



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

Record of Commission Action
Commissioners Voting by Ballot *

Commissioners Voting: Chairman Ann Brown
 Commissioner Mary Sheila Gall
 Commissioner Thomas H. Moore

ITEM

Final Poison Prevention Packaging Act Rule Requiring Child-Resistant Packaging for Topical Minoxidil

DECISION

The Commission voted 2-1 to approve the draft Federal Register notice issuing a final rule requiring child-resistant packaging under the Poison Prevention Packaging Act for preparations containing more than 14 mg of minoxidil. Chairman Brown and Commissioner Moore voted to approve. Commissioner Gall voted to approve the Federal Register notice as drafted, except defer action on metered finger sprayers and extender attachments. Commissioner Gall filed a statement concerning her vote.

For the Commission:

A handwritten signature in cursive script that reads "Sadye E. Dunn".

Sadye E. Dunn
Secretary

* Ballot due October 28, 1998



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**STATEMENT OF THE HONORABLE MARY SHEILA GALL
VOTE ON THE FINAL PPPA RULE REQUIRING CHILD-RESISTANT PACKAGING
FOR TOPICAL MINOXIDIL**

October 23, 1998

I voted to approve the draft Federal Register Notice issuing a rule to require child-resistant packaging for topical minoxidil preparations containing more than 14 mg of minoxidil in a single package. For primary packaging and the dropper applicators, the rule will become effective six months after publication of the Federal Register. I voted to defer action on the metered finger sprayers and extender attachments.

As the briefing package stated, unlike child-resistant continuous threaded packaging and dropper applicators, there are currently no commercially available child-resistant metered sprayers or extender applicators for topical minoxidil products. To ensure technical feasibility, I voted to defer rule making for metered finger mechanical spray applicators and extender attachments until the staff analyzed the PPPA protocol testing results of the known prototype to determine that this metered sprayer and extender attachment meet the adult friendly, child-resistant protocol requirements.

The briefing package stated the prototype manufacturer's protocol testing is scheduled to be completed in March, 1999. I directed the staff to report their findings to the Commission by April, 1999 or as soon as their analysis of testing is complete. Following Commission review of staff analysis, the Commission would vote to complete action on the proposed rule with regard to metered finger sprayers and extender attachments.