



UNITED STATES
 CONSUMER PRODUCT SAFETY COMMISSION
 4330 EAST WEST HIGHWAY
 BETHESDA, MD 20814

This document has been electronically
 approved and signed.

DATE: November 12, 2015

BALLOT VOTE SHEET

TO: The Commission
 Todd A. Stevenson, Secretary

THROUGH: Stephanie Tsacoumis, General Counsel
 Patricia H. Adkins, Executive Director

FROM: Patricia M. Pollitzer, Assistant General Counsel
 David M. DiMatteo, Attorney, OGC

SUBJECT: Amendment to Clarify When Component Part Testing Can Be Used and Which
 Textile Products Have Been Determined Not to Exceed the Allowable Lead
 Content Limits; Notices to Extend Comment Period and Effective Date

BALLOT VOTE DUE: November 19, 2015

The Commission published a direct final rule (“DFR”) and notice of proposed rulemaking (“NPR”) in the same issue of the *Federal Register* on October 14, 2015, clarifying when component part testing can be used and clarifying which textile products have been determined not to exceed the allowable lead content limits. The DFR provided that, unless the Commission receives a significant adverse comment by November 13, 2015, the DFR would become effective on December 14, 2015. The NPR also invited the public to submit written comments by November 13, 2015. The Commission has received a request to extend the comment period 30 days. CPSC staff recommends that the Commission grant the request for extension. The Office of the General Counsel is providing two draft *Federal Register* notices to the Commission: one for the NPR to extend the NPR comment period and one for the DFR to extend the DFR comment period and the DFR effective date.

Please indicate your vote on the following options:

- A. Extension of Comment Period for NPR
 - I. Approve publication in the *Federal Register* of the notice extending the NPR comment period until December 14, 2015.

 (Signature)

 (Date)

II. Do not approve publication in the *Federal Register* of the notice extending the NPR comment period until December 14, 2015.

(Signature)

(Date)

III. Approve publication in the *Federal Register* of the notice extending the NPR comment period until December 14, 2015, with changes. (Please specify.)

(Signature)

(Date)

IV. Take other action. (Please specify.)

(Signature)

(Date)

B. Extension of Comment Period and Effective Date for DFR

I. Approve publication in the *Federal Register* of the notice extending the comment period until December 14, 2015 and the effective date of the DFR until January 13, 2016.

(Signature)

(Date)

II. Do not approve publication in the *Federal Register* of the notice extending the comment period until December 14, 2015 and the effective date of the DFR until January 13, 2106.

(Signature)

(Date)

III. Approve publication in the *Federal Register* of the notice extending the comment period until December 14, 2015 and the effective date of the DFR until January 13, 2016, with changes. (Please specify.)

(Signature)

(Date)

IV. Take other action. (Please specify.)

(Signature)

(Date)

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1109 and 1500

[Docket No. CPSC-2011-0081]

Amendment to Clarify When Component Part Testing Can Be Used and Which Textile Products Have Been Determined Not to Exceed the Allowable Lead Content Limits; Notice of Extension of Comment Period

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Notice of proposed rulemaking; extension of comment period.

SUMMARY: The Consumer Product Safety Commission (“Commission” or “CPSC”) published a direct final rule (“DFR”) and notice of proposed rulemaking (“NPR”) in the same issue of the *Federal Register* on October 14, 2015, clarifying when component part testing can be used and clarifying which textile products have been determined not to exceed the allowable lead content limits. The DFR and the NPR invited the public to submit written comments by November 13, 2015. In response to a request for an extension, the Commission is extending the comment period on the NPR to December 14, 2015.

DATES: Submit comments by December 14, 2015.

ADDRESSES: You may submit comments, identified by Docket No. CPSC-2011-0081, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (e-mail), except through: <http://www.regulations.gov>. The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

Written Submissions

Submit written submissions in the following way:

Mail/Hand delivery/Courier, preferably in five copies, to: Office of the Secretary, Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

Instructions: All submissions received must include the agency name and docket number for this notice. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: <http://www.regulations.gov>. Do not submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: <http://www.regulations.gov> and insert the Docket No. CPSC-2011-0081 into the “Search” box and follow the prompts.

SUPPLEMENTARY INFORMATION:

On October 14, 2015, the Commission published a DFR and an NPR in the *Federal Register*, clarifying when component part testing can be used and clarifying which textile products have been determined not to exceed the allowable lead content limits. (DFR, 80 FR 61729 and NPR, 80 FR 61773). The American Apparel and Footwear Association (“AAFA”) has requested an extension of the comment period for 30 days because AAFA-member companies are currently reviewing the Commission’s proposed amendment to the rule and need additional time to submit comments.

The Commission has considered the request and is extending the comment period for an additional 30 days. Because the 30-day extension date falls on a Sunday, the comment period will close on December 14, 2015. The Commission believes that this extension allows adequate time for interested persons to submit comments on the proposed rule, without significantly delaying the rulemaking.

Dated: _____.

Todd A. Stevenson,
Secretary, Consumer Product Safety Commission.

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1109 and 1500

[Docket No. CPSC-2011-0081]

Amendment to Clarify When Component Part Testing Can Be Used and Which Textile Products Have Been Determined Not to Exceed the Allowable Lead Content Limits; Extension of Comment Period and Effective Date for Direct Final Rule

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Direct final rule; extension of comment period and effective date.

SUMMARY: The Consumer Product Safety Commission (“Commission” or “CPSC”) published a direct final rule (“DFR”) and notice of proposed rulemaking (“NPR”) in the same issue of the *Federal Register* on October 14, 2015, clarifying when component part testing can be used and clarifying which textile products have been determined not to exceed the allowable lead content limits. The DFR provided that, unless the Commission receives a significant adverse comment by November 13, 2015, the DFR would become effective on December 14, 2015. In response to a request for an extension of time for comments, the Commission is extending the comment period to December 14, 2015. The Commission is also extending the effective date for the DFR to January 13, 2016.

DATES: The rule is effective on January 13, 2016, unless we receive a significant adverse comment by December 14, 2015.

ADDRESSES: You may submit comments, identified by Docket No. CPSC-2011-0081, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments. The Commission does not accept comments submitted by electronic mail (e-mail), except through: <http://www.regulations.gov>. The Commission encourages you to submit electronic comments by using the Federal eRulemaking Portal, as described above.

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The Commission has considered the request and is extending the comment period for an additional 30 days. Because 30-day extension date falls on a Sunday, the comment period will close on December 14, 2015. The Commission believes that this extension allows adequate time for interested persons to submit comments on the proposed rule, without significantly delaying the rulemaking. Because the Commission is extending the period for comments 30 days, the Commission is extending the effective date for the DFR 30 days, as well. Thus, unless the Commission receives a significant adverse comment by December 14, 2015, the rule will become effective on January 13, 2016.

Dated: _____.

Todd A. Stevenson, Secretary,
Consumer Product Safety Commission.