



United States
 CONSUMER PRODUCT SAFETY COMMISSION
 Washington, D.C. 20207

DEPARTMENT OF COMMERCE
 SECRETARY
 FEB 9 10 21

MEMORANDUM

DATE: FEB 6 1998

TO : The Commission
 Sadye E. Dunn, Secretary

THROUGH: Pamela Gilbert *PG*
 Executive Director

FROM : Jeffrey S. Bromme, General Counsel *JB*
 Stephen Lemberg, Assistant General Counsel *SL*

SUBJECT: April Regulatory Agenda

BALLOT VOTE DUE: FEB 11, 1998

Section 602 of the Regulatory Flexibility Act (RFA) (5 U.S.C. § 602) requires all Federal agencies to publish a regulatory agenda in the Federal Register twice each year. The semi-annual publications must list those rules which are expected to be proposed or issued during the next twelve months and which may have a significant economic impact on a substantial number of small entities, including small businesses.

Additionally, Executive Order 12866, issued on September 30, 1993, requires all agencies, including independent agencies such as the Commission, to publish an agenda of regulatory actions expected to be under development or review by the agency during the next 12 months. That order provides that such an agenda shall be in the format specified by the Office of Management and Budget, and may be combined with the regulatory flexibility agenda published in accordance with the RFA.

Attached is a draft Federal Register notice to announce the Commission's current regulatory agenda. This draft, including the preamble, is in the format specified by OMB for inclusion in the Unified Agenda of Federal Regulatory and Deregulatory Actions, to be published in April 1998. That format is generally similar to the one used for previous editions of the Unified Agenda.

NOTE: This document has not been reviewed or accepted by the Commission.

Initial SL Date 2/6/98

CPSA 6 (b)(3) Cleared

No Mfrs/Provblbrs or Products Identified

Excepted by _____

2/6/98
SL

April Regulatory Agenda
Ballot vote
February __, 1998

Page 2

The information in the attached draft is current through February 5, 1998. If the Commission approves publication of the attached draft, the draft will be revised to reflect any change in the status of any activity described in the agenda which occurs between February 5, 1998, and the closing date for submission of changes to OMB.

Please indicate your vote:

- I. Approve the attached draft of the Commission's regulatory agenda without change.

Signature Date

- II. Approve the attached draft of the Commission's regulatory agenda with the following changes (please specify):

Signature Date

- III. Take other action (please specify): _____

Signature Date

Attachment

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II
Regulatory Flexibility Act; Semiannual
Regulatory Flexibility And Unified Agendas

AGENCY: Consumer Product Safety Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: In this document, the Commission publishes its semiannual regulatory flexibility agenda. In addition, this document includes an agenda of regulatory actions the Commission expects to be under development or review by the agency during the next year. This document meets the requirements of the Regulatory Flexibility Act and Executive Order 12866.

DATES: The Commission welcomes comments on each subject area of the agenda, particularly from small entities. Written comments concerning the agenda should be received in the Office of the Secretary by June 30, 1998.

ADDRESSES: Comments on the regulatory flexibility agenda should be mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington DC 20207, telephone (301) 504-0800, or delivered to the Office of the Secretary, Room 502, 4330 East West Highway, Bethesda, Maryland 20814. Comments should be captioned "Regulatory Flexibility Agenda."

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact Stephen Lemberg, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207, telephone (301) 504-0980, ext. 2218. For further information regarding a particular item on the agenda, consult the individual listed in the column headed "Contact" for that

particular item.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (RFA) (5 U.S.C. §§ 601-612) contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small businesses, small governmental organizations, and other small entities. Section 602 of the RFA (5 U.S.C. § 602) requires each agency to publish twice each year a regulatory flexibility agenda containing a brief description of the subject area of any rule expected to be proposed or promulgated that is likely to have a "significant economic impact? on a "substantial number" of small entities. The agency must also provide a summary of the nature of the rule, and a schedule for acting on each rule for which the agency has issued a notice of proposed rulemaking.

The regulatory flexibility agenda is also required to contain the name and address of the agency official knowledgeable about the items listed. Further, agencies are required to provide notice of their agendas to small entities and to solicit their comments by direct notification or by inclusion in publications likely to be obtained by such entities.

Additionally, Executive Order 12866 requires each agency to publish twice each year a regulatory agenda of regulations under development or review during the next year and states that such an agenda may be combined with the agenda published in accordance with the RFA. The regulatory flexibility agenda published below lists the regulatory activities expected to be under development or review during the next 12 months. It includes all such

activities, whether or not they may have a significant economic impact on a substantial number of small entities.

