



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

MINUTES OF COMMISSION MEETING

June 26, 1986

1111 - 18th Street, N.W.  
Washington, D.C.

The June 26, 1986 meeting of the U.S. Consumer Product Safety Commission was convened in open session by Acting Chairman Anne Graham. Commissioners Sandra Brown Armstrong and Carol G. Dawson were present. Commissioner Terrence Scanlon participated in the meeting by telephone.

Agenda Matters.

1. Asbestos in Consumer Products: Options

The Commission considered options to reduce consumer exposure to asbestos in certain consumer products containing asbestos, including asbestos paper and millboard, bulk asbestos fibers, dry mix furnace cement, asbestos cement sheet, wood and coal burning stove door gaskets, certain laboratory and artists' materials, stove pads, iron rests, and duct connectors. The staff had briefed the Commission on this matter at the May 14 and May 22, 1986 Commission meetings. At the Commission's request, the staff then provided supplemental information on options for labeling under the Federal Hazardous Substances Act (FHSA). The Office of the General Counsel supplied a revised vote sheet containing FHSA labeling options in addition to options for a banning proceeding, enforcement action, voluntary action, and consumer education.

The Commission decided to close a portion of the meeting to address the option of enforcement action under section 15 of the Consumer Product Safety Act (CPSA). The meeting was re-opened and, following discussion, the Commission decided on the following actions:

By unanimous vote (4-0), the Commission directed the staff to issue a safety alert, to be disseminated to Action Line reporters, weekly newspapers, and State Consumer Protection Agencies, to inform consumers about the cancer hazard associated with asbestos and the availability of substitute materials. On separate motion, by a vote of 3-1, the Commission decided not to extend the dissemination of the safety alert to hardware stores, schools and colleges based on the extra costs of purchasing these mailing lists. Commissioner Scanlon favored the extended dissemination option; Acting Chairman Graham and Commissioners Armstrong and Dawson voted against.

By vote of 3-1, the Commission directed the staff to inform by mail firms distributing asbestos-containing consumer products that the labeling requirements of FHSA section 2(p) apply, and to draft an enforcement policy making the same notification to the public. Acting Chairman Graham and Commissioners Armstrong and Dawson voted in favor of these actions. Commissioner Scanlon voted against.

By unanimous vote (4-0), the Commission directed the staff to draft for Commission approval a letter to the Environmental Protection Agency (EPA), expressing the Commission's concerns about asbestos in consumer products, urging EPA to move forward with its proposed ban of asbestos products, and informing EPA of the Commission's actions.

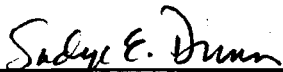
The Commission considered a motion to pursue enforcement action under section 15 of the CPSA (after transferring the risk from the FHSA), on a case by case basis when the product in question rises to the level of a significant product hazard. This motion failed for lack of a majority. Acting Chairman Graham and Commissioner Scanlon voted in favor. Commissioners Armstrong and Dawson voted against.

2. Methylene Chloride: Steering Committee Progress Report
3. Methylene Chloride: Proposed Rule

The staff briefed the Commission on the results of the efforts of the Steering Committee on Methylene Chloride, which was formed in response to the Commission's direction on February 27, 1986, for the staff to continue to work with industry, consumer groups, and other interested parties in voluntary efforts related to reducing consumer exposure to methylene chloride. Also, the staff briefed the Commission on a draft Federal Register notice that would implement the Commission's February 27, 1986, decision to propose to declare household products containing methylene chloride to be hazardous substances, in accordance with section 3(a) of the Federal Hazardous Substances Act (FHSA), due to a potential risk of cancer from inhalation of methylene chloride vapor. No decisions were made at today's meeting. The Commission is scheduled to consider the draft Federal Register notice at the Commission meeting of July 9, 1986.

There being no further business on the agenda, Acting Chairman Graham adjourned the meeting.

For the Commission:

  
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Sadye E. Dunn  
Secretary