



U.S. CONSUMER PRODUCT SAFETY COMMISSION
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TRANSMITTED VIA EMAIL

Mr. Bill Tobin
ASTM Container Task Group Chair
Lamplight Farms, Inc.
W140 N4900 Lilly Rd.
Menomonee Falls, WI 53051

Dear Mr. Tobin:

A petition (PP 11-1) is pending before the U.S. Consumer Product Safety Commission (CPSC, or Commission) to initiate rulemaking to require torch fuel and lamp oil to be packaged in non-see-through containers to make it unlikely for a young child to see the product and believe it is a drink. In 2012, the Commission deferred action on the petition to encourage outside stakeholders, including manufacturers, to develop voluntary standards to address the hazards associated with: (1) the color and design of torch fuel and lamp oil packaging, (2) the color and odor of torch fuel and lamp oil, and (3) the use and design of containers principally intended to house torch fuel and lamp oil.

CPSC staff¹ appreciates ASTM's efforts to address the risks and develop a standard addressing each issue. As part of this effort, ASTM formed a Container Task Group to address the hazards associated with the color and design of torch fuel and lamp oil packaging (*i.e.*, the packaging standard). CPSC staff is encouraged by the Container Task Group's progress in developing this standard. The Subcommittee ballot that passed in 2017, and the task group teleconference held on July 3, 2019, during which the task group finalized the standard for a

¹ The comments in this letter are those of the CPSC staff and have not been reviewed or approved by, and may not necessarily reflect the views of, the Commission.

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Main Committee re-ballot, demonstrates this progress. However, CPSC staff is concerned that the packaging standard was not re-balloted the week after the meeting on July 3, 2019, when staff expected it to be re-balloted. Moreover, no task group meetings have been held since that time. Although you submitted the packaging standard to ASTM for the next F15 ballot in early January 2020, staff has not seen the item on the F15 ballot. We have attempted to reach you multiple times to discuss the status of the ballot, but unfortunately we have been unsuccessful in reaching you.

Two standards require development: one to address the hazards associated with the color and odor of torch fuel and lamp oil and another to address the use and design of containers principally intended to house torch fuel and lamp oil. Although the Commission has deferred a decision on the petition at this time, to permit voluntary standards development, CPSC staff may consider a recommendation to the Commission to proceed with rulemaking to address the risks posed to young children if there is no progress on development of these standards. CPSC staff encourages you to move quickly to finalize the ballot item so that ASTM can include the draft standard you recently submitted on the next F15 ballot and begin the next standards development activity.

CPSC staff thanks you for taking the lead in these voluntary standard's activities, and we look forward to continuing to work with you as you develop and ballot standards addressing this issue.

Sincerely,

Sharon R. White
Project Manager
Torch Fuel and Lamp Oil Petition

CC: Molly Lynyak, Manager, Technical Committee Operations, ASTM International
Patricia Edwards, CPSC Voluntary Standards Coordinator