The agenda contains a brief description and summary of each regulatory activity, including the objectives and legal basis for each; an approximate schedule of target dates, subject to revision, for the development or completion of each activity; and the name and telephone number of a knowledgeable agency official concerning particular items on the agenda. All agency contacts have the same address: Consumer Product Safety Commission, Washington, DC 20207.

Dated: _____

Sadye E. Dunn, Secretary, Consumer
Product Safety Commission

AGENDA REVIEW REPORT

DATE 2/4/98
PAGE 1

TITLE:

Flammability Standard for Upholstered Furniture

RIN: **3041-AB35** (NO STAGE)

REGULATORY PLAN: Yes

PRIORITY: Economically Significant.

Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort,

LEGAL AUTHORITY:

15 USC 1193 Flammable Fabrics Act

CFR CITATION:

16 CFR 1640

LEGAL DEADLINE: None

- WILL NOT PRINT IN AGENDA

AGENDA REVIEW REPORT

DATE 2/4/98
PAGE 2

RIN: 3041-AB35 (CONT)

TITLE:

Flammability Standard for Upholstered Furniture

ABSTRACT:

On June 15, 1994, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding for development of a flammability standard to address risks of death, injury, and property damage from fires associated with ignition of upholstered furniture by small open-flame sources, such as matches, lighters, or candles. This ANPRM was issued after the Commission granted part of a petition requesting development of a mandatory flammability standard to address risks of injury from ignition of upholstered furniture by (1) small open-flame sources; (2) large open-flame sources; and (3) cigarettes. The Commission voted to deny that part of the petition requesting development of a mandatory standard to address hazards associated with ignition of upholstered furniture by large open-flame sources. The Commission also voted to defer a decision on that part of the petition requesting development of a standard to address cigarette ignition, and directed the staff to report to the Commission on the effectiveness of, and the extent of industry compliance with, a voluntary program to reduce risks of ignition of upholstered furniture by cigarettes. The Commission staff completed technical research, developed a draft standard to address ignition of upholstered furniture by small open-flame sources, and briefed the Commission on regulatory alternatives. In 1998, the Commission will consider alternatives for future action.

STATEMENT OF NEED:

SUMMARY OF THE LEGAL BASIS:

ALTERNATIVES:

ANTICIPATED COSTS AND BENEFITS:

RISKS:

TIMETABLE:

ACTION	DATE	FR	CITE
ANPRM.....	06/15/9	4 59	FR 30735
ANPRM Comment Period End	08/15/9	4	
Staff Briefing of Commission on ANPRM.....	12/18/9	7	

AGENDA REVIEW REPORT

DATE 2/4/98
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RIN: 3041-AB35 (CONT)

TITLE:

Flammability Standard for Upholstered Furniture

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Dale R. Ray,
Project Manager,
Directorate for Economic Analysis,
Consumer Product Safety Commission,
Washington, DC 20207,
301 504-0962

AGENDA REVIEW REPORT

DATE 2/4/98

PAGE 4

TITLE:

Baby Walkers

RIN: 3041-AB40 (LONG-TERM)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

. This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

15 USC 1261 Federal Hazardous Substances Act;

15 USC 1262 Federal Hazardous Substances Act

CFR CITATION:

16 CFR 1500

LEGAL DEADLINE: None

- WILL NOT PRINT IN AGENDA

AGENDA REVIEW REPORT

DATE 2/4/98
PAGE 5

RIN: 3041-AB40 (CONT)

TITLE:

Baby Walkers

ABSTRACT:

On August 2, 1994, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding that may result in the issuance of mandatory design or performance requirements for baby walkers. A baby walker is a device that supports a child so that the child can use his or her feet to move about before or while learning to walk. Typically, a baby walker consists of a fabric seat that has leg openings and is mounted to a rigid plastic deck. The deck is attached to a base that is mounted on wheels to allow mobility. In 1994, an estimated 25,500 children younger than 15 months of age were treated in hospital emergency rooms for injuries associated with baby walkers. Among the options under consideration by the Commission are mandatory performance or design requirements to reduce risks of injury associated with baby walkers, particularly those resulting to children from falls down stairs. The majority of these injuries resulted from falls down stairs. In response to the Commission's work in this area, the industry approved revisions to the voluntary standard for baby walkers in 1996 to address the hazard of falling down stairs. The staff is developing information concerning the extent of industry conformance with that voluntary standard, designated "Standard Consumer Safety Specification for Infant Walkers," SF 977-96, published by ASTM (formerly, the American Society for Testing and Materials). The ASTM standard contains performance requirements to address risks of injury to children from falls down stairs associated with baby walkers. The staff will send that information to the Commission together with options for Commission action, including withdrawal of the ANPRM or further regulatory proceedings.-

TIMETABLE:

