



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, D.C. 20207  
MINUTES OF COMMISSION MEETING

December 9, 1983

Third Floor Hearing Room  
1111 - 18th Street, N.W.  
Washington, D.C.

The December 9, 1983, meeting of the Consumer Product Safety Commission was convened in open session by Chairman Nancy Harvey Steorts. Commissioners Terrence Scanlon and Sam Zagoria were present.

Agenda Matters.

1. Crib Hardware: Proposed 30(d) Rule

The staff briefed the Commission on a proposed rule under section 30(d) of the Consumer Product Safety Act to transfer from the Federal Hazardous Substances Act (FHSA) to the Consumer Product Safety Act (CPSA) regulation of risks of death or injury that may be associated with baby cribs having items of hardware that break, become loose, detach or otherwise fail to perform their intended function, or that were not provided with the crib. The Commission is scheduled to vote on this matter at the Commission Meeting of December 15, 1983.

2. Sulfuric Acid Drain Cleaners

The staff briefed the Commission on proposed voluntary standards for sulfuric acid drain cleaners that have been developed by the Association of Chemical Producers (ACP), a group of companies which produces these products for consumer and industrial use. The staff reported that they have reviewed the voluntary standards, which address requirements for formulation, education, labeling and packaging and have no objection to the standards being implemented. Without objection from the Commission, the staff plans to forward to ACP suggestions for a few minor changes in the proposed standards, and to monitor implementation of and compliance with the voluntary standards. The Commission commended the cooperative effort represented by the development of these standards.

3. Advisory Panel on Allergic Sensitization

The Commission considered a staff recommendation to establish a panel of experts to advise the Commission and staff on matters relating to allergic sensitization from chemicals in consumer products, including the advice on technical accuracy of reports

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Advisory Panel on Allergic Sensitization

and recommendations to the Commission for cautionary labeling requirements for products containing chemicals known as "strong sensitizers" under the Federal Hazardous Substances Act (FHSA).

Following discussion, the Commission voted 3-0 to establish a Technical Advisory Panel on Allergic Sensitization and approved, with changes to reflect this title of the panel, the draft charter, transmittal letters to the General Services Administration and the Library of Congress, and Federal Register notice of establishment and invitation for advisory panel membership applications. Commissioner Statler filed a written vote joining this decision, thus the Commission decision is by a vote of 4-0. Commissioner Armstrong was not present and did not participate in the decision.

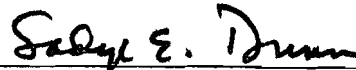
4. FOIA Appeals: S-307165 (06188) and S-307104

Meeting then in closed session, the Commission considered two Freedom of Information Act (FOIA) appeals concerning the withholding of consumer complaint reports that are unconfirmed and unverified.

Following discussion, the Commission voted 3-0 to deny FOIA Appeal S-307165 (06188). Commissioner Statler filed a written vote to deny the appeal, along with a brief statement explaining his vote; thus the Commission decision is by a vote of 4-0. Commissioner Armstrong was not present and did not participate in the vote on this matter. As to FOIA Appeal S-307104, the Commission provided guidance and requested that this matter be re-circulated for vote by ballot.

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

For the Commission:



Sadye E. Dunn  
Secretary

## CONSUMER PRODUCT SAFETY COMMISSION

### Technical Advisory Panel on Allergic Sensitization; Establishment and Invitation for Membership Applications

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of establishment and invitation for advisory panel membership applications.

**SUMMARY:** The Commission is establishing a Technical Advisory Panel on Allergic Sensitization to provide advice concerning allergic sensitization from chemicals in consumer products. The Commission is seeking applications from individuals interested in membership on this seven-member panel, particularly from dermatologists, allergists, dermatotoxicologists, chemists, and environmental toxicologists.

**DATE:** Applications for membership should be submitted by April 2, 1984.

**ADDRESS:** Applications should be sent to Virginia White, Health Sciences, Consumer Product Safety Commission, Washington, D.C. 20207.

