



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

Record of Commission Action
Meeting of March 9, 1978

1111 18th Street, NW
Washington, DC

Presiding: Chairman Byington

Present: Commissioner Franklin
Commissioner Pittle

Present but not voting: Commissioner King

ITEM


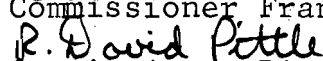
Proposed amendments to electrical toy regulation to allow use of several types of acceptable cords with hand-held educational or hobby-type products intended for heating, rather than the one type cord currently specified in the regulation; and to require cords used on all products subject to the regulation to be a minimum of No. 18 American Wire Gage (AWG) for adequate short circuit protection

(Briefing material transmitted by the Office of the Secretary on February 23, 1978.)

DECISION

The Commission voted to propose the above-referenced amendments and approved the attached Federal Register document as drafted by the Office of the General Counsel.

VOTE

Concurring:  Chairman Byington
 Commissioner Franklin
 R. David Pittle
Commissioner Pittle

Submitted by the Office of the Secretary

[6355-01]

**CONSUMER PRODUCT SAFETY
COMMISSION**

[16 CFR Part 1505]

**REQUIREMENTS FOR ELECTRICALLY-
OPERATED TOYS OR OTHER ELEC-
TRICALLY-OPERATED ARTICLES IN-
TENDED FOR USE BY CHILDREN****Proposed Amendments to Power-
Cord Requirements****AGENCY:** Consumer Product Safety
Commission.**ACTION:** Proposed rule.

SUMMARY: The Commission pro-
poses amendments to the Require-
ments For Electrically-Operated Toys
or Other Electrically-Operated Arti-
cles Intended for Use by Children (16
CFR Part 1505). The proposal would
amend the regulation to allow the use
of several types of acceptable cords
with hand-held educational or hobby-
type electrical products intended for
heating, such as wood burning tools,
rather than the one type cord current-
ly specified in the regulation. The
type cord used would depend on the
weight of the product. In addition, the
proposal would require that cords be
no smaller than No. 18 AWG in con-
ductor cross-sectional area for all elec-
trically-operated toys or other electri-
cally-operated articles intended for use
by children to provide adequate short
circuit protection against electric
shock and fire.

DATES:

Written comment: Comments con-
cerning the proposal must be received
in the Office of the Secretary by May
15, 1978.

Effective date: The proposed effec-
tive date for the amendments is one
year after publication in the FEDERAL
REGISTER of any final regulation and
would apply to subject products first
introduced into commerce on and
after the effective date.

ADDRESSES: Written comments
should be submitted to the Secretary,
Consumer Product Safety Commis-
sion, Washington, D.C. 20207.

**FOR FURTHER INFORMATION
CONTACT:**

Elaine Besson, Office of Program
Management, Consumer Product
Safety Commission, Washington,
D.C. 20207, 301-492-6453.

SUPPLEMENTAL INFORMATION:
In the FEDERAL REGISTER of March 7,
1973 (38 FR 6138), the Food and Drug
Administration issued regulations
under the Federal Hazardous Sub-
stances Act (FHSA) to be effective
September 30, 1973, banning electrical-

PROPOSED RULES

ly-operated toys or other electrically-operated articles intended for use by children not meeting certain safety-related requirements (21 CFR 191.9a(b)(1) and 21 CFR Part 191b). Effective May 14, 1973, functions under the FHSA were transferred to the Consumer Product Safety Commission (CPSC) by section 30(a) of the Consumer Product Safety Act, 15 U.S.C. 2079(a). The electrical toy regulations were revised and recodified by the CPSC as 16 CFR 1500.18(b)(1) and 16 CFR Part 1505. Prior to the effective date of the electrical toy regulations, the Toy Manufacturers of America (TMA), Petitioned the Commission, among other things, to amend section 1505.5(e)(5) of the regulations to permit hand-held educational or hobby-type products, such as wood-burning tools, to utilize flexible electrical power cords of type SPT-1 instead of the type SP-2 specified in the regulation. TMA suggested that use of the flexible SPT-1 cord would permit a toy or other article intended for use by children to be placed on a flat surface more easily without tipping upward, which might be the case if the stiffer SP-2 cord were used.

