



U.S. CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

ADDITIONAL STATEMENT OF ACTING CHAIRMAN NANCY NORD
ON THE REQUEST FOR EXCLUSIONS FROM THE LEAD CONTENT LIMITS OF THE CONSUMER
PRODUCT SAFETY IMPROVEMENT ACT OF 2008
April 17, 2009

Two weeks ago I took the unusual step of directing compliance staff to exercise enforcement discretion by not enforcing Section 101 of the CPSIA with respect to youth motorized recreational vehicles because of my strong concern about the safety issues inherent in removing these products from the market. I also invited my colleague to join me in making this a unanimous decision by the Commission through a stay of enforcement. Since that time, the Commission and staff have been working to develop a limited stay of enforcement that addresses the competing and conflicting issues presented by the application of Section 101 of the CPSIA to the products before us in the exclusion petition. I particularly appreciate my colleague's contributions to this effort.

My colleague and I are in agreement that the law contains extremely restrictive language concerning an exclusion for these petitioners. I am very pleased we are jointly directing staff to prepare a ballot vote and draft Federal Register notice to stay enforcement for this category of products. I expect the Commission will vote its approval of it expeditiously. I hope that the state attorneys general will follow our lead in this matter.