



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
May 11, 1994

At the May 11, 1994, meeting of the U.S. Consumer Product Safety Commission, the staff briefed the Commission on options for Commission action to address the risk of children drowning in five-gallon buckets. No decisions were made.

Chairman Ann Brown convened today's meeting. Commissioners Mary Sheila Gall and Jacqueline Jones-Smith were present.

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

1. Requests from the Institute of Standards Research and the Closure Manufacturers Association for Extensions of the Comment Period and for an Opportunity for Oral Comment on the Commission's Request for Additional Comment in the PPPA Protocol Revision Rulemaking (Due 3/28/94)

The Commission voted unanimously (3-0) to deny the requests for an extension of the comment period. The Commission voted (2-1) to deny the requests for an oral comment with Commissioner Gall voting to grant the request.

2. Federal Register Notice Requesting Comment on Petition HP 94-1 for Automatic Child Restraints in Shopping Carts (Due 3/31/94)

The Commission voted (2-1) not to publish the Federal Register notice with Chairman Brown voting to publish the notice.

3. Request from Gas Appliance Manufacturers Association (GAMA) for Permission to Use Commission Name and Logo in Children's Workbook on Dangers of Flammable Vapors (Due 4/1/94)

The Commission voted unanimously (3-0) to permit GAMA to use the phrase "developed [or sponsored] by the GAMA Water Heater Division in cooperation with the [U.S.] Consumer Product Safety Commission" on the children's workbook on the dangers of flammable vapors and to permit GAMA to use the Commission's logo on the children's workbook on the dangers of flammable vapors.

4. Public Hearing on Priorities (Due 4/4/94)

The Commission voted unanimously (3-0) to approve the Federal Register notice announcing the public hearing on the Commission agenda and priorities with specified changes.

5. Request from ASTM D10.31 for Extension of Comment Period and Oral Comment (Due 4/8/94)

The Commission voted unanimously (3-0) to deny the request for an extension of the Comment period. The Commission voted (2-1) to deny the request for an oral comment with Commissioner Gall voting to grant the request. The Commission voted (2-1) that future requests for extensions of comment period and opportunity for oral comment shall be deemed to be denied unless the Executive Director determines that a request describes an important new reason the request should be granted. In this event, the request will be decided by ballot vote. Commissioner Gall voted that request for extensions of the comment period shall be deemed to be denied unless the Executive Director determines that such request are based on substantive information not previously considered by the Commission. If the Executive Director makes this determination, the request shall be decided by ballot vote. In addition Commissioner Gall voted that requests for an opportunity for the presentation or oral comments shall be decided by ballot vote.

6. Draft Letter of Denial of Petition CP 93-1 - Gas-Fired Floor Furnace Due 4/11/94)

The Commission voted 2-0-1 to approve the denial letter. Commissioners Gall and Jones-Smith voted to approve the draft denial letter. Chairman Brown abstained from voting on this implementing document because she did not participate in the original decision to deny the petition, which occurred before Chairman Brown took office.

7. Proposed Civil Penalty Settlement and Order: Victor Reichenbach d/b/a Reichenbach Fireworks Class B and C Fireworks OS# 5150 (Due 4/22/94)

The Commission voted unanimously (3-0) to provisionally accept the settlement agreement and order which impose a civil penalty of \$15,000.

8. Issuance of Subpoena to the Outdoor Power Equipment Institute (OPEI) OS# 5048 (Due 4/26/94)

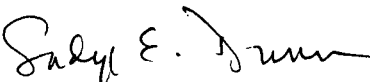
The Commission voted unanimously (3-0) to issue a subpoena to the Outdoor Power Equipment Institute for information on riding mowers.

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9. Commission Decision on Whether to Co-sponsor CO Detection Workshop (Due 5/3/94)

The Commission voted unanimously (3-0) to approve co-sponsorship of the CO detection workshop with the Environmental Protection Agency, the American Gas Association, and the Gas Research Institute.

For the Commission:


Sadye E. Dunn
Secretary