

LOG OF MEETING

DIRECTORATE FOR ENGINEERING SCIENCES

SUBJECT: ASTM F15.77 Standard for Marketing & Labeling Magnet Sets Containing Small Loose, Powerful Magnets with a Flux Index ≥ 50

DATE OF MEETING: October 31, 2019 2pm, EST

LOG ENTRY SOURCE: Stephen Harsanyi, ESHF

DATE OF LOG ENTRY: November 5, 2019

LOCATION: Teleconference

CPSC ATTENDEE(S): Stephen Harsanyi (ESHF), Timothy Smith (ESHF), Susan Bathalon (EXHR), and Patricia Edwards (EXHR)

NON-CPSC ATTENDEE(S): Contact ASTM for the attendee list.

Summary of meeting:

CPSC staff participated in a conference call meeting held by the ASTM F15.77 subcommittee to discuss the proposed “Standard for Marketing & Labeling Magnet Sets Containing Small Loose, Powerful Magnets with a Flux Index ≥ 50 .”

The meeting minutes from the October 10, 2019 meeting were distributed and approved.

The subcommittee discussed CPSC staff’s letter to the subcommittee, which explains CPSC staff’s position that warning information, absent performance considerations, is unlikely to effectively mitigate the magnet ingestion hazard. Several health and safety advocates argued points raised in the letter, such as the unreasonable expectation that consumers will disassemble and repackage magnet sets, some of which contain in excess of one thousand tiny magnets, in their entirety after every use. The subcommittee chair acknowledged that this has been CPSC staff’s position since the commencement of the subcommittee activity, and that the scope of the standard was limited to marketing, packaging, labeling, and warning requirements.

Health and safety advocates requested an expansion of the scope to include performance requirements. A task group was formed to brainstorm design alternatives to mitigate the magnet ingestion hazard. The task group will have one week to create a list of additional approaches. Safety advocates, including CPSC staff, raised concern that one week was not enough time for ideation and participation.

The subcommittee reviewed the draft standard and edits made to it by subcommittee members. Topics included, but were not limited to, the following:

- Packaging Requirements, Section 4, will be changed to include proactive marketing information targeting adult users. Wording for this requirement will be determined prior to the next subcommittee meeting. Concerns regarding the addition of a “14+” age label on the packaging, such as contradicting the warning to keep the product away from all children, were discussed. At this time, an age label is not included in the draft standard.
- Marking and Labeling, Section 5, was changed to incorporate warning type size and other requirements based on 16 CFR 1500.121, ANSI Z535.4, and the ASTM Ad Hoc Task Group recommendations. The subcommittee will continue to discuss minimum type size requirements.
- Instructional Literature, Section 6, was updated to include more requirements, such as hazard patterns. Additionally, the example instructions were updated.

- Online Sales, Section 7.3, will include the warning message per Section 5.7. Additionally, Section 7.3 will include instructional material, such as hazard patterns, and, to the extent feasible, other information from Section 6; manufacturers explained they do not always have much say regarding what goes onto retailers' websites.

Next Steps:

The subcommittee will reconvene to discuss the draft standard and potential performance requirements. A meeting date has not been determined at this time. The task group for developing performance requirements will work simultaneously with current redrafting of the standard. The subcommittee plans to ballot the draft standard in the near future, and, potentially, add changes to the scope such as performance requirements, as amendments to the standard.