.17(a)(6) 1303
rattles	HSA	bans exemption from banning safety requirements	1500.18(a)(1) & (15) 1500.86(a)(1) 1510
sharp edges	HSA	technical requirements	1500.49
sharp points	HSA	technical requirements	1500.48

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
small parts	HSA	ban	1500.18(a)(9)
model rockets	HSA	safety requirements	1501
model rockets, propellant	HSA	exemption from labeling	1500.83(a)(36)
sewing machines	HSA	exemption from labeling	1500.85(a)(8),(9),(10), (11),(12),(13)
stuffed animals with laceration hazard	HSA	requirements	1505.4(h)(3)
toys	HSA	ban	1500.18(a)(3)
train smoke	HSA	labeling	1500.19
Use and abuse tests	HSA	exemption from labeling	1500.83(a)(33)
Tubes, collapsible metal Unpackaged hazardous substances	HSA	testing procedures	1500.50.53
		labeling	1500.14(a)(5)
		exemption	1500.83(a)(8)
		special packaging	1700.14(a)(6)
Unpackaged hazardous substances	HSA	labeling	1500.121(e)
	HSA	labeling requirements	1500.121(f)
Turpentine	HSA	special labeling	1500.14(b)(5)
Varnish	HSA	exemption from labeling	1500.83(a)(13)
Video games	CPSA	exemption from electrically- operated toy requirements	1505
Vienna paste	HSA	labeling	1500.129(i)
Vinyl chloride	HSA	ban	1500.17(a)(10)
Vinyl plastic film	FFA	standard (CS 192-53)	1611
Visual novelty devices containing perchloroethylene	HSA	exemption	1500.83(a)(31)
Volatile flammable materials	HSA	flashpoint testing method	1500.43
Walker-jumper	HSA	ban	1500.18(a)(6)
Water-repellent mixtures, masonry	HSA	exemption from classification	1500.86(a)(4)
Wax containers	HSA	ban	1500.17(a)(1)
Waxes, paste for autos, furniture, floors, shoes	HSA	exemption from labeling	1500.83(a)(8)
Wearing apparel	FFA	exemption from labeling	1500.83(a)(8)
Wood burning appliances (see appliances)	FFA	standard (CS 191-53)	1610
Writing instruments	HSA	exemption from labeling	1500.83(a)(38)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Xylene (xylol)	HSA	labeling special labeling exemption from labeling	1500.14(a)(3) 1500.14(b)(3)(ii),(iii) 1500.83(a)(8),(9),(11), (13)
Xylene (paint solvents)	PPPA	special packaging	1700.14(a)(15)

APPENDIX I: Federal-State Cooperative Program

Federal-State Cooperative Program

The Commission is required by Section 29 of the Consumer Product Safety Act to establish "a program to promote Federal-State cooperation for purposes of carrying out the Act."

Federal, state and local cooperative programs are one key to CPSC's success in reducing unreasonable risks of injury to consumers. State and local professionals bring the Commission's programs "alive" when they deliver CPSC information, education and services to the public they serve at the local level. The public resides in counties, cities and towns served by dedicated state and local health, consumer and safety professionals. These professionals know the needs of their communities and know best how to meet their needs. Resources invested in providing information, contracts and materials to state and local professionals returns many times that amount in consumer product safety programs delivered to people where they live, work and play.

The Directorate for Field Operation's plans, organizes, directs and controls the Commission's Federal-State Cooperative Program. This program receives overall direction through the Field Operating Plan, which is formulated directly from the Commission's yearly Operating Plan. The Federal-State plan provides direction to the three Regional Centers, which provide operational day-to-day contact with the states.

State Designees are the Commission's primary liaison with state and local officials. The Governor of each state appoints State Designees, at the Commission's request. This individual serves as a liaison for product safety efforts within the state.

State Designees are selected after analyzing each state's structure. Each represents the department of state government most compatible with the CPSC mission. In most states it is the Department of Health. In others, it may be the Office of the Attorneys' General or the Department of Agriculture or Consumer Protection.

In addition to working with State Designees, CPSC Regional Centers regularly cooperate with local government officials, as well. Keeping up with Designees in 50 states and territories is demanding, but working with thousands of local officials is most difficult. To solve this problem, CPSC always works with State Designees and selectively works with local officials. "Selectively" is defined as meaning the proper official at the proper place at the proper time.

The Federal State Cooperative Plan consists of four major components:

1. **Contracts.** Cost effective state and local contracts allow the Commission to accomplish product safety work in places across our nation that CPSC would not get to. Because CPSC contracts are usually small, state and local governments often match the Commission's funds with its own to accomplish the objective.
2. **Memoranda of Understanding (MOU) - Partnership Agreements.** MOUs and partnership agreements with states extend overall consumer protection through more effective use of collective resources. Partnering is a no cost arrangement between CPSC and state

agencies wherein both parties agree to share the responsibility for certain product safety activities.

3. **Commissioning.** Commissioning has the effect of making a state or local employee a federal officer for the purposes of conducting investigations, inspections, recalls and sample collections. State or local officials are qualified for and capable of functioning as an official of the CPSC. CPSC trains state and local officials to qualify for a commission.
4. **States' Information-Sharing Program.** CPSC routinely transmits information on Commission programs and activities to states in order that Designees, their staff and others may respond to media inquiries and be kept current on Commission developments.

The funded work done by the states is subject to the same quality assurance and is held to the same high standards as work done by the CPSC field staff. The progress and direction of the state work is monitored through weekly conference calls, quarterly reports and a final report at the end of the fiscal year. This enables the Regional Centers to assure that the state contract work is proceeding in accordance with the Commission's Operating Plan and is of adequate quality to meet the Commission's needs. The states report on other product safety work, not funded by CPSC, by providing highlights and summaries to CPSC field offices for input into their required program reports.

State and Local Contracts Program

Cost-effective contracts with state and local agencies for needed services provide a basis upon which greater cooperation can grow. Because the missions are compatible, state and local governments usually match CPSC funds with their own money to accomplish the objective. In addition, state and local contracts allow the Commission to accomplish product safety work in places across our nation that CPSC would not get to otherwise.

