



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

MINUTES OF COMMISSION MEETING
May 29, 1997
4330 East West Highway
Bethesda, Maryland

Open to the Public

The May 29, 1997, meeting of the U.S. Consumer Product Safety Commission was convened in open session by Chairman Ann Brown. Commissioner Mary Sheila Gall and Commissioner Thomas H. Moore were present.

Ballot Vote Decisions. The following decisions made by ballot vote of the Commissioners were placed into the record:

1. Civil Penalty Settlement Agreement and Order: STK International Inc., toys and art materials, CPSC Docket No. 97-C0005 (OS# 5390) (Ballot due 4/17/97)

The Commission voted unanimously (3-0) to provisionally accept the settlement agreement and order containing a civil penalty of \$80,000. Unless a commenter asks the Commission not to accept the settlement agreement and order within 15 days after publication in the Federal Register, the agreement and order will be deemed finally accepted on the 16th day.

2. Request for a 60-Day Extension of the Comment Period on Child-Resistant Packaging Requirements for Products Containing Petroleum Distillates and Other Hydrocarbons (Ballot due 4/18/97)

The Commission voted unanimously (3-0) to grant the requested 60-day extension and approved a Federal Register notice announcing extension of the comment period.

3. Proposed Amendments to Freedom of Information Act Regulations (Ballot due 4/25/97)

The Commission voted unanimously (3-0) to approve a Federal Register notice proposing amendments to the Commission's existing Freedom of Information Act (FOIA) regulations in response to and in compliance with the Electronic FOIA Amendments of 1996.

4. Federal Register Notices for Privacy Act Systems of Records: Addition of Four Systems of Records and Deletion of One System of Records; Proposed Rule to Exempt System of Records (Ballot due 5/5/97)

The Commission voted unanimously (3-0) to approve Federal Register notices adding four Privacy Act systems of records -- (1) enforcement and investigations files, (2) "Integrated Field System" tracking activities of employees in Field Operations, (3) procurement files of vendors who are individuals, and (4) procurement integrity files containing employee social security numbers -- and deleting the Western Regional Center outreach tracking system that was previously published as a Privacy Act system of records, but no longer exists; and to approve a proposed rule to exempt from certain provisions of the Privacy Act the Commission's enforcement and litigation files system of records.

5. Federal Register Notice Soliciting Written Comment on New Petition Requesting Development of Safety Standard for Escalators, CP 97-1 (Ballot due 5/13/97)

The Commission voted unanimously (3-0) to approve a Federal Register notice soliciting written comments for 60 days on new petition CP 97-1, on escalators.

6. Delegation of Authority -- Federal Register Notices Required by the Paperwork Reduction Act (Ballot due 5/16/97)

The Commission voted unanimously (3-0) to approve a revised Delegation of Authority to the General Counsel concerning publication in the Federal Register of certain notices concerning proposed collections of information and requests for approval of collections of information submitted to the Office of Management and Budget for review and approval in accordance with provisions of the Paperwork Reduction Act. A copy of the Delegation of Authority is attached.

7. Final Rule Requiring Child-Resistant Packaging under the Poison Prevention Packaging Act for the Drug Ketoprofen (Ballot due 5/19/97)

The Commission voted unanimously (3-0) to approve a Federal Register notice as presented in the staff briefing package dated May 5, 1997, issuing a final rule requiring child-resistant packaging for ketoprofen preparations containing more than 50 mg of ketoprofen per retail package.

8. Federal Register Notice Soliciting Written Comment on New Petition Requesting Development of Safety Standard for Shopping Carts, CP 97-2 (Ballot due 5/21/97)

The Commission voted unanimously (3-0) to approve a Federal Register notice soliciting written comments on new petition CP 97-2, on shopping carts.

9. Amendment to CPSC Order 1450.2: Clearance Procedures for Providing Information to the Public (Ballot due 5/22/97)

The Commission voted unanimously (3-0) to amend CPSC Order 1450.2, the Commission's directive implementing the clearance procedures required by section 6(b)(6) of the Consumer Product Safety Act when the Commission initiates the public disclosure of information, to clarify that the 6(b)(6) clearance procedures do not apply to documents released in response to a Freedom of Information Act request and documents placed in the Commission's public reading room and on the Commission's web site pursuant to the Electronic Freedom of Information Act Amendments of 1996.

Agenda Matter: Election of Vice Chairman

Upon nomination by Commissioner Moore, with Chairman Brown seconding the nomination, Commissioner Mary Sheila Gall was elected by unanimous vote (3-0) to serve as Vice Chairman of the U.S. Consumer Product Safety Commission for the term beginning June 1, 1997, and ending May 31, 1998.

This item concluded the business on the agenda in open session.

Closed to the Public

The Commission was briefed by the staff on the status of various compliance matters. No decisions were made.