ACTION	DATE	FR	CITE
ANPRM.....	08/02/94	59	FR 39309
ANPRM Comment Period End.....	10/03/94		
Staff Sends Briefing Package to the Commission.....	00/00/00		

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

AGENDA REVIEW REPORT

DATE 2/4/98
PAGE 6

RIN: 3041-AB40 (CONT)

TITLE:

Baby Walkers

PROCUREMENT: No

AGENCY CONTACT:

Barbara Jacobson,
Project Manager,
Consumer Product Safety Commission,
Dir. for Epidemiology & Health Sciences,
Washington, DC 20207,
301 504-0477

- WILL NOT PRINT IN AGENDA

TITLE:

Safety Standard for Bicycle Helmets

RIN: 3041-AB42 (NO STAGE)

REGULATORY PLAN: Yes

PRIORITY: Other Significant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

5 USC 553 Administrative Procedure Act;
15 USC 6004 Children's Bicycle Helmet Safety Act of 1994

CFR CITATION:

16 CFR 1203

LEGAL DEADLINE:

NPRM, Statutory, August 15, 1994.

- WILL NOT PRINT IN AGENDA

RIN: 3041-AB42 (CONT)

TITLE:

Safety Standard for Bicycle Helmets

ABSTRACT:

The Children's Bicycle Helmet Safety Act of 1994 directs the Commission to begin a proceeding to issue a safety standard for bicycle helmets. That legislation also directs the Commission to designate appropriate existing standards for bicycle helmets as interim safety standards.

On August 15, 1994, the Commission published a notice of proposed rulemaking (NPRM) to begin a **proceeding** for issuance of safety standard for bicycle helmets; The proposed standard included impact-attenuation requirements, and other requirements derived from existing voluntary standards for bicycle helmets. The proposed standard also contained requirements to help prevent helmets from coming off the rider's head during an accident, and other provisions specifically applicable to helmets intended for children.

In March 1995; the Commission designated the following standards as interim safety standards for bicycle helmets: (1) American National Standards Institute (ANSI) standard 290.4-1984, Protective Headgear for Bicyclists; (2) **ASTM** (The American Society for Testing and Materials) standards F 1447-93 or F 1447-94, Standard Specification for Protective Headgear Used in Bicycling, incorporating relevant provisions of ASTM F 1446-93 or F 1446-94, Standard Test Methods for Evaluating the Performance Characteristics of Protective Headgear; (3) Canadian Standard Association standard for Cycling **Helmets, CAN/CSA- D113.2-M89**; (4) Snell Memorial Foundation (Snell) **1990 Standard** for Protective Headgear for Use in Bicycling (designated B-90); (5) Snell 1990 Standard for Protective Headgear for Use in Bicycling, including March 9, 1994 Supplement (designated **B-90S**); (6) Snell 1994 Standard for Protective Headgear for Use in Non-Motorized Sports (designated N-94); (7) Snell 1995 Standard for Protective Headgear for Use With Bicycles (designated B-95). Bicycle helmets manufactured after March 16, 1995, must conform with the requirements of one of these interim standards until the Commission **issues** a final standard **for bicycle** helmets.

After the staff evaluated public comments on the proposed standard and conducted additional research, the Commission revised the proposed safety standard for bicycle helmets. The Commission published the revised proposal for public comment on December 6, 1995. The staff has considered comments on the revised proposed standard and has completed the work needed to

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DATE 2/4/98
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RIN: 3041-AB42 (CONT)

TITLE:

Safety Standard for Bicycle Helmets

ABSTRACT: (CONTINUED)

issue a final standard. In December 1997, the staff transmitted a briefing package to the Commission concerning issuance of a final standard. The staff briefed the Commission on January 21, 1998, and on February 5, 1998 the Commission voted to issue a final standard.

STATEMENT OF NEED:

SUMMARY OF THE LEGAL BASIS:

ALTERNATIVES:

ANTICIPATED COSTS AND BENEFITS:

RISKS:

TIMETABLE:

ACTION	DATE	FR	CITE
NPRM	08/15/9	4 59	FR 41719
NPRM Comment Period End	10/31/9	4	
Designation of Interim Standards	03/23/9	5 60	FR 15231
Revised NPRM	12/06/9	5 60	FR 62662
NPRM Comment Period End	02/20/9	6 60	FR 62662
Staff Sends Briefing Package To Commission	12/24/9	7	
Commission Decision	02/05/9	8	
Final Action	02/00/9	8	

SMALL ENTITIES AFFECTED: None

GOVERNMENT LEVELS AFFECTED: None

PROCUREMENT: No -

- WILL NOT PRINT IN AGENDA

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RIN: **3041-AB42** (CONT)

TITLE:

Safety Standard for Bicycle Helmets

AGENCY CONTACT:

Scott Heh,
Project Manager,
Consumer Product Safety Commission,
Directorate for Engineering Sciences,
Washington, DC 20207,
301 **504-0494**

TITLE:

Petition HP 93-1 Requesting Development of a Rule To Ban Certain
Backyard **Playsets**

RIN: 3041-AB47 (NO STAGE)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing **Government** effort.