In FY 2003, the Commission supported the state and local contracts program in the amount of \$153,000 for Compliance, Hazard Identification and Reduction, and Consumer Information activities.

In addition to the specific states and state agencies listed below, CPSC also contracted for candle, mattresses/bedding and electrical lighting product fires.

States or local agencies that participated in the FY 2003 CPSC contract's program:

Eastern Region

Connecticut

Department of Consumer Protection
Recall Checks
PPPA Monitoring

Florida

Department of Agriculture and
Consumer Services
Recall Checks

Agency for Health Care Administration
PPPA Monitoring

Maine

Department of Human Services
Recall Checks

City of Portland Fire Department
Home Fire Safety Visits

Maine (continued)

State Fire Marshal
Child Care Consultations

Maryland

Department of Health and Mental
Hygiene
Recall Checks

Massachusetts

Massachusetts Consumer's Council
Recall Checks
Board of Pharmacy
PPPA Monitoring

Eastern Region (continued)

Mississippi

State Board of Health
Recall Checks

Board of Pharmacy
PPPA Monitoring

New Hampshire

Department of Health and Human Services
Recall Checks

New Jersey

Division of Consumer Affairs
Recall Checks

Board of Pharmacy
PPPA Monitoring

Monmouth County Consumer Affairs
Recall Checks

Ocean County Consumer Affairs
Recall Checks

Passaic County Consumer Affairs
Recall Checks

Cumberland County Consumer Affairs
Recall Checks

Union County Consumer Affairs
Recall Checks

Somerset County Consumer Affairs
Recall Checks

Cape May County Consumer Affairs
Recall Checks

New Jersey (continued)

Camden County Consumer Affairs
Recall Checks

Mercer County Consumer Affairs
Recall Checks

New York

Nassau County
Recall Checks
State Education Department of Professional
Discipline
PPPA Monitoring

Chautauqua County Day Care Council
Child Care Consultations

Child Care Council of Westchester County
County
Child Care Consultations

Puerto Rico

Department of Consumer Affairs
Recall Checks

South Carolina

Administration for Consumer Affairs
Recall Checks

Vermont

Department of Health
Recall Checks

Board of Pharmacy
Poison Prevention Packaging

Eastern Region (Continued)

Virginia

Department of Health Professionals
Poison Prevention Packaging

Virgin Islands

Department of Licensing and
Consumer Affairs
Recall Checks

West Virginia

Office of the Attorney General
ATV Monitoring
Recall Checks

Board of Pharmacy
Poison Prevention Packaging

Central Region

Arkansas

Department of Health,
Division of Environmental Health Protection
Recall Checks

Illinois

Department of Public Health
Recall Checks
ATV Monitoring

Iowa

Department of Public Health
Recall Checks
Child Care Consultations

Kentucky

Department of Health Services
Recall Checks
ATV Monitoring

State Board of Pharmacy
PPPA Monitoring

Louisiana

Board of Pharmacy
Poison Prevention Packaging

Michigan

Board of Pharmacy
Poison Prevention Packaging

North Dakota

Department of Health
Recall Checks
ATV Monitoring

Ohio

Department of Health
Recall Checks

Oklahoma

Department of Health
Consumer Protection Division
In-depth Investigations
Recall Checks
ATV Monitoring

Central Region (continued)

South Dakota

State Board of Pharmacy
PPPA Monitoring

Texas

Department of Health
Bureau of Consumer Health
Recall Checks
In-depth Investigations
Board of Pharmacy
PPPA Monitoring

Wisconsin

Department of Agriculture Trade and Consumer
Protection
In-depth Investigations
Recall Checks
Secondary Market Consultations

Children's Medical Center
New Home Product Safety Consultations

Western Region

California

Department of Health Services
Recall Checks
In-depth Investigations

State Board of Pharmacy
PPPA Monitoring

Colorado

Department of Health
Recall Checks
In-depth Investigations

Guam

Department of Health
Recall Checks

Hawaii

Department of Human Services
Child Care Consultations

Idaho

Central District Health Department
Recall Checks

S.E. District Health Department
Recall Checks

S.W. District Health Department
Recall Checks

Oregon

Portland Fire Department
Senior Home Fire Safety Consultations

State Fire Marshal
Lighter Screening

Attorney General's Office
Recall Checks

Western Region (continued)

Washington

Department of Health
Recall Checks

Board of Pharmacy
PPPA Monitoring

**Federal-State-Local Cooperative Program
Memorandum of Understanding (MOU)-Partnership Agreements**

It is the policy of the CPSC to initiate and enter into MOU's with agencies of state or local governments. Such cooperation creates a partnership, extending overall consumer protection through more effective use of collective resources. Partnering creates arrangements between CPSC and state or local agencies wherein both parties agree to share, at no cost to the other party, responsibility for certain product safety activities. These agreements are usually with agencies having responsibilities that are similar to CPSC's.

Partnership agreements result in a free exchange of information on inspections, recalls, enforcement actions, and outreach programs. It provides cross training and an increase in state expertise in product safety.

State or Commonwealth	Department
<u>Eastern Region</u>	
Alabama	Department of Public Health
Connecticut	Office of Chief Medical Examiner Drug Control Division Department of Consumer Protection
Delaware	Division of Public Health Department of Community Affairs and Economic Development Board of Pharmacy
District of Columbia	Department of Consumer and Regulatory Affairs
Florida	Department of Agriculture and Consumer Services
Maine	Division of Health Engineering Home Economic Resource Center Northeast Combat

State or Commonwealth	Department
<u>Eastern Region (continued)</u>	
Maryland	Department of Health and Mental Hygiene Drug Control Administration
Massachusetts	Department of Public Health
Mississippi	State Board of Health Board of Registration in Pharmacy
New Hampshire	Safety Council
New Jersey	Division of Consumer Affairs Office of Consumer Protection Drug and Poison Information Center
New York	Education Department/Office of Professional Discipline (OPD)
North Carolina	State Board of Pharmacy
Pennsylvania	Injury Prevention Program/Division Of Health Risk Reduction Allegheny County Health Department Bureau of Consumer Protection State Police State Department of Health
Puerto Rico	Department of Consumer Affairs Board of Pharmacy
Rhode Island	Consumers' Council Division of Drug Control
South Carolina	Department of Health and Environmental Control Board of Pharmacy

