



United States
Consumer Product Safety Commission

Record of Commission Action
Commissioners Voting by Ballot*

Commissioners Voting: Chair Alexander Hoehn-Saric
 Commissioner Peter A. Feldman
 Commissioner Richard Trumka Jr.
 Commissioner Mary T. Boyle

ITEM:

Petition Requesting Rulemaking to Establish Safety Standard
for Aerosol Duster Products (Petition CP 21-1)
(Briefing package dated July 26, 2023, OS No. 0232)

DECISION:

The Commission voted (3-1) to grant Petition CP 21-1, and direct staff to initiate rulemaking. The petition was submitted by Families United Against Inhalant Abuse and requested that the Commission initiate rulemaking to adopt a mandatory safety standard to address the safety hazards associated with intentional inhalation of fumes from aerosol duster products containing the chemical 1,1-Difluoroethane or any derivative thereof. In July 2022, the Commission voted to defer the petition to allow staff further time to research issues related to the hazard identified in the petition.

Chair Hoehn-Saric and Commissioners Trumka and Boyle voted to grant Petition CP 21-1. Commissioner Feldman voted to defer Petition CP 21-1.

Commissioners Feldman and Trumka issues respective statements with their vote (see attachment).

For the Commission:

Alberta Mills
Secretary

*Ballot vote due August 1, 2023

Attachments: Statement by Commissioner Feldman
Statement by Commissioner Trumka



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814
COMMISSIONER PETER A. FELDMAN

**STATEMENT OF COMMISSIONER PETER A. FELDMAN ON
AEROSOL DUSTERS PETITION**

AUGUST 2, 2023

Today, the U.S. Consumer Product Safety Commission (CPSC) voted to grant a petition to initiate rulemaking on a mandatory safety standard for aerosol duster products.

Although aerosol dusters are consumer products within the jurisdiction of CPSC, the Commission lacks the expertise and resources to engage effectively here. Other government agencies, such as the Substance Abuse and Mental Health Services Administration and the Department of Veterans Affairs, are better equipped to address substance abuse and mental health. Therefore, I voted to defer action on this petition pending dedicated appropriations and additional clarity from Congress about CPSC's role in these issues.



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COMMISSIONER RICH TRUMKA JR.

**CPSC GRANTS PETITION FOR FEDERAL RULE
TO END HUFFING DEATHS FROM AEROSOL DUSTERS**

AUGUST 2, 2023

Today's vote means that CPSC will be able to write a rule to address an unfolding tragedy: between 2006 and 2022, we received reports of 1,115 deaths and 28,800 emergency room visits involving inhalation of 1,1-difluoroethane (DFE), a propellant commonly used in aerosol dusters.

Duster abuse is a nationwide problem. Inhalants like DFE are one of the most abused substances among high school students. States with the highest numbers of reported DFE-deaths include Florida, Ohio, Pennsylvania, Illinois, and North Carolina. And the problem is growing, with more incidents reported every year from 2006 to 2017. The social cost of injuries and deaths from aerosol duster abuse stands at over \$1 billion per year.

I am proud that CPSC will tackle this problem. And I am also proud that we are listening to consumers. Our vote shows that great ideas come from ordinary Americans who have faced personal tragedy and petitioned the government to defend them. Families United Against Inhalant Abuse (FUAIA) called on CPSC to issue a rule addressing DFE in aerosol dusters because members lost loved ones to DFE addiction. I encourage consumers to follow FUAIA's model and to petition CPSC when you see products that cause harm.

CPSC now begins the hard work of solving this problem to save American lives.