LEGAL AUTHORITY:

5 USC 553(e) Administrative Procedure Act;

15 USC 1261 Federal Hazardous Substances Act

CFR CITATION:

None

LEGAL DEADLINE: None

- . WILL NOT PRINT IN AGENDA

AGENDA REVIEW REPORT

DATE 2/4/98
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RIN: 3041-AB47 (CONT)

TITLE:

Petition HP 93-1 Requesting Development of a Rule To Ban Certain Backyard **Playsets**

ABSTRACT :

A petition from the New York City Department of Consumer Affairs requests the Commission to develop a rule to ban certain backyard playsets. The petition asserts that backyard **playsets** present unreasonable risks of injury to children if they do not meet the requirements of a voluntary standard for home playground equipment published by ASTM (formerly the American Society for Testing and Materials); are not accompanied with adequate information about ground surfacing; or lack specific features described in the petition. On May 21, 1996, the Commission denied those parts of the petition requesting issuance of a rule to ban any backyard **playset** that does not conform to all requirements of the ASTM voluntary standard; that has an accessible height that exceeds six feet above protective surfacing; that does not have adequate fall zones under climbing structures; or that does not provide adequate space between any item of swinging equipment and any other **item of** swinging or stationary equipment. The Commission deferred a decision on those parts of the petition requesting a rule to ban backyard **playsets** that are not accompanied with instructions to use and maintain specified ground surfacing; that do not have handrails on all platforms that are 30 inches or higher above protective surfacing; that have swing **seats** made of wood, metal, plastic, or other hard material capable of inflicting serious injury to the head; that have free-swinging ropes; and that are unanchored **playsets** with swings. In February 1998, the staff is scheduled to transmit additional information to the Commission concerning revisions of the voluntary standard now being considered by ASTM. The Commission will then decide whether to grant, deny, or continue to defer the remaining requests in the petition.

TIMETABLE:

ACTION	DATE	FR CITE
Partial Denial of Petition	05/21/96	6
Commission Decision	02/00/98	8
Staff Sends Additional Information to Commission.....	02/00/98	

SMALL ENTITIES AFFECTED: Undetermined

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DATE 2/4/98
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RIN: 3041-AB47 (CONT)

TITLE:

Petition HP 93-1 Requesting Development of a Rule To Ban Certain
Backyard Playsets

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

John Preston,
Project Manager,
Consumer Product Safety Commission,
Directorate for Engineering Sciences,
Washington, DC 20207,
301 504-0494

- WILL NOT PRINT IN AGENDA

TITLE:

Requirements for Child-Resistant Packaging of Household Products
Containing Ammonia

RIN: 3041-AB56 (NO STAGE)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant

UNFUNDED MANDATES: No

MAJOR: No

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

15 USC 1471 Poison Prevention Packaging Act

CFR CITATION:

16 CFR 1700.14

LEGAL DEADLINE: None

ABSTRACT:

Ammonia has both irritant and corrosive properties. Some household products containing ammonia are subject to requirements for cautionary labeling by the Federal Hazardous Substances Act. The staff reviewed information to determine whether some of these products containing ammonia should also be subject to requirements for child-resistant packaging under the Poison Prevention Packaging Act. The project was terminated because available data was insufficient to support Commission action at this time.

TIMETABLE:

ACTION

DATE

FR CITE

Completed Action: Withdrawn Due To

Insufficient Data.....11/01/97

- WILL NOT PRINT IN AGENDA

AGENDA REVIEW REPORT

DATE 2/4/98

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RIN: 3041-AB56 (CONT)

TITLE :

Requirements for Child-Resistant Packaging of Household Products
Containing Ammonia

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Jacqueline Ferrante,
Project Manager,
Consumer Product Safety Commission,
Dir. for Epidemiology & Health Sciences,
Washington, DC,
301 504-0477

- WILL NOT PRINT IN AGENDA

TITLE:

Requirements for Child-Resistant Packaging of Household **Products**
Containing Petroleum Distillates

RIN: **3041-AB57** (PROPOSED)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:
This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

15 USC 1471 Poison Prevention Packaging Act

CFR CITATION:

16 CFR 1700.14(a)

LEGAL DEADLINE: None

- WILL NOT PRINT IN AGENDA

RIN: 3041-AB57 (CONT)

TITLE:

Requirements for Child-Resistant Packaging of Household Products
Containing Petroleum Distillates

ABSTRACT:

Some household products containing ten percent or more by weight of petroleum distillates are subject to requirements for child-resistant packaging by regulations issued under the Poison Prevention Packaging Act and codified at 16 CFR 1700.14(a). These products include liquid furniture polish (section 1700.14(a)(2)), lighter fluid (section 1700.14(a)(7)), and prepackaged solvents for paint (section 1700.14(a)(15)). However, many other household products containing petroleum distillates are not required to be in child-resistant packaging. On February 26, 1997, the Commission published an advance notice of proposed rulemaking (ANPRM) to initiate a proceeding which may result in mandatory requirements for child-resistant packaging of other household products containing petroleum distillates or other hydrocarbons. On April 28, 1997, the Commission extended the period for receipt of written comments on the ANPRM until July 11, 1997. In the Federal Register of July 21, 1997, the Commission reopened the comment period through September 1, 1997. The Commission will consider comments received in response to the ANPRM before deciding whether to propose requirements for child-resistant packaging of additional household products containing petroleum distillates or other hydrocarbons.

TIMETABLE:

ACTION	DATE	FR	CITE
ANPRM	02/26/97	62	FR 8659
Extension of ANPRM Comment Period	04/28/97	7 62	FR 22897
ANPRM Comment Period End	05/12/97	7 62	FR 8659
Comment Period End	06/27/97	7 62	FR 22897
Reopening of ANPRM Comment Period.....	07/21/97	7 62	FR 38948
Comment Period End	09/01/97	7	
Staff Sends Briefing Package to Commission	05/00/98	8	

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

- WILL NOT PRINT IN AGENDA

AGENDA REVIEW REPORT

DATE 2/4/98
PAGE.18

RIN: 3041-AB57 (CONT)

TITLE:

Requirements for Child-Resistant Packaging of Household Products
Containing Petroleum Distillates

AGENCY CONTACT:

Suzanne **Barone**,
Project Manager.,
Consumer Product Safety Commission,
Dir. for Epidemiology & Health Sciences,
Washington, DC,
301 **504-0477**

TITLE:

Requirements for Child-Resistance of Multi-Purpose Lighters

RIN: **3041-AB66** (PROPOSED)

REGULATORY PLAN: Yes

PRIORITY: Other Significant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:
This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:
5 USC 553 Administrative Procedure Act;
15 USC 2051 Consumer Product Safety Act

CFR CITATION':
Not yet determined

LEGAL DEADLINE: None

- WILL NOT PRINT IN AGENDA

RIN: 3041-AB66 (CONT)

TITLE:

Requirements for Child-Resistance of Multi-Purpose Lighters

ABSTRACT:

On January 16, 1997, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding which may result in a mandatory rule requiring multi-purpose lighters to resist operation by children. The Commission began this proceeding after granting a petition from Judy L. Carr. A mandatory product safety rule for multi-purpose lighters could take the form of an amendment of the Safety Standard for Cigarette Lighters (16 CFR part 1210) to bring multi-purpose lighters within its scope, or could be issued as a separate safety standard for multi-purpose lighters. The cigarette lighter standard requires lighters subject to its provisions to have a child-resistant mechanism to prevent operation by most children younger than five years of age. At this time, that standard applies to disposable and novelty lighters used to ignite cigarettes, cigars; and pipes, but not to multi-purpose lighters used to ignite fuel for fireplaces or charcoal or gas-fueled grills. The staff is preparing a briefing package for consideration by the Commission when deciding whether to continue this proceeding by publication of a notice of proposed rulemaking (NPRM). That briefing package will include a discussion of comments received in response to the ANPRM; the staff's analysis of issues raised by those comments; and other information developed by the staff. The staff is scheduled to transmit a briefing package to the Commission in May 1998.

STATEMENT OF NEED:

SUMMARY OF THE LEGAL BASIS:

ALTERNATIVES:

ANTICIPATED COSTS AND BENEFITS:

RISKS:

TIMETABLE:

ACTION	DATE	FR	CITE
ANPRM.....	01/16/97	7 62	FR 2327
ANPRM Comment Period End	.03/17/97		
Staff Briefing Package on NPRM.....	05/00/98		

AGENDA REVIEW REPORT

DATE 2/4/98
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RIN: 3041-AB66 (CONT)

TITLE:

Requirements for Child-Resistance of Multi-Purpose Lighters

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Barbara Jacobson,
Project Manager,
Consumer Product Safety Commission,
Dir. for Epidemiology & Health Sciences,
Washington, DC 20207,
301 504-0477

TITLE:

Amendment of Safety Regulations for Cribs

RIN: **3041-AB67** (NO STAGE)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

5 USC 553 Administrative Procedure Act;
15 USC 1261 Federal Hazardous Substances Act

CFR CITATION:

16 CFR 1508; 16 CFR 1509

LEGAL DEADLINE: None

ABSTRACT:

On December 16, 1996, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding that may result in amendment of the safety regulations for full-size and non-full-size cribs, 16 CFR parts 1508 and 1509. Among the regulatory alternatives under consideration is amendment of the regulations to add tests to assure that slats will not disengage from the side panels of cribs. The Commission began this proceeding after considering information about incidents in which crib slats disengaged from the side panels of cribs, creating a risk that children may become entrapped between the remaining slats or fall out of the crib. The Commission will consider written comments received in response to the ANPRM and assess progress toward amending the voluntary standard before deciding whether to continue the proceeding by publication of a notice of proposed rulemaking (NPRM) or terminate further proceedings in reliance on the voluntary standard.

- -WILL NOT PRINT IN AGENDA

AGENDA REVIEW REPORT

DATE 2/4/98
PAGE 23

RIN: 3041-AB67 (CONT)

TITLE:

Amendment of Safety Regulations for Cribs

TIMETABLE:

ACTION	DATE	FR	CITE
ANPRM.....	12/16/9	6 61	FR 65996
ANPRM Comment Period End	02/14/9	7	
Staff Briefing Package on NPRM	02/27/9	8	

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Deborah 'Tinsworth,
Project Manager,
Consumer Product Safety Commission,
Dir. for Epidemiology & Health Sciences,
Washington, DC 20207, .
301 504-0470

- WILL NOT PRINT IN AGENDA

2 D

TITLE:

Amendment of the Standard for the Flammability of Clothing
Textiles

RIN: **3041-AB68** (PRERULE)

. REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant. .
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

15 USC 1191 Flammable-Fabrics Act

CFR CITATION:

16 CFR 1610

LEGAL DEADLINE: None

ABSTRACT:

The Standard for the Flammability of Clothing Textiles prohibits the manufacture, importation, or sale of clothing, and fabrics and related materials intended for use in clothing, which are dangerously flammable because of rapid and intense burning. The standard prescribes the apparatus, procedure, and criteria to be used for testing to determine compliance with that standard. The standard was made mandatory by the Flammable Fabrics Act of 1953 (Pub. L. 83-88, 67 Stat. 111; June 30, 1953). Some of the equipment and procedures specified by the standard, particularly those for laundering and dry cleaning of test specimens, have become obsolete, unavailable, or unrepresentative of current practices. The staff is preparing a briefing package describing modifications of the standard that may be needed to assure that the test in the standard is conducted with -equipment and procedures representative of conditions to which garments currently are exposed. After consideration of the briefing package, the-Commission will decide whether to begin a proceeding for amendment of the standard.

- WILL NOT PRINT IN AGENDA

AGENDA REVIEW REPORT

DATE 1/30/98
PAGE 21

RIN: 3041-AB68 (CONT)

TITLE:

Amendment of the Standard for the Flammability of Clothing
Textiles

TIMETABLE:

ACTION'	DATE	FR CITE .
Staff Sends Briefing Package To Commission	07/00/98	
Commission Decision	08/00/98	

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: 'Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Margaret Neily,
Project Manager,
Consumer Product Safety Commission,
Dir. for Engineering Sciences,
Washington, DC 20207,
301 504-0550 .

TITLE:

Amendment of Laundering Procedures in Flammability Standards for Children's Sleepwear, Carpets and Rugs, and Mattress Pads

RIN: **3041-AB69** (FINAL)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

15 USC 1191 Flammable Fabrics Act

CFR CITATION:

16 CFR 1615; 16 CFR 1616; 16 CFR 1630; 16 CFR 1631; 16 CFR 1632

LEGAL DEADLINE: None

ABSTRACT :

Flammability standards for children's sleepwear, carpets and **rugs**, and mattress pads contain procedures for washing and drying specimens before testing to assure that flame retardants used in these products will not be removed by repeated laundering or dry cleaning. The laundering procedures in all of these standards currently require use of a detergent and washing methods that are no longer representative of those used for home laundering. The staff is preparing a briefing package concerning the laundering procedures in these standards and modifications that may be needed to assure that the effect of laundering on the flammability of the products covered by these standards is assessed with equipment and methods currently used by consumers. After consideration of the briefing package, the Commission will decide whether to begin proceedings for amendment of the standards to revise their laundering procedures.

