



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

MINUTES OF COMMISSION MEETING

June 21, 1984

Third Floor Hearing Room  
1111 - 18th Street, N.W.  
Washington, D.C.

The June 21, 1984, meeting of the Consumer Product Safety Commission was convened in open session by Chairman Nancy Harvey Steorts. Commissioners Sandra Brown Armstrong, Terrence Scanlon and Stuart M. Statler were present.

Ballot Vote Decisions. Chairman Steorts read into the record the following decisions made by ballot vote of the Commissioners:

1. Voluntary Standards Proposal

The Commission voted unanimously (4-0) to approve a Federal Register notice seeking public comments on proposed amendments to existing regulations on voluntary standards and announcing a public meeting to be held July 18, 1984. As approved for publication, the proposal states that the Commission may, where appropriate, encourage states to adopt a voluntary standard in lieu of mandating a different state or local regulation. As to this statement, Commissioner Statler indicated in his vote his preference for the word "consider" rather than "adopt."

2. Toy Age Labeling Meeting on July 19

The Commission voted unanimously (4-0) to approve a Federal Register notice announcing a public meeting with manufacturers and importers of toys to discuss age labeling. The meeting is scheduled for July 19, 1984.

Agenda Matters.

1. NSPI Safety Booklets: Request for Commission Endorsement and Use of CPSC Logo

The Commission considered a request from the National Spa and Pool Institute (NSPI) for the Commission's endorsement of two publications prepared by NSPI concerning safe use of hot tubs and spas, and swimming pools and related equipment, and for use of the CPSC logo on the two publications. The Commission had been briefed by the staff on the issues raised by NSPI's request at the Commission meeting of June 13, 1984.

Minutes of Commission Meeting, June 21, 1984 (Continued)

During discussion at today's meeting, the staff summarized its involvement in reviewing NSPI's booklets and reiterated its views that the safety messages in the booklet are technically correct, well presented, and deserving of wide distribution. Staff further noted that there is no legal objection to granting NSPI's endorsement/logo use requests; rather, the issue presented is one of policy as to if and how closely the Commission wishes to associate itself with material prepared by outside parties. In that regard, as requested by the Commission at the June 13 briefing, the staff provided a revised vote sheet to the Commission containing several alternative statements of support, or endorsement, of the NSPI publications for Commission consideration.

Following questions and comments by the Commissioners, Chairman Steorts proposed that the Commission allow NSPI to print on the two publications the statement, "Developed in cooperation with the United States Consumer Product Safety Commission." This motion carried 3-1, with Chairman Steorts, Commissioner Scanlon and Commissioner Statler approving NSPI's use of this statement. Commissioner Armstrong voted not to allow NSPI to print any statement concerning the Commission's review or approval, but to send a letter to NSPI expressing the Commission's concurrence with the safety information in the publications. A separate statement from Commissioner Armstrong explaining her vote is on file in the Office of the Secretary.

Commissioner Scanlon then moved to allow NSPI to also print on the publications the statement, "The Consumer Product Safety Commission encourages all pool spa and hot tub users to read and follow the safety information in this publication." Chairman Steorts and Commissioner Scanlon voted in favor of this motion. Commissioners Armstrong and Statler voted against. The motion failed for lack of a majority.

As to NSPI's request for use of the CPSC logo, a formal vote was not taken; however, Chairman Steorts, Commissioner Armstrong and Commissioner Statler expressed the view that they would oppose the use of CPSC's logo on outside publications. Commissioner Scanlon stated that he would favor NSPI using CPSC's logo.

2. Mower Standard Certification Rule: Clarification

The Commission considered a draft Federal Register notice to amend the Certification Rule for Walk-Behind Power Lawn Mowers (16 CFR Part 1205) to clarify that the requirement for a label stating "Meets CPSC blade safety requirements" on containers and promotional material, where a label on the mower is not visible to the consumer at the time of sale because of packaging or marketing practices, applies only to mowers manufactured before January 1, 1984. The amendment would merely change the wording of the final rule to more clearly state the Commission's intent as it was explained in the

preamble to the final certification rule, and does not change any existing practice or interpretation of the Commission nor require any manufacturer to change present labeling practices.

Following questions and brief discussion, the Commission voted 3-1 to approve the Federal Register notice issuing the amended certification rule. Chairman Steorts, Commissioner Scanlon and Commissioner Statler voted to approve the amendment. Commissioner Armstrong voted not to amend the certification rule.

3. Closure Test Equipment Report

The staff briefed the Commission on the status of studies to correlate the mechanical Closure Testing Equipment (CTE) force measurements with data obtained using the Poisoning Prevention Packaging Act human protocol test. The staff reported that correlation studies completed to date, utilizing 24 mm and 28 mm snap cap closures, indicate that there is good comparability between the data from the CTE and the human protocol tests; and that these results point to the potential of the CTE as a good predictor of the degree to which a child-resistant package will pass or fail the protocol test, thus, making it a valuable tool for CPSC and the industry in various applications. Staff noted that additional studies are needed to determine the full extent to which CTE/Protocol correlations exist for the snap cap packaging and whether such correlations can be projected to other types of child-resistant packaging.

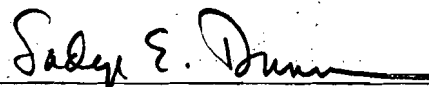
Closed to the Public

4. Compliance Status Report

Meeting then in closed session, the staff briefed the Commission on the status of Compliance activities.

Chairman Steorts had to leave the meeting shortly before its conclusion. There being no further business, Vice Chairman Armstrong adjourned the meeting.

For the Commission:



Sadye E. Dunn  
Secretary