

CPSC-I-11-0008

MEMORANDUM OF UNDERSTANDING

between the

U.S. Consumer Product Safety Commission

and the

National Institutes of Health, National Library of Medicine

I. PURPOSE

The purpose of this Memorandum of Understanding (MOU) between the U.S. Consumer Product Safety Commission (CPSC), and the National Institutes of Health (NIH), National Library of Medicine (NLM) is to: 1) establish a framework for cooperation between the CPSC and NIH NLM, and 2) describe the responsibilities and benefits for each party participating in this MOU. The cooperating Agencies plan to work closely to collect relevant information on the incorporation of nanomaterials into specific consumer products. This information will supplement information that is currently collected by the NLM on the presence of other chemicals in consumer products, and placed in the Household Products Database. These efforts will meet a critical need for more information on the use of nanomaterials in consumer products and will help fulfill specific recommendations from the National Nanotechnology Initiative (NNI) that encourage inter-agency collaboration, outreach to the public, and information sharing with stakeholders. The NIH NLM and the CPSC agree that it is in the best interests of both parties and the American people to develop a strategic partnership that leverages each Agency's core expertise and resources to facilitate science and technology information sharing that can improve human health.

II. BACKGROUND

The CPSC is charged with protecting the public from unreasonable risks of injury or death from thousands of types of consumer products under the agency's jurisdiction. The CPSC is committed to protecting consumers and families from products that pose a fire, electrical, chemical, or mechanical hazard or can injure children. The CPSC's work to ensure the safety of consumer products - such as toys, cribs, power tools, cigarette lighters, and household chemicals - contributed significantly to the 30 percent decline in the rate of deaths and injuries associated with consumer products over the past 30 years.

The NLM is the world's largest medical library, and collects materials and provides information and research services in all areas of biomedicine and health care. For about the past decade, the NLM's Specialized Information Services division (SIS) has offered free global 24/7 online access to the Household Products Database (HPD), a one-of-its-kind resource widely used by consumers and others to gain access to the substances used in consumer products. The Household Products Database of the National Library of Medicine is based on the Consumer Product Information Database ©2001-2010 by DeLima Associates. Providing information on the health and use of nanomaterials in consumer products thus falls within the scope of NLM's existing efforts and expertise.

The Woodrow Wilson Center (WWC) estimates that there are over 1,000 products in global commerce that contain nanomaterials. Nanotechnology is a science related to structures, materials and devices that contain extremely small-scale matter. Nanomaterials are defined as materials/particles that range from 1 to 100 nanometers (nm) in at least one dimension. At this level, materials display different properties which may be applied to new and existing consumer products. This advancing field of science

has brought about the need for more information and research regarding the health and safety of nanomaterials. For example, there is a growing use of compounds or materials that have been produced using technologies (i.e., nanotechnologies) that directly manipulate matter at the atomic level and fabricate completely novel molecules and materials. Although they may have the same name as a material currently in use (e.g., "silver" or "titanium dioxide"), nanomaterials may demonstrate different physical and chemical properties because of their small size. Nanomaterials represent a wide range of compounds that may vary significantly in their structure, physical and chemical properties, and potentially in their behavior in the environment and in the human body. Because of the wide variation in potential health and environmental effects and the very limited data on release rates, exposure, availability, and toxicity of specific nanomaterials, there is currently little information about the potential consumer exposures to, or the health effects that may result from, exposure to nanomaterials during consumer use and disposal.

The responsible development of nanotechnology has become a national priority for the United States. The National Nanotechnology Initiative (NNI) is a federal research and development program established to coordinate the multiagency efforts in nanoscale science, engineering, and technology. The NNI, through the National Nanotechnology Coordinating Office (NNCO), has supported communication and collaboration among relevant federal agencies including CPSC in the responsible development and regulation of nanotechnology and has encouraged the federal agencies with regulatory responsibility to be vigilant and proactive in their efforts regarding nanotechnology and its applications.

CPSC is the agency that has the responsibility to protect humans from potential health hazards that could result from the reasonably foreseeable use of consumer products. An important part of this mission is to provide relevant information to consumers to facilitate informed decisions regarding product use.

CPSC and NLM will enter into this MOU to collaborate on providing access to much needed consumer information regarding nanotechnology. The partnership will support the CPSC mission to protect the public and the Commission's Open Government Initiative of Collaboration. This collaboration also supports the NLM mission to assist in the advancement of medical and related sciences by collecting, disseminating and exchanging information important to the progress of medicine and health.

III. OBJECTIVES

The objectives of this collaboration are for NLM to work together with CPSC to: (1) develop Web content that allows consumers and businesses to access nanotechnology information; (2) identify areas of data enhancement regarding consumer products containing nanomaterials; (3) seek to have NLM include nanomaterial-containing products in existing product categories in the Household Products Database (HPD) and possibly add new categories of products (e.g., sports equipment and clothing) to the HPD; and (4) to foster interagency relationships.

IV. RESPONSIBILITIES

The CPSC and NLM agree to collaboratively undertake specific activities that will involve identifying consumer products that contain nanomaterials, obtaining information on the products and providing this information to consumers through the existing Household Products Database (HPD) and related sites, e.g., the Hazardous Substances Database (HSDB).

CPSC responsibilities under this MOU are to provide technical support for the project by:

- Collaborating with NLM staff on the specific information to be collected.
- Providing technical direction to organize and present the information for NLM databases and NLM nanotechnology-related topics webpages for public access.
- Collaborating via the NLM with the HPD copyright owner to add new consumer products containing nanomaterials to the HPD.
- During the first year of having the MOU in effect, discuss the possibility of providing funding in subsequent Fiscal Years through an interagency agreement for specified enhancements to the HPD via a license agreement with the HPD database copyright owner.

NLM responsibilities under the MOU are to provide administrative and technical support for the project by:

- Providing the expertise and approaches for collecting information.
- Providing CPSC with information for a nanotechnology webpage publicly accessible to consumers, businesses, and others.
- Collaborating with the CPSC and HPD copyright owner to add (under current funding from NLM for the HPD database) new consumer products containing nanomaterials to the HPD database in addition to NLM regular product updates.

The specific desired deliverables are outlined in the objectives.

V. AUTHORITY

For CPSC, this MOU is authorized under by Section 5(c) of the Consumer Product Safety Act (15 U.S.C. 2054(c)) which provides for cooperation between CPSC and other governmental entities.

VI. PERIOD OF AGREEMENT

This MOU becomes effective upon acceptance by both parties, and will continue in effect indefinitely. It may be modified by mutual written consent or terminated by either party upon a 30-day advance written notice to the other party.

VII. FUNDING

Activities undertaken pursuant to this MOU shall be at the expense of the respective agencies, subject to availability of funds. If the parties agree at any point that either NIH NLM or CPSC will provide funding to the other for particular activities, such funding will be accomplished via an interagency agreement.

VIII. PROJECT OFFICERS

NLM Project Officer:

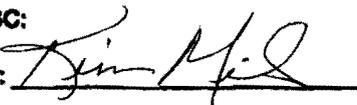
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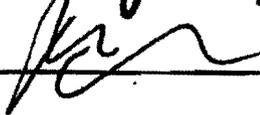
VIII. SIGNATURES

FOR CPSC:

Signature:  Date: 9/19/11 Kim Miles, Contracting Officer

FOR NIH/NLM:

Signature:  Date: 8-18-11 Steven Phillips, SIS, Assoc. Director

Signature:  Date: 8/18/11 Todd Danielson, NLM, Executive Officer