



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

Record of Commission Actions
Commissioners Voting by Ballot
Placed in the Record at Open Commission Meeting
February 11, 1997

At the February 11, 1997, meeting of the U.S. Consumer Product Safety Commission, the staff briefed the Commission on a staff recommendation that the Commission publish an advance notice of proposed rulemaking and begin a rulemaking proceeding to require child-resistant packaging of consumer products that contain petroleum distillates. (Ref. staff briefing package dated January 23, 1997) No decisions were made.

Chairman Ann Brown convened today's meeting. Commissioners Mary Sheila Gall and Thomas H. Moore were present.

Ballot Vote Decisions. The following decisions made by ballot vote of the Commissioners were placed into the record.

1. Fiscal Year 1998 Budget Request Revision (Ballot due 1/6/97)

The Commission voted unanimously (3-0) to approve the revised 1998 Budget request of \$45 million and 480 full-time-equivalent staff positions as presented by the staff in its memorandum of December 23, 1996. Commissioner Thomas H. Moore filed a statement concerning this matter, copy attached.

2. Commission Options on Petition CP 96-1, from Judy L. Carr, to Amend the Safety Standard for Cigarette Lighters to Include Multi-Purpose Lighters (Ballot due 1/8/97)

The Commission voted unanimously (3-0) to grant Petition CP 96-1, which requested amendment to the safety standard for cigarette lighters to include multi-purpose lighters and to approve the ANPR with changes.

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3. Petition HP 95-1 Requesting Development of a Rule to Require Face Guards on Children's Batting Helmets (Ballot due 1/16/97)

The Commission voted unanimously (3-0) to deny Petition HP 95-1, and to direct the staff to draft a letter of denial to the petitioner. The Commission also voted to direct the staff to draft a letter, for the Commission's approval, to the organized youth baseball leagues asking those associations to encourage the use of batting helmets with face guards. Chairman Ann Brown filed a statement, copy attached.

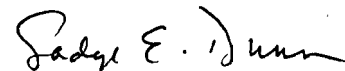
4. Proposed Civil Penalty Settlement: NuTone, Inc., stereo receiver/cassette player, CPSC Docket No. 97-C0004 (OS# 3157) (Ballot due 1/17/97)

The Commission voted unanimously (3-0) to provisionally accept the Settlement Agreement and Order containing a civil penalty in the amount of \$110,000. Unless a commenter asks the Commission not to accept the Settlement Agreement and Order within 15 days after publication in the Federal Register, the Agreement and Order will be deemed finally accepted on the 16th day.

5. Draft Federal Register Notice Stating That No Objections Were Received To the Final Rule Amending Fireworks' Fuse Burn Times (OS# 4120) (Ballot due 1/24/97)

The Commission voted unanimously (3-0) to approve a Federal Register notice stating that no objections were received to the final rule on fuse burn time published on December 20, 1996.

For the Commission:



Sadye E. Dunn
Secretary



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STATEMENT OF COMMISSIONER THOMAS HILL MOORE
ON
THE PROPOSED REVISION
TO 1998 BUDGET REQUEST

I am, of course, pleased that OMB has agreed to an increase in our budget for 1998. I appreciate that not every government entity will be as fortunate. However, given the significant portion of that increase that must fund salary and related benefit increases, as well as the critically-needed revision to our accounting system, this budget will still leave us short in funding the important work of the agency.

Even worse is the loss of 7 FTE's. Over the years the agency has been whittled back and whittled back, both in funding and in personnel. Thanks, in large part, to the aggressive leadership of our chairman, Ann Brown, along with the diligent work of our staff, creative ways have been found around many of these reductions. There is a limit, however, to these types of solutions. To be cut again in the personnel area almost seems as if we are being penalized for being too successful.

Shortly after I came here, I became convinced we could use more personnel in the field. Our small field staff (with an FTE ceiling of 139, prior to the reductions) has to: investigate incidents related to consumer products resulting in injury or death; monitor industry conformance with voluntary standards; check products coming into our country at numerous ports, as well as products manufactured domestically, for compliance with CPSC mandatory regulations; reach out to communities to provide them information on product hazards and on safe consumer behavior; interact with state and local consumer, fire and other officials. And that small group of people has to cover the entire United States. Rather than losing FTE's, I think we should get more and I would allocate most, if not all of them, to our field operations. I know this would buck the current trend toward shrinking government and reducing the number of federal employees.

I believe that it is a misconception, though, in the case of our agency, that cutting the number of employees saves the American taxpayer money. If just one of our regulations--the child resistant requirement for disposable cigarette lighters--works as we project it will to eventually save 100 people a year from a horrible death by fire or smoke inhalation, we will save this country \$500 million each year in medical/funeral expenses,