



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

Record of Commission Action
Commissioners Voting by Ballot
Placed in the Record at Open Commission Meeting
October 20, 1993

At the October 20, 1993, meeting of the U.S. Consumer Product Safety Commission, the staff briefed the Commission on options for Commission action with regard to a rulemaking proceeding initiated in 1990 to consider strangulation hazards associated with crib toys. No decisions were made.

Chairman Jacqueline Jones-Smith convened today's meeting. Commissioners Carol G. Dawson and Mary Sheila Gall were present.

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

1. Request to Issue an Administrative Complaint under Section 4(c) of the Poison Prevention Packaging Act against Chattem, Inc. (OS# 4826) (CPSC Docket# 94-1) Due 8/23/93

The Commission voted unanimously (3-0) to issue the complaint. Chairman Jones-Smith and Commissioner Dawson voted to approve as drafted while Commissioner Gall voted to approve with specified changes.

2. Proposed Media Information Conference with the Carbon Monoxide Safety and Health Association (COSHA) Due 8/27/93

The Commission voted unanimously (3-0) to approve the joint media information conference. Voting to approve were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall.

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3. Proposed Civil Penalty Settlement: Yuchius Morality, Inc., small parts in toys (OS# 5947) (94-C0002) Due 9/8/93

The Commission voted unanimously (3-0) to provisionally accept the proposed civil penalty. 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 days. Voting to provisionally accept the agreement were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall.

4. National Electrical Safety Month 1994 Due 9/15/93

*Duplicate
see: 9/21/93
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The Commission voted unanimously (3-0) to accept co-sponsorship of National Electrical Safety Month in 1994 with the National Electrical Manufacturers Association, Underwriters Laboratories, and the Occupational Safety and Health Administration. Voting to approve were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall.

5. Proposed Civil Penalty Settlement: Regency Merchandise, Inc., small parts in toys (OS# 3739) (94-C0001) Due 8/17/93

The Commission voted unanimously (3-0) to provisionally accept the proposed civil penalty. 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. Voting to provisionally accept the agreement were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall.

6. Co-Sponsorship of the Workshop on Eye Irritation Testing (Due 9/30/93)

The Commission voted unanimously (3-0) to approve co-sponsorship of a workshop on eye irritation testing organized by the Inter-agency Regulatory Alternatives Group. Voting to approve were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall.

7. Federal Register Notice Soliciting Written Comments Concerning Petition from the City of New York Department of Consumer Affairs Requesting Rule to Establish Backyard Play Set Requirements (HP 93-1) Due 10/5/93

The Commission voted unanimously (3-0) to approve publishing the Federal Register notice with changes. Voting to approve were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall.

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8. Request from National Association of State Fire Marshals for Extension of Comment Period and Public Hearing on Petition FP 93-1 (Upholstered Furniture) Due 10/8/93

The Commission voted unanimously (3-0) not to extend the comment period and to deny the request for a public hearing. Voting for this course of action were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall. In addition Commissioner Gall noted, "However, this does not preclude the petitioner from requesting an opportunity to appear at a Commission briefing on the petition at a later date, or from submitting additional written information." Chairman Jones-Smith issued a statement on this matter.

9. Chattem, Inc. Memorandum in Opposition to the Issuance of a Complaint under Section 4(c) of the Poison Prevention Packaging Act (OS# 3436) Due 10/8/93

The Commission voted unanimously (3-0) to deny Chattem Inc.'s request for reconsideration of the Commission's decision to issue an administrative complaint and to approve the issuance of a revised complaint. Voting to approve this course of action were Chairman Jones-Smith, Commissioner Dawson, and Commissioner Gall.

For the Commission:



Sadye E. Dunn
Secretary