



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

Record of Commission Action
Commissioners Voting by Ballot *

Commissioners Voting: Chairman Ann Brown
Commissioner Mary Sheila Gall
Commissioner Thomas H. Moore

ITEM

Federal Register Notice Requesting Comment on New Petition FP 99-1 Requesting Labeling Rule for Polyurethane Foam in Upholstered Furniture

DECISION

The Commission voted 2-1 to approve a Federal Register notice soliciting comment on a petition, FP 99-1, from the National Association of State Fire Marshals requesting that the Commission require, under the Flammable Fabrics Act, labels warning that polyurethane foam in upholstered furniture poses a fire hazard. Chairman Brown and Commissioner Moore voted to approve publication of the notice. Commissioner Gall voted not to publish the notice and filed a statement concerning her vote (copy attached).

For the Commission:

A handwritten signature in cursive script that reads "Sadye E. Dunn".

Sadye E. Dunn
Secretary

* Ballot due March 29, 1999

STATEMENT OF COMMISSIONER MARY SHEILA GALL
ON THE QUESTION OF PUBLISHING A FEDERAL REGISTER NOTICE
TO SOLICIT COMMENTS ON
THE PETITION REQUESTING LABELING
FOR POLYURETHANE FOAM IN UPHOLSTERED FURNITURE

March 29, 1999

The request that the Commission require warning labels for polyurethane foam used in upholstered furniture raised in the current docketed petition from the National Association of State Fire Marshals (NASFM) was addressed by the previous NASFM petition granted by the Commission involving small open flame ignited fires involving upholstered furniture. The ANPR initiating that proceeding stated that it covers polyurethane foam as well as fabrics. The ANPR also listed labeling as a regulatory alternative under consideration.

Because we have already obtained public comment on this topic, I voted today not to publish another Federal Register notice duplicating our previous request. Staff has gathered a tremendous amount of research data to use to determine appropriate action on this petition.