State or Commonwealth	Department
<u>Eastern Region (continued)</u>	
Virgin Islands	Consumer Services Administration Board of Pharmacy
Virginia	Department of Agriculture and Consumer Services Board of Pharmacy
West Virginia	Department of Labor Board of Pharmacy
<u>Central Region</u>	
Arkansas	Department of Health Board of Pharmacy
Illinois	Department of Public Health
Indiana	Department of Health
Iowa	Department of Public Health
Kansas	Department of Health and Environment
Kentucky	Cabinet for Health Services
Louisiana	Board of Pharmacy
Michigan	Department of Health
Minnesota	Attorney General's Office
Missouri	Department of Health
Nebraska	Department of Health
North Dakota	Department of Health and Consolidated Laboratories

State or Commonwealth	Department
<u>Central Region (continued)</u>	
Ohio	Department of Health
South Dakota	Department of Health
Texas	Department of Health Board of Pharmacy
Wisconsin	Department of Agriculture Trade and Consumer Division
<u>Western Region</u>	
California	Department of Health Food and Drug Section Department of Consumer Affairs/Bureau of Home Furnishings
Colorado	Department of Health
Hawaii	Department of Health, Injury Prevention Coordinator Honolulu Fire Department
Idaho	Idaho Central Health District Daycare Inspection Program
Montana	Department of Health and Environmental Services
New Mexico	Health and Environment Department Safer New Mexico Now Resource Center New Mexico Poison Center
Nevada	Board of Pharmacy

State or Commonwealth	Department
<u>Western Region (continued)</u>	
Oregon	Office of State Fire Marshal Board of Pharmacy
Utah	Department of Commerce
Washington	State Department of Health Recall Outreach Program
Wyoming	Board of Pharmacy Department of Health

Federal-State-Local Cooperative Program Commissioning Program

Section 29(a)(2) of the Consumer Product Safety Act provides the commission authority to commission state and local officers for conducting any of three activities on behalf of the CPSC: investigations, inspections, and sample collections.

In furtherance of the congressional mandate to establish a program to promote federal and state cooperation, the commission assists in training state and local officials to qualify for a commission. After commissioning, those officials are knowledgeable in CPSC procedures for inspections, investigations, sample collection, and preparation and submission of reports.

Currently 353 officials in 46 states, District of Columbia, Puerto Rico, The Virgin Islands, and Guam are commissioned by the CPSC.

State or Commonwealth	Department	Commissioned Official
<u>Eastern Region</u>		
Alabama	Department of Health	Lynn B. Williams Carol F. Gaddis-Mysinger Zahid Khawaja James Mckvay Amanda Calhoun
Connecticut	Department of Consumer Protection	Herbert C. Strickland, Jr. Vincent J. Pugliese, Jr. Jack Kornacki Joan C. Jordan Lionel C Roberge, Jr. Michelle Sylvestra Richard Maloney John Gadea, Jr. Gerald Destefano Sharon Milton-Wilhelm
District of Columbia	Department of Health Bureau of Injury and Disability Prevention	Nigel Scott LaVerne H. Jones Kimberly A. Turner John Pitts Agueda Maradiaga
Delaware	Office of Emergency Medical Service	Sinial M. McGlaughlin

State or Commonwealth	Department	Commissioned Official
<u>Eastern Region (continued)</u>		
Delaware (continued)	Board of Pharmacy	Robert S. Jameson James I. Kaminski David W. Dryden Bonnie Wallner Calvin M. Campbell Sandra S. Robinson William H. Knotts
Florida	Department of Agriculture And Consumer Services	Robert L. Lastinger Douglas W. Jennings Paul N. Driggers Joseph P. Nicolosi James R. Kelly James Kady Gregory Foutz Barb C. Miller Deborah Martin Debra McCall Mark Kagy Richard Strong John Rosbury Kenneth K. Allen Patricia B. Turner William P. Sullivan Danielle Brooks
	Agency for Health Care Administration	Evelyn Garrido Wayne Rowe
	Department of Health	Nina Saxon
Georgia	Office of Consumer Affairs	Alma F. Washington Charles F. Mills Michael A. Kaiser Brenda D. Womack Calvin Cash II Carolyn Mills Monty D. Mohr Sondra Sue Pitts Ruth J. Olmond Russell F. Laurens Queen C. Acree

State or Commonwealth	Department	Commissioned Official
<u>Eastern Region (continued)</u>		
Georgia (continued)	Office of Consumer Affairs	Kenneth Cooper David R. Boucher Marian R. Collins Edmund J. Bazar Eddie Gara Daniel Vogt Pamela Y. Wells Kenneth Cooper Ondray T. Jennings Connie P. Spearman Perry Charles Lunsford
Maryland	Department of Health and Mental Hygiene Office of Food Protection and Consumer Health Services	Jennifer Pruitt Patricia A. Schwaniger Linda Rule David Roberts Bruce Wilhelm Jack Freedman Pam Engle Rachaelle Skinner Jennifer Pruitt
	Division of Drug Control	Robert Chang Peter Smith Louis Friedman Harold B. Jones Catherine Putz
Maine	Department of Human Services Division of Maternal and Child Health	Staci Seigny
Massachusetts	Board of Pharmacy	Daniel Warren Leslie Doyle James D. Coffey James Emery Alan Van Tassel
	Worcester Community Action Council Inc.	Diane C. Reilly

State or Commonwealth	Department	Commissioned Official
<u>Eastern Region (continued)</u>		
Mississippi	State Board of Health	Willie L. Brown George Keith Mananger Macarthur Washington
	Board of Pharmacy	Cheri Atwo
	Department of Health	Timothy R. Darnell
New Hampshire	Department of Health and And Human Services	Rhonda Siegel Marie Kiely
New Jersey	Department of Law and Public Safety Division of Consumer Affairs	Anthony J. Brennan Terry L. Smith Richard A. Zitelli William L. Walters
	Enforcement Bureau	Robert Lake Wayne Nastase Nancy Paterson Clinton Spaar Agatha Perez Richard L. Perry Robert F. Rokosz Robert Elker Joseph M. Mraw Dyan R. Davis
	Consumer Protection	Steven R. Hischbuhl
	Bergenfield Fire Department	Kenneth Pfannen Robert Byrnes, Jr.
	Camden County	Thomas J. DiNunzio James L. Wickner Patricia Tuck-Davis
	Cape May County	Edward J. Rodgers E. Robert Spiegel Dolores Keenan Thomas Neary
	Cumberland County	Louis G. Moreno, Jr.