- WILL NOT PRINT IN AGENDA

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RIN: 3041-AB69 (CONT)

TITLE:

Amendment of Laundering Procedures in **Flammability Standards** for
Children's Sleepwear, Carpets and Rugs, and Mattress Pads

TIMETABLE:

ACTION	DATE	FR CITE
Staff Sends Briefing Package to Commission.....	..04/00/98	
Commission Decision05/00/98	

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Margaret Neily,
Project Manager,
Consumer Product Safety Commission,
Directorate for Engineering Sciences,
Washington, DC 20207,
301 504-0550

TITLE:

Petition CP 97-1 Requesting Development of a Safety Standard for Escalators

RIN: 3041-AB70 (NO STAGE)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: NO

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

5 USC 553(e) Administrative Procedure Act;
15 USC 2051 Consumer Product Safety Act

CFR CITATION:

00 CFR 0000 .

LEGAL DEADLINE: None

ABSTRACT:

A petition from Scott and Diana Anderson requests development of a safety standard for escalators. The petition asserts that escalators are associated with unreasonable risks of serious injuries resulting from entrapment of feet, toes, and other body parts in openings between the moving stairs and the sides of the escalators. On May '22, 1997, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons.. The staff is preparing a briefing package for consideration by the Commission.

TIMETABLE:

ACTION.	DATE	FR CITE
Notice to Solicit Comments on Petition.....	05/22/97	62 FR 28005
Comment Period End.....	07/21/97	
Staff Sends Briefing Package to Commission.....	02/00/98	

- WILL NOT PRINT IN AGENDA

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RIN: 3041-AB70 (CONT)

TITLE:

Petition CP 97-1 Requesting Development of a Safety Standard for Escalators .

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Deborah Tinsworth,
Project Manager,
Consumer Product Safety Commission,
Dir. for Epidemiology & Health Sciences,
301 504-0470

TITLE:

Petition CP 97-2 Requesting Development of a Safety Standard for Shopping Carts

RIN: 3041-AB71 (NO STAGE)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:
This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

5 USC 553(e) Administrative Procedure Act;
15 USC 2051 Consumer Product Safety Act

CFR CITATION:

00 CFR 0000

LEGAL DEADLINE: None

ABSTRACT:

The Commission has docketed correspondence from John S. Morse, Ph.D., PE, requesting development of a safety standard for shopping carts as petition CP97-2. The petition asserts that shopping carts that tip over present risks of injury to children and requests development of a standard with performance tests to prevent shopping carts from tipping over to the side or rear. On June 2, 1997, the Commission published a notice in the Federal Register to solicit comments on the petition from all interested persons. The staff briefed the Commission on January 23, 1998.

- WILL NOT PRINT IN AGENDA

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RIN: 3041-AB71 (CONT)

TITLE:

Petition CP 97-2 Requesting Development of a Safety Standard. for Shopping Carts

TIMETABLE:

ACTION	DATE	FR CITE
Notice to Solicit Comments on Petition	06/02/97	62 FR 29717
Comment Period End	08/01/97	
Staff Sends Briefing Package to Commission	01/06/98	
Staff Briefing of Commission	01/23/98	
Commission Decision	02/00/98	

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Roy W. Deppa,
Project Manager,
Consumer Product Safety Commission,
Directorate for Engineering Sciences,
301 504-0494

TITLE:

Requirements for Child-Resistant Packaging of Minoxidil

RIN: 3041-AB72 (NO STAGE)

REGULATORY **PLAN:** No

PRIORITY: Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:

This rulemaking is not, part of the Reinventing Government effort.

LEGAL **AUTHORITY:**

15 USC 1471, Poison Prevention Packaging Act

CFR CITATION:

16 CFR 1700.34

LEGAL DEADLINE: None

ABSTRACT?

Regulations implementing the Poison Prevention Packaging Act (PPPA) require all prescription drugs in oral dosage form that are intended for human use to be in child-resistant packaging. Topical minoxidil is a liquid medication that can be applied to the scalp to stimulate regrowth of hair. However, if ingested, minoxidil is a potent vasodilator capable of producing serious cardiovascular effects. In 1996, the Food and Drug Administration acted to permit the sale of topical ininoxidil as an over-the-counter drug, thereby expanding its potential avaiiability to consumers. The staff is preparing a briefing **package on** the issue of whether the Commission should amend the PPPA regulations to require *topical minoxidil to be in child-resistant packaging. The staff is scheduled to transmit that briefing package to the Commission in February 1998.

