

CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

CPSC EXECUTIVE SESSION
1750 K Street, N.W.

August 8, 1974
9:30 a.m.

Presiding: Chairman Simpson

Present: Commissioner Kushner
Commissioner Franklin
Commissioner Newman
Commissioner Pittle

ITEM:

Playground Equipment Petition (HP 75-4)

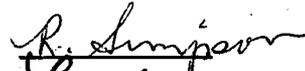
DECISION:

In response to Elayne Butwinick's petition (CP 74-16) under the Consumer Product Safety Act, the Commission decided on June 20, 1974 (decision attached) to commence rulemaking under the Federal Hazardous Substances Act to set mandatory safety regulations for both home and public playground equipment. Subsequently, the petitioner amended her petition to reflect the Commission's decision to proceed under FHSA rather than under CPSA. The amended petition was re-captioned HP 75-4 by the Office of the Secretary. For purposes of the record, the Commission grants HP 75-4

COMMISSION VOTE:

Approve response to petitioner (with changes)

Chairman Simpson



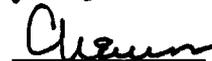
Commissioner Kushner



Commissioner Franklin



Commissioner Newman



Commissioner Pittle



OTHER OPTIONS:

Disapprove response
Abstain

Submitted by:
Commissioner Pittle
August 26, 1974

MINUTES OF EXECUTIVE SESSION
Date: June 20, 1974

PRESENT: Chairman Simpson
Commissioner Kushner
Commissioner Franklin
Commissioner Newman

Agenda Item

Decision and Followup

Petition dated April 17, 1974, from Elayne Butwinick, requesting initiation of mandatory safety standard for public playground swings, slides, and climbing equipment under Section 7 of CPSA --
CP-7A-16.

The Commission decided to grant the petition in substance and to initiate the development of regulations, under Section 2(q)(1)(A) of FHSA, for both home and public playground equipment. The regulations may address the surfaces under the equipment as well. In the development of these regulations, the Commission will attempt to utilize a procedure similar to the CPSA procedures governing the development of standards by offerors. General Counsel and PSOC are to draft a Federal Register notice which includes a) a notice of need similar to the notice required by Section 7 of CPSA, and b) offeror-type procedures to be followed during the development of the regulation for playground equipment and surfaces. The Commission also decided that no public hearing on playground equipment will be held at this time.

Concurring: Simpson, Kushner, Franklin, Newman (Pittle-6/21)

Submitted by: Commissioner Franklin