State or Commonwealth	Department	Commissioned Official
<u>Eastern Region (continued)</u>		
New Jersey (continued)	Mercer County	Donna M. Giovannetti
	Monmouth County	Dorothy H. Avallone Jane Jennings Mary D. Flaherty Beverly Cohen
	Ocean County	Kenneth J. Leake Kent E. Madsen Edwin J. Olson Barbara O'Neil Edward McBride, Jr. Richard Vacante
	Passaic County	Ernest Salerno Barbara Anne Mekita Carol McLeallan Rosalia Sperati
	Somerset County	Virginia G. Mastrogiovanni Eileen V. Popovich Diane C. Vivona Xiomara J. Piercey
	Union County	Ollie Boone Patric Morris Dondria Newton
New York	Education Department	Michael Colon Donald Dawson Dydilines Dixon Shawn Dudley Robert Gilbert David Greenberg Jan MacFhearguis Christo Nicola William Sachs Robert Stonehill Vincent Vollaro
	Child Care Council of Westchester	Linda Marschhauser Jean Sweeney

State or Commonwealth	Department	Commissioned Official
<u>Eastern Region (continued)</u>		
New York (continued)	Nassau County of Consumer Affairs	Glenn Powell Francis Sineinito Richard Russ Madalyn F. Farley James W. Reed Carol Cusack
Pennsylvania	Bucks County Department of Consumer Protection	A. Courtney Alley Steven R. Reilly
Puerto Rico	Department of Consumer Affairs	Carlos Mateo Alers Jose Rodriguez Aida Liz Murphy Lugo Enrique V. Irigoyen Francisco F. Aponte Francisco J. Correa Arias Hector Rivera Aponte Evenly Rabelo Dones
Rhode Island	Board of Pharmacy	Richard A. Yacino Catherine Cordy
South Carolina	Department of Consumer Affairs	Herbert Walker, Jr. William D. Kadlowec William E. Margee Regina Gatewood George Bynum Jr.
	Department of Pyrotechnic Safety	Gerard W. Wingard
Virginia	Department of Health	James Johnson Vicki Garrison
Vermont	Board of Pharmacy	Michael R. Colgan Reginald B. Bragg Stephen Kennedy
	Department of Health	Sara Villeneve
West Virginia	Board of Pharmacy	Thomas D. Gerkin

State or Commonwealth	Department	Commissioned Official
<u>Eastern Region (continued)</u>		
West Virginia (continued)	Board of Pharmacy	Robert G. Davis Irvin Van Meter, Jr. Arlie Winters, Jr.
	Attorney Generals' Office	Debra Whanger
<u>Central Region</u>		
Arkansas	Department of Health	Sandra Lancaster Robert Q. Friday Kathy Graves Randy Carter Jennings B. Ivy, Jr.
Illinois	Department of Professional Regulation	Robert L. Crawford Carl R. Jordan
Indiana	Office of the Attorney General	Allen K. Pope Curtis Lee Hill, Jr.
Iowa	Department of Public Health	Debra L. Cooper Thomas W. Schlife Michael Magnant
Idaho	Health Department	Thomas E. Schmalz
Kansas	Department of Health and Environment	Gary Magathan Jeff Walker Stephen N. Paige Roger E. Ozias Melissa D. Lill Melinda L. Rice Mary T. Glassburner Mark Lackey Lana Osbourn Gerald E. Vornholt Earnest E. Barnes Don Parsons Cassandra Baldwin

State or Commonwealth	Department	Commissioned Official
<u>Central Region (continued)</u>		
Kansas (continued)	Department of Health And Environment	David R. Bustos Daryl W. Meieroff Daniel S. Hutchinson Amy S. Peters Angela Kohls Gregory O. Willis David Bustos Lesa Roberts
Kentucky	Department of Human Resources Bureau of Health Services	Michael B. Cavanah Douglas L. Jackson Maxine M. Brown
	Eastern Kentucky University Fire and Safety	Bill M. Abney Stephen E. Meyers Robert Asel Beverly G. Hart Ronald L. Hopkins James T. Thurman
	Board of Pharmacy	Nancy K. Busroe Jeffery L. Osman Maxine Snively Michael Mone Phillip C. Losch
	Department for Public Health	Tammy Lynn Warford
Louisiana	Board of Pharmacy	Stephen L. Collins H. Jerome Foti Jerry Johnson Kathleen V. Gaudet Malcolm J. Broussard Huey J. Savoie Rayland M. Trisler Carlos M. Finalet, III Melvin J. Fontenot, Jr.
	Office of Public Health	Louis Tractman, MD

State or Commonwealth	Department	Commissioned Official
<u>Central Region (continued)</u>		
Louisiana(continued)	Department of Justice Attorney General's Office	Isabel Wingerter
Michigan	Office of Health Services	Carol A. Haynes-Hall
	Lansing Fire Department	Brain Gaukel Barry Gaukel
Nebraska	Health and Human Services Division of Health and Education	Keith F. Hasen Jean Schumaker Peggy Prusa-Ogea
North Dakota	Department of Health	Carol Meidinger
Ohio	Department of Public Health	Michael Moser
Oklahoma	Department of Health	John Lamb Kelly Carl Ely Ted Evans
South Dakota	Board of Pharmacy	Dennis M. Jones James H. Hones Clifford W. Thomas
Texas	Board of Pharmacy	Mike Ethridge Iona R. Grant
	Department of Health Austin	Joel Ortiz Terry W. Johnson Marcia A. Roberts Brad Genzer Annabelle Dillard Kelley Waller Terry W. Johnson
	Department of Health El Paso	Jose A. Rangel, R.S.
	Department of Health Houston	Robert H. Lance