**FOR ADDITIONAL INFORMATION CONTACT:** Virginia White, Health Sciences, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 492-6957.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Under the Federal Hazardous Substances Act (15 U.S.C. 1261 *et seq.*), the Consumer Product Safety Commission has authority to regulate household products that are or contain "strong sensitizers" (15 U.S.C. 1261 (f)(1)(A) and (k)). The Commission is planning to update its existing regulations on strong sensitizers, and desires technical advice from non-Commission experts.

##### B. Advisory Panel

To provide such advice, the Commission is establishing a seven-member Technical Advisory Panel on Allergic Sensitization. This panel will advise the Commission and staff on: (a) Appropriate evaluation and refinement of terms and criteria used in defining strong sensitizers under the Federal Hazardous Substances Act, (b)

appropriate ranking, according to risk, of a long list of sensitizers found in consumer products, and (c) the scientific accuracy of a number of technical reports and recommendations to the Commission for labeling sensitizers found in consumer products. The Commission believes that the panel is necessary and in the public interest.

The duties of the panel will be solely advisory and will be limited to matters relating to strong sensitization potential hazards, as determined by the Commission or the Associate Executive Director for Health Sciences. The panel will exist for two years and will meet at least once each year, as determined by the Commission in consultation with the panel chairperson. Copies of the charter for the panel are available from Ann Hamann, Health Sciences, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 492-6957.

Each member of the panel shall be qualified by training and experience as one or more of the following: dermatologist (in particular with a specialty in contact dermatitis), allergist, dermatotoxicologist, chemist, and environmental toxicologist. To the extent possible, the Commission will seek a balanced membership so that consumers, government, and industry will be represented.

Members of the panel will not be compensated, but they will be reimbursed for authorized expenses such as travel. Recent regulations issued by the General Services Administration (GSA) on advisory committees prohibit agencies from compensating committee members except in "... exceptional cases where an agency head is unable to meet the need for technical expertise or the requirement for balanced membership solely through the appointment of noncompensated members..." 41 CFR 101-8.1033(a); 48 FR 19330 (April 28, 1983). This prohibition is consistent with the intent of Congress and the President to control the costs of administering advisory committees, and is based on GSA's belief "... that a sufficient number of citizens of all backgrounds and qualifications can be found to provide advice and recommendations to the Federal Government through voluntary service on advisory committees." 48 FR 19326. The Commission hopes that it will be able to find fully-qualified experts to serve on the Technical Advisory Panel on Allergic Sensitization for expenses reimbursement only.

##### C. Membership Applications

The Commission will consider applications from individuals who are

interested in serving on the Technical Advisory Panel on Allergic Sensitization, as well as from those who submit the names of other individuals. In the latter situation, the application should include a statement that the individual being nominated would be willing to serve on the panel.

Applications need not be submitted in a particular format, but they should contain the following information:

1. Name of applicant for a position on the panel.
2. Home address and telephone number, including area code.
3. Employment affiliation (if any):
  - a. Current position and description of duties.
  - b. Employer's name, address and telephone number, including area code; type of employing organization (e.g., health care, manufacturing, educational, governmental, public interest, retail, etc.), including if self-employed.
  - c. Consulting work (if so, specify kind of consulting work, for whom performed, and if paid or volunteer).
  - d. CPSC contract work or grant (if so, specify contract title, number and involvement).
4. Experience/Expertise. Specify and describe any education, experience, publications related to strong sensitization (resumes or curriculum vitae may be submitted in response to this question).
5. Other affiliations. Without restating information given above, specify all past and current, paid and volunteer affiliations that bear any relationship to product safety or membership on the Technical Advisory Panel on Allergic Sensitization.
6. Signature of applicant or of individual submitting application on behalf of another individual.

Applications should be submitted by April 2, 1984. They should be sent to Virginia White, Health Sciences, Consumer Product Safety Commission, Washington, D.C. 20207. She will also respond to any questions and will provide additional information where possible.

##### D. Privacy Act Notice

The information requested in section C may become part of a Privacy Act system of records and will be used to evaluate applicants for the Technical Advisory Panel on Allergic Sensitization. There are no penalties for not submitting the information, except for possibly precluding selection of an applicant. The authority for collecting the information is section 9 of the Federal Advisory Committee Act, 5 U.S.C. App. 1.

Dated: January 26, 1984.

Sadye E. Dunn,

Secretary,

Consumer Product Safety Commission.

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