There being no further business on the agenda, Chairman Brown adjourned the meeting.

For the Commission:



Sadye E. Dunn
Secretary

Attachment

DELEGATION OF AUTHORITY - GENERAL ADMINISTRATIVE

FUNCTION OF AUTHORIZING PUBLICATION IN THE FEDERAL REGISTER
OF ANNOUNCEMENTS OF PROPOSED COLLECTIONS OF INFORMATION

1. PURPOSE. The purpose of this order is to delegate to the General Counsel the function of authorizing publication in the FEDERAL REGISTER of announcements concerning proposed collections of information and requests for approval of collections of information required by the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35 (hereafter, the "Paperwork Reduction Act").

2. REFERENCES.

a. Section 27(b)(9) of the Consumer Product Safety Act, 15 U.S.C. 2076(b)(9), empowers the Commission to delegate any of its functions or powers, other than the power to issue subpoenas under section 27(b)(3) of the Consumer Product Safety Act, to any officer or employee of the Commission.

b. Section 3502(3) of the Paperwork Reduction Act defines the term "collection of information" to mean the obtaining of facts or opinions by requesting answers to identical questions from ten or more persons, or by imposing reporting or recordkeeping requirements on ten or more persons, other than employees of the United States.

c. Section 3506(c) of the Paperwork Reduction Act requires the Commission to publish a notice in the FEDERAL REGISTER to give the public a period of 60 days in which to submit comments to the Commission concerning any proposed collection of information before the Commission submits a request for approval

of the proposed collection of information to the Office of Management and Budget.

d. Section 3507(a) of the Paperwork Reduction Act provides that the Commission shall not initiate any activity for the collection of information unless it submits a request for approval of the proposed collection of information to the Office of Management and Budget and publishes a second notice in the FEDERAL REGISTER informing the public that it has requested approval of the proposed collection of information, and providing a period of 30 days to submit comments to the Commission and to the Office of Management and Budget concerning the proposed collection of information.

3. DELEGATION OF AUTHORITY. Pursuant to section 27(b)(9) of the Consumer Product Safety Act, the Commission hereby delegates to the General Counsel the function of authorizing publication in the FEDERAL REGISTER of certain notices concerning proposed collections of information and requests for approval of collections of information submitted to the Office of Management and Budget for review and approval in accordance with provisions of the Paperwork Reduction Act. This delegation of authority is limited solely to those FEDERAL REGISTER notices required by the Paperwork Reduction Act where such notices involve the obtaining of information of facts or opinions by imposing reporting or recordkeeping requirements on ten or more persons, other than employees of the United States; or collections of information associated with procurement of goods or services; or collections

of information undertaken as "Follow-up activities for product-related injuries."

4. RE-DELEGATION. The authority herein delegated shall not be redelegated.

MAY 19 1997

BY THE COMMISSION:



SADYE E. DUNN, Secretary

News from CPSC

Ballot 4/17/97
into Record 5/29/97

U.S. Consumer Product Safety Commission

Office of Information and Public Affairs

Washington, D.C. 20207

For Immediate Release
May 19, 1997
Release # 97-127

Contact: Dennis Kacoyanis
(301) 504-0626 Ext. 1346

STK International to Pay \$80,000 Civil Penalty

WASHINGTON, D.C. - The U.S. Consumer Product Safety Commission (CPSC) announced today that STK International Inc. has agreed to pay a civil penalty of \$80,000 to settle allegations that it imported and distributed for sale toys and art materials that did not meet U.S. safety standards in violation of the Federal Hazardous Substances Act and the Labeling of Hazardous Art Materials Act.

CPSC alleges that from September 2, 1993, through April 25, 1996, STK International imported and distributed for sale 88,010 toys containing small parts, presenting choking and aspiration hazards to young children in violation of the Federal Hazardous Substances Act. CPSC also alleges that during the same time period, STK International imported and distributed for sale 8,640 units of art materials in violation of the Labeling of Hazardous Art Materials Act.

In agreeing to settle this matter, STK International denies that it violated the Federal Hazardous Substances Act and the Labeling of Hazardous Art Materials Act.

The U.S. Consumer Product Safety Commission protects the public from unreasonable risks of injury or death from 15,000 types of consumer products under the agency's jurisdiction. To report a dangerous product or a product-related injury and for information on CPSC's fax-on-demand service, call CPSC's hotline at (800) 638-2772 or CPSC's teletypewriter at (800) 638-8270. To order a press release through fax-on-demand, call (301) 504-0051 from the handset of your fax machine and enter the release number. Consumers can obtain this release and recall information at CPSC's web site at <http://www.cpsc.gov> or via Internet gopher services at cpsc.gov. Consumers can report product hazards to info@cpsc.gov.

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