State or Commonwealth	Department	Commissioned Official
<u>Central Region (continued)</u>		
Texas (continued)	Department of Health Arlington	Richard Lerro
	Department of Health San Antonio	Richard Boykin
	Department of Health Texas City	Turonda Jackson
<u>Western Region</u>		
Arizona	Board of Pharmacy	Dean Wright L.A. Lloyd Harlan F. Wand Dennis Waggoner Antonio Salcido Richard Cieslinski Mitzi Wilson
California	Department of Health Services Food and Drug Branch Sacramento	Bruce R. Hillard Tamara Jackson Richard Ko John Wallace Allen Davidson Peter Baldrige Mary Kate Miller
		Phillip Terrazas Raymond D. Wilson Edwin W. Lindquist, Jr. June Nakagawa
	Department of Health Services	Sally O. Lunn Harlan Loui
	Poison Control Center	Linda J. Pope Elise C. Stone

State or Commonwealth	Department	Commissioned Official
<u>Western Region (continued)</u>		
California (continued)	Bureau of Home Furnishings and Thermal Insulation, North Highland	Leo D. Virata Terry D. Lee David E. Whipple Byron R. Lasiter Terry L. McClellan Pamela J. Ayo
Colorado	Department of Health	Clark Wilson Victoria Smith Lori Gerzina Daniel M. Rifken Roberta L. Boitano Linda Cherry Therese Pilonetti
	Department of Health	Jacalyn Whelan
	Department of Public Health and Environment	Jon C. Strauss Rick Colonno Michele R. Mitchell Susan S. Parachini Angie Gamble Julie Weatherred Chris Thompson
	Tri-Country Health Department	Nicole Haubert Melody Mascarenaz Meredith J. Kinshella
Guam	Department of Public Health and Social Services	Rosanna Y. Rabago Dennis G. Rodriguez Joe R. San Augstin Mastomo Thomas Nadeau
Hawaii	Child Care Connection	Marie Jacinto-Kawabata Terry Tamate
Idaho	Health Department Southeast District	John Fletcher Becky Brekke Craig Madson Dennis Morrison

State or Commonwealth	Department	Commissioned Official
<u>Western Region (continued)</u>		
Idaho (continued)	Health Department Central District	Tom Turco Martin O. Jones
New Mexico	Board of Pharmacy	Ben B. Kesner Joseph G. Montoya Larry Loring William Harvey
Oregon	Office of State Fire Marshall	Judith Okulitch
Utah	Bureau of Health Promotion and Education	Dan Kinnersley
Washington	Department of Health	Larry D. Kirchner
	Board of Pharmacy	Cheryl Adams Joseph Honda
Wyoming	Department of Agriculture	Shawn Moore Doug Krogman Gerald W. Olson Harold D. Anderson Nancy Rieke

STATE DESIGNEES

State Designees are the Commission's primary liaison with state and local officials. The Governor of each state appoints state Designees, at the Commission's request. This individual serves as a liaison for product safety efforts within the state.

Eastern Region

Alabama

Dr. James J. McVay
Office of Health Promotion and
Information
Department of Public Health
201 Monroe St. Rm. 900
Montgomery, Alabama 36130-1701
(334) 206-5300
FAX: (334) 206-5534
jmcvay@adph.state.al.us

Connecticut

James T. Fleming, Commissioner
Department of Consumer Protection
State Office Building
Room 103
165 Capitol Avenue
Hartford, CT 06106
(860) 713-6050
FAX: (860) 713-7239
joan.jordan@po.state.ct.us

Delaware

Ms. Michele Johnson
Data Entry Specialist
Office of EMS
Blue Hen Corporate Center
Suite 4H - 655 Bay Road
Dover, DE 19901
(302) 744--5400 or 5406
FAX: (302) 744-5429
Michele.Johnson@state.de.us

District of Columbia

(vacant)

Florida

Mr. J. R. Kelly, Director
Consumer Services Division
Department of Agriculture and
Consumer Services
407 South Calhoun Street
Mayo Building, Room 233
Tallahassee, Florida 32399-0800
(850) 922-2966
FAX: (850) 487-4177
kellyjr@doacs.state.fl.us

Georgia

Mr. John S. Smith, III
Administrator
Office of Consumer Affairs
2 Martin Luther King Dr.
Plaza Level East
Atlanta, Georgia 30334
(404) 656-3790
FAX: (404) 651-9018
complaints@oca.state.ga.us

Eastern Region (continued)

Maine

Mr. Clough Toppan
Director, Division of
Health Engineering
Department of Human Services
Bureau of Health
157 Capitol Street, Station 10
Augusta, Maine 04433
(207) 287-5686
FAX: (207) 287-4172
clough.toppan@state.me.us

Maryland

Alan Taylor, Director
Office of Food Protection &
Consumer Health Services
6 St. Paul Street, Suite 1301
Baltimore, MD 21202-1606
(410) 767-8402
(410) 333-8931 FAX
lindar@dhmh.state.md.us

Massachusetts

Ms. Cynthia Rodgers
Co-Director, Injury Prevention
and Control Program
Department of Public Health
250 Washington Street - 4th Floor
Boston, Massachusetts 02108-4619
(617) 624-5424
FAX: (617) 624-5075
cindy.rodgers@state.ma.us

Mississippi

Mr. MacArthur Washington
Director of Sanitation
MS Department of Health
2423 No State Street
Jackson, MS 39215-1700
(601) 576-7689
mwashington@msdh.state.ms.us

New Hampshire

Mr. Neil Twitchell
Chief
Injury Prevention Program
Bureau of Maternal and Child Health
Department of Health and Human Services
6 Hazen Drive
Concord, NH 03301-5627
(603) 271-4520
FAX: (603) 271-3827
ntwitchell@dhhs.state.nh.us

New Jersey

Ms. Reni Erdos
Director, Division of Consumer Affairs
Department of Law and Public Safety
124 Halsey Street, 7th Floor
P.O. Box 45027
Newark, New Jersey 07101
(973) 504-6320
FAX: (973) 648-3538
erdosr@smtp.lps.state.nj.us

Eastern Region (continued)

New York

Ms. May M. Chao
Chairperson and Executive Director
New York State Consumer Protection Board
5 Empire Plaza - Suite 2101
Albany, New York 12223
(518) 474-3514
FAX: (518) 474-2474
cindy.connors@consumer.state.ny.us