In the FEDERAL REGISTER of January 23, 1974 (39 FR 2611), the Commission proposed an amendment to the electrical toy regulation (16 CFR 1505) along the lines suggested by TMA. The proposed amendment would have changed 16 CFR 1505.5(e)(5) to require the use of an SPT-1 type cord rather than an SP-2 type cord with hand-held educational or hobby-type products such as woodburning tools.

In response to the proposal, comments were received from TMA, Black & Decker Manufacturing Co., and the General Cable Corp. Based on these comments and further consideration of the issue by the Commission, the Commission determined that since several types of electrical cords are potentially suitable for use on hand-held educational or hobby-type electrical products, it should not restrict use to one particular type of cord. Therefore, the Commission withdraws the proposed amendment of January 23, 1974 to require the use of an SP-2 cord.

The Commission directed the staff to identify the types of cords that it believed to be suitable for use with educational and hobby-type electrical products intended to generate heat, such as woodburning sets, intended for use by children that would not present a tipping hazard.

The Commission staff considered the entire universe of electrical cords in at least 18 AWG that might reasonably be expected to be used with hand-held electrical products intended to generate heat. These cords were then divided into two groups depending on the weight of the appliance to which the cord would be attached as follows:

Weight of appliance (without cord)	Cord type ¹
½ lb (0.227 kg) and lighter	SP-1, SPT-1, HPD.
Heavier than ½ lb (0.227 kg).	SP-2, SPT-2, SV, SVO, SVT, SVTO, HPD, HPN, SJ, SJO, SJT, SJTO.

¹ Electrical cords are as defined in the "National Electrical Code," chapter 4, article 400, pages 230 to 241, (1978), published by the National Fire Protection Association.

The weight delineation above is based on that used by Underwriters Laboratories in its requirements for electrical heating appliances (UL 499).

The Commission's proposed amendment follows this weight delineation in prescribing the kind of cord that can be used with hand-held educational or hobby-type products intended for heating, such as woodburning tools. Since the very light weight hand-held appliance is frequently placed on a work surface between handling, a major consideration in the type cord the proposal would require on the light weight appliances is the flexibility and weight of the cord in relationship to the appliance so that the cord's influence on the appliance tipping over is minimized. Thus, SP-1, SPT-1 and HPD cords which would be required to be used with products weighing one-half pound or less are lighter in weight and more flexible than that would be permitted to be used with products weighing more than one-half pound.

The SP-1 and SPT-1 type cords, that would be required to be used on appliances weighing less than one-half pound, however, may not be used on heavier appliances because the insulation on these cords is not as thick as the insulation required on the cords used with heavier appliances. These cords would be permitted to be used with appliances weighing less than one-half pound only because they are lightweight and flexible and thus minimize the tipping over hazard presented by cords with thicker insulation. HPD type cords may be used with appliances in both categories because these cords are lightweight and flexible and also physically have thicker insulation (with an overall fabric braid) than SP-1 or SPT-1 cords.

This proposed amendment would apply only to hand-held educational or hobby-type products intended for heating, such as woodburning tools. The Commission believes this amendment is necessary if the electrical toys are not to present an unreasonable risk of personal injury due to a thermal hazard caused by their tipping over.

The Commission also believes that § 1505.5(e)(6) of the electrical toy regulations should be amended to require

cords on all electrically-operated toys to be no smaller in size than No. 18 AWG (American wire gage) for adequate short circuit protection. Wire gauges smaller in size than 18 AWG create the possibility that the cord, in the event of a short circuit, rather than opening a fuse or circuit breaker, will smolder and burn, and expose live parts. As the regulation is presently written, cords smaller in size than 18 AWG could be used on products subject to the regulation. The Commission believes this requirement is necessary if electrically-operated products are not to present an unreasonable risk of personal injury due to electric shock and fire hazards.

ENVIRONMENTAL CONSIDERATIONS

The CPSC's interim environmental review procedures, 16 CFR 1021.5, provide that an environmental review is generally not required for amendments to an existing standard that do not alter the principal purpose or effect of the standard. The proposed amendments below would not alter the principal purpose or effect of the electrical toy regulations. Rather, they allow manufacturers to use a variety of cords on the products subject to the amendments rather than just one type of cord. The Commission does not believe there would be environmental effects from the promulgation of the amendments which would necessitate an environmental review. Consequently, preparation of a draft environmental impact statement is unnecessary.

