



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

MINUTES OF COMMISSION MEETING

January 9, 1985

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

The January 9, 1985, meeting of the U.S. Consumer Product Safety Commission was convened in open session by Chairman Terrence Scanlon. Commissioners Sandra Brown Armstrong, Carol G. Dawson and Stuart M. Statler were present.

Agenda Matters.

1. Voluntary Standards Policy: Final Amendment

The staff briefed the Commission on issues raised in written and oral comments on a June 19, 1984, proposed amendment to CPSC's policy regulations on Commission involvement in voluntary standards activities (16 CFR Parts 1031 and 1032) that would add a new section concerning possible recognition by CPSC of some voluntary standards. The proposal defined the term "recognition," as well as the terms "adoption" and "endorsement" as alternative levels of support and invited public comment on these alternatives and the general subject of Commission support to voluntary standards. The Commission is scheduled to vote at the January 16, 1985, Commission Meeting on whether to issue final amendments to the voluntary standards policy.

At today's briefing, the Commissioners and staff also briefly reviewed another provision of the voluntary standards policy pertaining to CPSC employee membership and participation in voluntary standards organizations only in a non-voting capacity. The Commission directed the staff to schedule this matter for separate briefing and discussion.

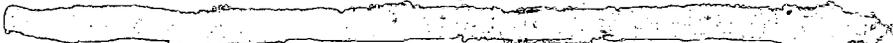
2. Employee Standards of Conduct: Proposed Amendments

The Commission considered a draft Federal Register notice which would amend the Commission's Employee Standards of Conduct regulations, 16 CFR Part 1030, Subpart D, concerning outside employment and activities of Commission employees. The proposed revisions would 1) provide additional exceptions to the general prohibition against outside employment in an organization whose business activities are subject to Commission regulation, where the outside activity would not result in a conflict, or apparent conflict, of interest; 2) require employees

to renew outside activity requests every year; 3) require employees reporting to the Executive Director to submit outside activity requests to the Ethics Officer through the Executive Director; and 4) establish a specific policy on employee testimony in an unofficial capacity in private litigation, which would either a) prohibit such testimony or b) permit such testimony only where certain criteria are satisfied.

Following discussion, the Commission voted on a motion to publish the draft Federal Register notice with the option prohibiting employee testimony in an unofficial capacity in private litigation. Chairman Scanlon and Commissioner Armstrong voted for the motion. Commissioner Statler opposed the motion, voting instead for the option permitting employee testimony in private litigation where certain criteria are satisfied. Commissioner Dawson did not vote at the meeting, but subsequently filed with the Office of the Secretary her vote in opposition to the motion. The Commission vote being 2-2, therefore, there is no decision on ~~amending~~ the Employee Standard of Conduct regulations.

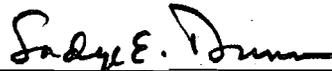
3. Baby Gates Options - Part Open, Part Closed

In open session, the staff reviewed supplemental information provided in follow-up to the December 20, 1984, Commission briefing on current staff activities and options for action relating to the entrapment hazard associated with expandable accordian-style baby gates. 

Meeting then in closed session, the Commission reviewed the current status of manufacturers' offers to voluntarily stop production/distribution of accordian style baby gates and provided direction to the staff in this regard.

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

For the Commission:



Sadye E. Dunn
Secretary