North Carolina

Ms. Jeanne Givens
Injury & Violence Prevention Unit
NC Dept. Of Health & Human Services
1915 Mail Service Center
Raleigh, NC 27699-1915
(919) 715-6448
FAX: (919) 733-9575
jeanne.givens@ncmail.net

Pennsylvania

Mark Bradley
Injury Prevention Program Administrator
Division of Health Risk Reduction
PA Dept. of Health
P.O. Box 90, Room 1008
Harrisburg, PA 17108
Phone: (717) 787-5900
Fax: (717) 783-5498
mabradley@state.pa.us

Puerto Rico

Honorable Javier A. Echevarría-Vargas
Secretary
Department of Consumer Affairs (DACO)
Minillas Governmental Ctr. Bldg.
P. O. Box 41059 - Minillas Station
San Juan, Puerto Rico 00940-1059
(787) 721-0940
FAX: (787) 726-0077
jechevarria@daco.gobierno.pr

Rhode Island

Ms. Ann Thacher, Director
Injury Prevention Program
Division of Prevention & Health Services
Department of Health
Three Capitol Hill, Room 408
Providence, Rhode Island 02908
(401) 222-7637
annt@doh.state.ri.us

South Carolina

Ms. Brandolyn Pinkston
Administrator/Consumer Advocate
South Carolina Department of Consumer
Affairs
3600 Forest Drive, 3rd Floor
Columbia, South Carolina 29204
(803) 734-4198
FAX: (803) 734-4287
pinkston@dca.state.sc.us

Eastern Region (continued)

Tennessee

Mr. Jimmy Hopper
Director, Quality & Standards
Division
Department of Agriculture
Hogan Road - P. O. Box 40627
Melrose Station
Ellington Agriculture Center
Nashville, Tennessee 37204
(615) 360-0150
FAX: (615) 360-0335
jhopper2@mail.state.tn.us

Virginia

Ms. Erima Fobbs, Director
Center for Injury & Violence Prevention
VA Department of Health
109 Governor St. 8th Floor
Richmond, VA 23219
(804) 864-7733
FAX: (804) 864-7748
erima.fobbs@vdh.virginia.gov

Vermont

Ms. Stephanie Courcy
Health Promotion Specialist
Division of Epidemiology and
Disease Prevention
Department of Health
108 Cherry Street - PO Box 70
Burlington, Vermont 05402
(802) 863-7359
FAX: (802) 863-7425
scourcy@vdh.state.vt.us

Virgin Islands

Andrew Rutnik, Commissioner
Department of Licensing
and Consumer Affairs
Golden Rock Shopping Center
Christiansted, St. Croix,
Virgin Islands 00820
(340) 773-2226
FAX: (340) 778-8250
commissioner@dlca.gov.vi

West Virginia

Ms. Jill Miles, Deputy Attorney General
Consumer Protection Division
WV Attorney General Office
812 Quarrier Street,
L & S Building, 6th Floor
P.O. Box 1789
Charleston, West Virginia 25326-1789
(304) 776-3483
FAX: (304) 558-0184
scotta@citynet.net

Central Region

Arkansas

Ms. Sandra Lancaster
Coordinator, Arkansas Safe Kids Coalition
Office of Childhood Injury Prevention
Child and Adolescent Health
Department of Health
4815 West Markham – Slot 17
Little Rock, Arkansas 72205-3867
(501) 661-2278
FAX: (501) 280-4082
vlancaster@healthyarkansas.com

Illinois

Ms. Shirene Thomas
Violence and Injury Prevention
Administrator
Division on Health Education
And Health Promotion
Department of Public Health
535 W. Jefferson Street
Springfield, Illinois 62761
(217) 785-2060
FAX: (217) 782-3987
sthomas@idph.state.il.us

Indiana

Mr. Allen K. Pope
Director of the Division of
Consumer Protection
Attorney General's Office - 5th Floor
402 West Washington
Indianapolis, IN 46204
(317) 232-6217
FAX: (317) 233-4393
apope@atg.state.in.us

Iowa

Ms. Debra Cooper
Director, Division of Disease
Prevention
State Department of Health
Lucas State Office Building
East 12th and Grand
Des Moines, Iowa 50319
(515) 242-6337
FAX: (515) 281-4958
dcooper@idph.state.ia.us

Kansas

Ms. Lesa Roberts
Director
Bureau of Consumer Health
Department of Health
1000 SW Jackson – Suite 200
Topeka, Kansas 66612-1274
(785) 296-5599
Lroberts@kdhe.state.ks.us

Kentucky

Mr. Mike Cavanah
Health Program Administrator
Department for Public Health/
Environmental Management Branch
Cabinet for Human Resources
275 East Main Street - HS2EB
Frankfort, Kentucky 40621
(502) 564-7818, extension 3726
FAX: (502) 564-6533
mike.cavanah@mail.state.ky.us

Central Region (continued)

Louisiana

Dr. Louis Trachtman
Assistant State Health Officer
Office of Public Health
Room 518 - 325 Loyola Avenue
P.O. Box 60630
New Orleans, Louisiana 70160-0630
(504) 568-5048
FAX: (504) 599-0734
trachtman@dhhs.state.la.us

Michigan

Mr. Jeff Spitzley
Injury Prevention Section
Department of Community Health
3423 N. Martin Luther King Jr. Blvd.
P.O. Box 3095
Lansing, Michigan 48909
(517) 335-8131
FAX: (517) 335-8893
SpitzleyJ2@michigan.gov

Minnesota

Mr. Mark Kinide
Unit Leader, Epidemiologist Supervisor
Injury and Violence Prevention Unit
Minnesota Department of Health
85 East Seventh Place – Suite 400
St. Paul, Minnesota 55101
(651) 281-9832
FAX: (651) 215-8959
Mark.kinide@health.state.mn.us

Missouri

Ms. Joy Oesterly
Injury Prevention Director
Section of Maternal, Child and Family Health
Department of Health and Senior Services
930 Wildwood
P.O. Box 570
Jefferson City, MO 65102
(573) 751-6215
Fax: (573) 526-5347
E-mail: oestej@dhss.mo.gov

