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UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, DC 20207

Memorandum

Date: NOV 30 2004

TO : The Commission
Todd Stevenson, Secretary

THROUGH: John G. Mullan, General Counsel *JGM*
Patricia M. Semple, Executive Directive *PS*

FROM : Jacqueline Elder, Assistant Executive Director
for Hazard Identification & Reduction

SUBJECT : Response to Commissioner Moore's Question on the Cigarette Lighter Petition

In a memorandum dated November 23, 2004, Commissioner Moore asked the staff the following question, "Did staff receive any information at the public briefing on September 14th, or thereafter, that would cause staff to change its recommendation to the Commission that this petition be denied?" The attached memorandum provides the staff response to Commissioner Moore's question.

Attachment

NOTE: This document has not been reviewed or accepted by the Commission.
Initial *JE* Date *11/30/04*

11/30/04
[Signature]



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CONSUMER PRODUCT SAFETY COMMISSION
Washington, D.C. 20207

MEMORANDUM

DATE: November 30, 2004

TO : Jacqueline Elder, Assistant Executive Director
Office of Hazard Identification and Reduction

Through: Hugh McLaurin, AED for Engineering Sciences *Hmm*

FROM : Rohit Khanna, Project Manager, ESFS *RK*
(301) 504-7546

SUBJECT: Cigarette Lighter Petition Update

After reviewing the information obtained during and after the public briefing on September 14, 2004, the staff recommendation to deny the petition has not changed. At the public meeting, presenters reiterated the positions they had previously expressed, adding no significant new information. Following the briefing, the Lighter Association submitted additional test data for a number of lighter models, pertaining to conformance with safety requirements in ASTM F 400. According to the submitter, the lighters were convenience samples purchased in the Buffalo, New York area. The criteria for selection of the specific lighter models chosen for testing were not provided by the submitter. Due to the small sampling of lighters tested and the apparent lack of controls applied in sampling criteria and methods, staff cannot draw any general conclusions about lighters in the US market. This test data, like earlier data provided by the Association, is insufficient as presented to allow the staff to make a statistically valid assessment of market conformance.