REQUEST FOR COMMENT

The Commission is particularly interested in obtaining comments on the following items:

1. Is there a need to amend the regulations for electrically-operated toys or other electrically-operated articles intended for use by children to require that particular types of cords be used with hand-held educational or hobby-type products intended for heating?

2. Are there other type cords that should be allowed to be used on the products subject to the proposed amendments not listed in the proposal? If so, commenters should identify those cords and explain why they should be allowed to be used.

CONCLUSION AND PROPOSAL

The commission has considered the potential thermal hazard presented by hand-held education or hobby-type products intended for heating, such as woodburning tools, due to tipping over because of the influence of the electrical cord used on the product. It has also considered the potential for electric shock and fire hazards if cords smaller in size than 18 AWG are used on electrically-operated products. It concludes that the amendments to the

electrical toy regulators set forth below should be proposed.

Accordingly, pursuant to provisions of the Federal Hazardous Substances Act (secs. 2(f)(1)(D), (r), (s), (t), 3(e)(1); 74 Stat. 372, 374, 375, as amended, 83 Stat. 187-189; 15 U.S.C. 1261, 1262) and under authority vested in the Commission by the Consumer Product Safety Act (Pub. L. 92-573, sec. 30(a), 86 Stat. 1231; 15 U.S.C. 2079(a)), the Commission proposes to amend 16 CFR Part 1505 as follows:

1. Section 1505.5(e), is amended to read as follows:

§ 1505.5 Electrical design and construction.

(e) Power supply connections (cords and plugs).

(5) A flexible electrical power cord provided on a toy shall be type SP-2 (as defined in the "National Electrical Code," Chapter 4, article 400, pages 230-241 (1978), published by the National Fire Protection Association), or its equivalent, or a heavier general-use type, and shall not be less than 5 feet nor more than 10 feet in length when measured as the overall length of the attached cord outside the enclosure of the toy, including fittings, up to the face of the attachment-plug cap. However, hand-held educational or hobby-type products intended to generate heat, such as woodburning tools, shall use one of the type cords designated below, in accordance with the weight of the product, without the cord:

Weight of appliance (without cord)	Cord type*
¼ lb (0.227 kg) and lighter ...	SP-1, SPT-1, HPD.
Heavier than ¼ lb (0.227 kg).	SP-2, SPT-2, SV, SVO, SVT, SVTO, HPD, HPN, SJ, SJO, SJT, SJTO.

2. Section 1505.5(e)(6) is amended to read as follows:

(6) A flexible cord and plug shall have a current-carrying capacity of not less than the ampere rating of the toy and the conductor of the cord shall have a cross sectional area no less than No. 18 AWG (American Wire Gage).

Publication of this proposal in the FEDERAL REGISTER shall have the effect of continuing the suspension of application of the existing 16 CFR 1505.3(e)(5) regarding the type of cord to be used with hand-held educational or hobby-type products, such as wood-

burning tools, pending review of comments and promulgation of a final banning regulation in this matter. This suspension was previously announced in the FEDERAL REGISTER of January 23, 1974 (39 FR 2611). Publication of this proposal will not affect any other portion of 16 CFR Part 1505.

Interested persons are invited to submit, on or before May 15, 1978, written comments regarding this proposal. Comments and any accompanying material should be submitted, preferably in 5 copies, addressed to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the Office of the Secretary, 3rd floor, 1111 18th Street NW., Washington, D.C. from 8:30 a.m. to 5 p.m., Monday through Friday.

Dated: March 8, 1978.

SADYE E. DUNN,
Acting Secretary, Consumer
Product Safety Commission.

[FR Doc. 78-6561 Filed 3-13-78; 8:45 am]

*The cord types are as defined in the "National Electrical Code", chapter 4, article 400, pages 230-241 (1978), published by the National Fire Protection Association. Copies may be obtained from the National Fire Protection Association, 470 Atlantic Ave., Boston, Mass. 02210.