Nebraska

Mr. Keith Hansen
Coordinator of Injury Control
Programs
Department of Health
301 Centennial Mall South
Lincoln, Nebraska 68509
(402) 471-2101
FAX: (402) 471-0383
keith.hansen@hhs.state.ne.us

North Dakota

Ms. Carol Meidinger
Maternal and Child Health
Department of Health and
Consolidated Laboratories
600 E. Boulevard, 2nd Floor
Judicial Wing
Bismarck, North Dakota 58505-0200
(701) 328-2493
FAX: (701) 328-4727
cmeidinger@state.nd.us

Central Region (continued)

Ohio

Mr. Michael Gonidakis
Deputy Attorney General
Ohio Attorney General's Office
Consumer Protection Section
30 East Broad Street, 14th Floor
Columbus, Ohio 43215
(614) 466-1305
mgonidakis@ag.state.oh.us

Oklahoma

Mr. Rocky McElvany
Chief, Environmental Health Services
Department of Health
1000 NE 10th Street
Oklahoma City, Oklahoma 73117
(405) 271-5217
FAX: (405) 271-5254
rockym@health.state.ok.us

South Dakota

Ms. Doneen Hollingsworth
Secretary of Health
523 E. Capitol Avenue
Pierre, South Dakota 57501-3182
(605) 773-3361
FAX: (605)-773-5904
doneen.hollingsworth@state.sd.us

Texas

Mr. Elias Briseno
Director
General Sanitation Division
Texas Department of Health
8407 Wall Street
Austin, Texas 78756
(512) 834-6635
FAX: (512) 834-6707
elias.briseno@tdh.state.tx.us

Wisconsin

Ms. Michelle Reinen
Investigator
Wisconsin Department of Agriculture,
Trade and Consumer Protection
P.O. Box 8911
2811 Agriculture Drive
Madison, Wisconsin 53704-6777
Phone: (608) 224-4988
Fax: (608) 224-4939
E-mail: Michelle.Reinen@datcp.state.wi.us

Western Region

Alaska

Commissioner Joel Gilbertson
Department of Health and Social Services
PO Box 110601
Juneau, Alaska 99811-0601
(907) 465-3030
Joel_Gilbertson@health.state.ak.us

Arizona

Mr. Will Humble
Chief
Office of Environmental Health
Department of Health Services
3815 N. Black Canyon Highway
Phoenix, Arizona 85015
(602) 230-5941
FAX: (602) 230-5933
whumble@hs.state.az.us

California

Mr. James Waddell
Chief, Food and Drug Branch
Department of Health Services
714 P Street, Room 1253
Sacramento, California 95814
(916) 657-1425
FAX: (916) 657-1156
jwaddell@dhs.ca.gov

Colorado

Ms. Susan Parachini
Program Manager
Consumer Protection Division
Department of Health
4300 Cherry Creek Drive South
Denver, Colorado 80220-1530
(303) 692-3646
FAX: (303) 753-6809
susan.parachini@state.co.us

Guam

Mr. Peter John D. Camacho
Acting Director
Department of Public Health
and Social Services
P.O. Box 2816
Agana, Guam 96910
(671) 735-7102
FAX: (671) 734-5910

Hawaii

Mr. Stephen H. Levins
Acting Director, Office of Consumer Protection
235 S. Beretania Street - Room 801
Honolulu, Hawaii 96813-2437
(808) 586-2636
FAX: (808) 586-2640
slevins@dcca.state.hi.us

Idaho

Ms. Bethany Garner
Consumer Specialist
Office of Attorney General
P.O. Box 83720
Boise, Idaho 83720-0010
(208) 334-2424
FAX: (208) 334-2830
bgarner@ag.state.id.us

Montana

Mr. Terry Krantz
Chief, Food and Consumer Safety Bureau
Department of Health and
Human Services
Cogswell Building - 1400 Broadway
Helena, Montana 59620
(406) 444-2408
FAX: (406) 444-4135
tkrantz@state.mt.us

Western Region (continued)

Nevada

Ms. Patricia Morse Jarman
Commissioner
Department of Business and Industry
Consumer Affairs Division
1850 East Sahara - Suite 120
Las Vegas, Nevada 89104
(702) 486-7355
FAX: (702) 486-7371
pmjarman@fyiconsumer.org

New Mexico

Mr. John McPhee
Childhood Injury Prevention
Coordinator
Public Health Division
Department of Health
2500 Cerrillos Road
Santa Fe, New Mexico 87505
(505) 476-7858
FAX: (505) 476-7810
johnm@doh.state.nm.us

Oregon

Ms. Jan Margosian
Consumer Information Coordinator
Financial Fraud. Department of Justice
100 Justice Building
Salem, Oregon 97310
(503) 378-4732
FAX: (503) 378-5017
jan.margosian@doj.state.or.us

Utah

Ms. Francine Giani
Director, Division of Consumer Protection
Heber M. Wells Building
160 East 300 South
PO Box 146704
Salt Lake City, Utah 84114-6704
(801) 530-6601
FAX: (801) 530-6650
fgiani@utah.gov

Washington

Ms. Maryanne Guichard
Director, Office of Environmental
Health and Safety
Department of Health - PO Box 47825
Olympia, Washington 98504-7825
(360) 236-3391
FAX: (360) 236-2257
maryanne.guichard@doh.wa.gov

Wyoming

Mr. Christopher Petrie
Assistant Attorney General
Consumer Protection Division
123 Capitol Building
Cheyenne, Wyoming 82002
(307) 777-7841
FAX: (307) 777-7956
CPETRI@state.wy.us

APPENDIX J: Organizational Structure and Functions

Organizational Structure and Functions

As provided in the Consumer Product Safety Act of 1972, the Chairman and Commissioners are the key policy makers of the U.S. Consumer Product Safety Commission. The staff carries out their decisions and policies.

The Consumer Product Safety Act provides for five Commissioners but only three Commissioners are currently funded. The Chairman and Commissioners are appointed by the President and confirmed by the Senate. The Commission annually elects a Vice Chairman.

The Chairman is the principal executive officer of the Commission. The Vice Chairman acts in the absence of the Chairman.

The following offices report directly to the Chairman:

Office of Congressional Relations acts as the Commission's liaison with Congress. It provides information and assistance to congressional committees, responds to inquiries by legislators, and coordinates written and oral testimony by Commissioners and agency staff.

