

FINAL

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MINUTES OF EXECUTIVE SESSION

Date: June 17, 1974

Agenda Item

Objections of the Oklahoma Pyrotechnics Association, the Macao Fireworks Manufacturers Association, Li and Fung (Trading) Ltd., Hong Kong, and the Taiwan Fireworks Manufacturers Association -- received in connection with the Commission's ban on firecrackers and regulations on fireworks devices.

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PRESENT: Commissioner Kushner
Commissioner Franklin
Commissioner Newman
Commissioner Pittle

CONSUMER PRODUCT
SAFETY COMMISSION

Decision and Followup

In view of the General Counsel's opinions a) that the objections are legally sufficient in that they meet the legal test to require a hearing in this matter, and b) that the mere filing of such objections operates to stay the effectiveness of the ban and regulations, the Commission decided to issue the attached news release.

Concurring: Kushner, Franklin, Newman, Pittle,
Simpson (by proxy)

Submitted by: Commissioner Franklin
Date: June 25, 1974

U.S. Consumer Product Safety Commission
Washington, D.C. 20207

FOR IMMEDIATE RELEASE

Monday

June 17, 1974

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LAW REQUIRES FIREWORKS STAY

WASHINGTON, D.C. (June 17)--The U.S. Consumer Product Safety Commission today announced that it has received legally sufficient objections to its ban and regulations on fireworks. Under the provisions of the Federal Hazardous Substances Act, the effect of these objections is an automatic suspension and delay of the regulations until a final determination is made on the issues raised. As a direct legal consequence of the filing of these objections, the firecracker and fireworks regulation cannot be effective before the coming Fourth of July season because the procedures for the hearing require at least 30 days public notice.

A Commission spokesman stressed that the holding of a hearing is required under the law if an objection includes grounds which affect the basis of the regulations. The Commission has not made any determination on the merits of the issues raised. It has only determined that the objections meet the legal test to require a hearing.

The objection referred to was received from the Oklahoma Pyrotechnics Association, the Macao Fireworks Manufacturers Association, Li and Fung (Trading) Ltd., and the Taiwan Fireworks Manufacturers Association.

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Other objections postmarked June 17th or earlier may still be received.

Consumers are urged to use extreme caution during the coming Fourth of July season. Safety information is available through the Consumer Product Safety Commission toll-free hot line (800) 638-2666. Maryland residents only, call (800) 492-2937.