- WILL NOT PRINT IN AGENDA

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RIN: 3041-AB72 (CONT)

TITLE:

Requirements for Child-Resistant Packaging of Minoxidil

TIMETABLE:

ACTION	DATE	FR CITE
Staff Sends Briefing Package to		
. Commission	02/00/98	
Commission Decision	03/00/98	

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Suzanne **Barone, Ph.D,**
Project Manager,
Consumer Product Safety Commission,
Dir. for Health Sciences and Epidemiology,..
Washington, DC 20207,
301 504-0477

- WILL NOT PRINT IN AGENDA

TITLE:

+ Petition to Exempt Sucraid **TM** from Special Packaging Requirements under the Poison Prevention Packaging Act

RIN: **3041-AB73** (LONG-TERM)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant

UNFUNDED MANDATES: Undetermined

* **MAJOR:**

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

15 USC 1471 Poison Prevention Packaging Act

CFR CITATION:

16 CFR 1700.14

*:

LEGAL DEADLINE:

ABSTRACT:

Orphan Medical-petitioned the Commission to exempt Sucraid **TM**, an oral solution of the enzyme sacrosidase, from special packaging requirements for oral prescription drugs under the Poison Prevention Packaging' Act. The Food and Drug Administration (FDA) is currently reviewing a New Drug Application for Sucraid **TM**. Sucraid **TM** is an orphan drug that will be the only available treatment for congenital sucrase-isomaltase deficiency. The staff **is** reviewing the petition and preparing a briefing package for consideration by by the Commission once'the drug is approved by the FDA.

TIMETABLE:

ACTION	DATE	FR	CITE
Commission Decision ,.....	00/00/00		
Staff Sends Briefing Package to Commission . . .*	00/00/00		

- * - MISSING DATA
- # - WILL NOT PRINT IN AGENDA

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RIN: 3041-AB73 (CONT)

TITLE:

Petition to Exempt Sucraid TM from Special Packaging Requirements
under the Poison Prevention Packaging Act

SMALL ENTITIES AFFECTED: None

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Jacqueline Ferrante,
Project Manager
Consumer Product Safety Commission
Directorate for Epidemiology & Health Sciences
301 504-0477

TITLE:

+ Amendments to Clarify Portions of the Standards for the Flammability of Childrens' Sleepwear

RIN: 3041-AB74 (PRERULE)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: Undetermined

REINVENTING GOVERNMENT:

This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:

15 USC 1191 Flammable Fabrics Act

CFR CITATION:

16 CFR 1615; 16 CFR 1616

LEGAL DEADLINE: None

ABSTRACT:

The Standards for the Flammability of Children's Sleepwear were amended September 9, 1995, to allow the marketing of certain sleepwear garments that do not meet the flammability test requirements. These garments, termed "tight-" or "snug-fitting" must not exceed maximum dimensions specified for each garment size.-Several technical amendments are needed to clarify provisions of the standards, **expecially** how the specified dimensions are to measured on these garments.

TIMETABLE:

ACTION	DATE	FR CITE
Staff-Sends Briefing Package to the Commission with a Draft NPR	03/00/98	
Commission Decision.....	04/00/98	

SMALL ENTITIES AFFECTED: Undetermined.

- WILL NOT PRINT IN AGENDA

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RIN: 3041-AB74 (CONT)

TITLE:

Amendments to Clarify Portions of the Standards for the
Flammability of Childrens' Sleepwear

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

Margaret Neily,
Project Manager,
Directorate For Engineering Sciences,
Consumer Product Safety Commission,
301 504-0550

TITLE:
+ Requirements for Bunk Beds

RIN: 3041-AB75 (LONG-TERM)

REGULATORY PLAN: No

PRIORITY: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

UNFUNDED MANDATES: No

REINVENTING GOVERNMENT:
This rulemaking is not part of the Reinventing Government effort.

LEGAL AUTHORITY:
15 USC 2051 Consumer Product Safety Act;
15 USC 1261 Federal Hazardous Substances Act

* CFR CITATION:

*

LEGAL DEADLINE:

ABSTRACT:

On January 22, 1998, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding for development of a standard to address risks of injury and death that may be associated with bunk beds constructed so that children can become entrapped in the beds' structure or become wedged between the bed and a wall. This ANPRM was issued after the staff briefed the Commission on the incident data the adequacy of an existing 'ASTM voluntary standard, whether there is substantial compliance with that voluntary standard, and other matters. In 1998 the Commission's staff is scheduled to review comments received in response to the ANPRM, prepare additional information, and report to the Commission with its recommendation on whether to proceed with the rulemaking by publishing a notice of proposed rulemaking (NPRM).

- * - MISSING DATA
- # - WILL NOT PRINT IN AGENDA

RIN: 3041-AB75 (CONT)

TITLE:
Requirements for Bunk Beds

TIMETABLE:

ACTION	. DATE	`FR CITE
ANPRM	01/22/0	0 63 FR 3280
. ANPRM Comment Period End	04/07/0	0

SMALL ENTITIES AFFECTED: Undetermined

GOVERNMENT LEVELS AFFECTED: Undetermined

PROCUREMENT: No

AGENCY CONTACT:

John D. Preston,
Project Manager,
Consumer Product Safety Commission,
Directorate for-Engineering Sciences,
301 504-0494