Office of Equal Opportunity and Minority Enterprise monitors compliance with all laws, regulations, rules, and internal policies relating to equal employment opportunity. It also ensures compliance with relevant provisions of the Small Business Act, and conducts the Upward Mobility Program.

Office of the Executive Director, under the broad directions of the Chairman and in accordance with Commission policy, acts as the chief operating manager of the agency, supporting the development of the agency's budget and operating plan before and after Commission approval, and managing the execution of those plans.

Office of the General Counsel is the legal arm of the Commission. Staffed by lawyers, it provides advice and counsel to the agency and staff on all legal matters, including contracting, personnel issues, legal review of all reports, memoranda, press releases, and publications. It advises the Commission on matters of standards development, rules, petitions, interpretations of prevailing regulations, and Federal court litigation concerning compliance matters. It also defends court challenges to rules and other Commission actions.

Office of the Inspector General is an independent office established under the provisions of the Inspector General Act, as amended. Reporting only to the Chairman, this office independently initiates, conducts, and supervises audits, operations reviews, inspections, and investigations of Commission programs, activities, and operations to prevent and detect waste, fraud, and abuse. It makes recommendations to promote economy, efficiency, and effectiveness within the Commission's programs and operations. The office also receives and investigates complaints or information concerning possible violations of law or regulations, mismanagement, abuse of authority, and waste of funds.

Office of the Secretary prepares the agendas for official agency meetings, maintains official

records of Commission actions, manages the docket of adjudicative proceedings, and responds to requests for documents under the Freedom of Information Act (FOIA) and the Privacy Act. It issues the agency's official documents, including Federal Register notices, prepares and publishes the Public Calendar of Commission meetings, and supervises the operations of CPSC's public reading room and the Electronic Reading Room. The Office is responsible for the agency's information resources management (including records management). The Office is responsible for the agency's injury information Clearinghouse.

The following offices report to the Executive Director:

Office of the Budget is responsible for overseeing the development of the Commission's budget. The office, in consultation with other offices and directorates prepares, for the Commission's approval, the annual budget requests to Congress and the Office of Management and Budget and the operating plans for each fiscal year. It manages execution of the Commission's budget. The office recommends to the Office of the Executive Director actions to enhance effectiveness of the Commission's programs and activities.

Office of Information and Public Affairs disseminates information to consumers and the media. It prepares and publishes brochures, booklets, fact sheets, and safety alerts recommending the safe ways for consumers to purchase and use products in the home environment. The Office manages the agency's toll-free Hotline. Press releases are prepared and circulated to the media on Commission actions, product recalls, and seasonal events such as toy safety, fireworks, baby safety, grass cutting, residential pool use, and National Poison Prevention Week.

Office of Planning and Evaluation is responsible for overseeing the development of the Commission's strategic plan, annual performance plans and annual performance reports under the Government Performance and Results Act. The office also is responsible for short-term and long-term planning and evaluating of agency programs and accomplishments. Evaluation studies are conducted to determine how well the Commission fulfills its mission. The office also manages the Commission's information collection budget and obtains Office of Management and Budget clearance for information collections.

Office of Compliance directs the administrative enforcement of Commission rules and regulations. The office, staffed by lawyers and compliance specialists and working with field staff, initiates investigations on safety hazards of products already in the consumer marketplace or being offered for import. It enforces the requirement that firms identify and report product defects which could present possible substantial hazards, violations of consumer product safety rules, and violations of standards relied upon by the Commission. It negotiates and subsequently monitors corrective action plans designed to give public notice of hazards and recall defective or non-complying products. In addition, it provides advice and guidance to regulated industries on complying with Commission rules and regulations.

Office of Hazard Identification and Reduction manages the Commission's Hazard Identification and Analysis Program and its Hazard Assessment and Reduction Program. The office develops strategies for and implements the agency's operating plan for these two hazard programs. The office reports to the Executive Director, and has line authority over the Directorates for Epidemiology, Health Sciences, Economic Analysis, Engineering Sciences, and Laboratory

Sciences. The office's responsibilities include the collecting and analyzing of data to identify hazards and hazard patterns, the carrying out of the Commission's regulatory and voluntary standards development projects, and providing coordination of international activities related to consumer product safety. This office also provides technical and economic support for the Commission's compliance activities. The office assures that relevant technical, environmental and economic impacts of projects are comprehensively and objectively presented to the Commission for decision. The office also evaluates rulemaking petitions received by the Commission.

Office of Human Resources Management provides human resources management support to the Commission in the areas of recruitment and placement, position classification, training and executive development, employee and labor relations, employee benefits and retirement assistance, employee assistance programs, drug testing, leave administration, disciplinary and adverse actions, grievances and appeals and performance management.

Office of Information Services is responsible for planning, organizing and directing all aspects of the agency's information systems in support of all program activities. This includes application development in addition to operational support for data collection, information retrieval, report generation, electronic mail, and statistical and mathematical operations of the agency. The Office maintains the agency's local and wide area networks, develops and supports other network applications, and manages the agency's telecommunications services. The Office also manages the agency's program applications and web services.

Directorate for Field Operations is responsible for all Commission field operations. The Commission's 136 member field staff, located in 52 cities across the country, supports the full range of CPSC programs. The field staff conduct in-depth investigations of injuries and deaths, provide local support for the hospitals that report through the NEISS system, and collect reports of product-related incidents. Field investigators inspect manufacturers, importers, distributors, and retailers and collect product samples for testing or evaluation to determine violations of safety regulations and possible substantial product hazards. The field staff insure that appropriate action is taken to correct any violations. They also negotiate and monitor recalls of hazardous products and provide advice and guidance to industry. The field staff implement national safety education campaigns, respond to inquiries, and work with the press and local organizations to bring product safety information to the consumer. The field staff also work with state and local officials and private organizations to inform the public about the safe use of consumer products and to obtain compliance with CPSC laws and regulations.

Directorate for Administration is responsible for formulating and executing general administrative policies in the areas of financial management, procurement, property and space management, security equipment maintenance, printing, and warehousing, mail, duplication, labor services and physical security. The Office is responsible for managing the agency's directive system.