



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
4330 EAST WEST HIGHWAY  
BETHESDA, MARYLAND 20814-4408

Record of Commission Action  
Commissioners Voting by Ballot\*

Commissioners Voting:     Acting Chairman Nancy A. Nord  
                                  Commissioner Thomas H. Moore

ITEM:

Portable Generators: Notice of Proposed Rulemaking  
(Briefing package dated August 8, 2006, OS No. 4737)

DECISION:

The Commission voted unanimously (2-0) to approve with changes the draft Federal Register notice issuing a notice of proposed rulemaking ("NPR") regarding labeling requirements for portable generators. In the NPR, the Commission proposes that manufacturers be required to label portable generators with a warning label that would include pictograms and inform purchasers of the following: "Using a generator indoors will kill you in minutes;" "Exhaust contains carbon monoxide, a poison gas you cannot see or smell;" "Never use in the home or in partly enclosed areas such as garages;" "Only use outdoors and far from open windows, doors, and vents." The Commission staff believes the label will help reduce the rising carbon monoxide death toll associated with consumer use of portable generators.

Acting Chairman Nord and Commissioner Moore submitted the attached statements to accompany their votes.

For the Commission:  
  
Todd A. Stevenson  
Secretary

\* Ballot vote due August 15, 2006



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

**STATEMENT OF THE HONORABLE NANCY A. NORD  
ACTING CHAIRMAN  
U.S. CONSUMER PRODUCTS SAFETY COMMISSION**

**BALLOT VOTE  
(NOTICE OF PROPOSED RULEMAKING FOR PORTABLE GENERATORS)**

**August 15, 2006**

Today I am voting to publish for comment a Notice of Proposed Rulemaking (NPR) that would require all portable generators sold to consumers in the United States bear a specific warning label. The purpose of the proposed rule is to better warn consumers about the very real danger of carbon monoxide (CO) poisoning posed by the use of a portable generator in or near a home.

The demand by consumers for portable generators has increased in recent years. Portable generators can be extremely useful machines, particularly after the loss of electricity in the wake of a storm or for some other reason. However, as the number of portable generators in use has increased, so too have the number of people who have been killed or sickened by CO poisoning from those generators. The amount of CO emitted from a portable generator can be up to several hundred times that released by a modern car's exhaust and can kill consumers in a very short period of time, especially while they sleep, as several recent, tragic incidents have demonstrated.

In addition to the proposed warning label requirement, I anticipate that the Commission will soon receive a staff package outlining other regulatory options the Commission might consider regarding portable generators. I look forward to receiving that package as well as the public's comments on this NPR, and to continuing to work with all of our stakeholders on this important issue.

**STATEMENT OF THE HONORABLE THOMAS H. MOORE  
ON THE NOTICE OF PROPOSED RULEMAKING REGARDING  
LABELING REQUIREMENTS FOR PORTABLE GENERATORS**

**August 15, 2006**

In the six year period from 2000 through 2005, CPSC staff is aware of at least 222 deaths related to carbon monoxide (CO) poisoning associated with portable generators. Far too many of the deaths associated with the use of portable generators predictably occur following severe weather events that typically cause power outages. Consumers, unknowingly, expose themselves and others to lethal CO gas while using the portable generator as a substitute power source often during times of high stress and anxiety.

As part of a comprehensive review of the existing portable generator safety measures, our staff looked into the sufficiency of warning labels to address the carbon monoxide (CO) poisoning hazard posed by portable generators. As a result of that review, staff has provided a recommendation for a product warning label to be affixed to portable generators. The Commission staff believes that current warning labels are ambiguous and do not adequately advise the user on how to avoid the CO poisoning hazard. I am voting today to issue the staff's recommendation as a Notice of Proposed Rulemaking and thereby inviting all interested parties to provide comments to the Commission on the overall sufficiency of the recommended warning label in addressing the CO poisoning hazard associated with the use of portable generators.

I also encourage comments from interested parties about the desirability of specifically providing for the warning label to be in a second language on the generator itself. My understanding is that staff did not intend to preclude the use of a second language warning label, but since no specific provision is made in the proposed rule for such a label on the generator, whereas it is for the label on the generator packaging, some manufacturers might conclude that a label in a language other than English is not allowed on the generator itself. Comments about the format of any second language warning label would also be instructive, particularly in light of Underwriters Laboratories' requirements in this regard in its Outline of Investigation.

As mentioned above, our staff is conducting a thorough review of the existing portable generator safety measures. While improvements to warnings are important, warning labels, by themselves, may be insufficient as a sole means of addressing the CO poisoning hazard. From our experience, we know that simple awareness of a possible hazard will not in every instance dissuade a consumer from behavior that leads to exposure to the hazard. Therefore, in the very near future, our staff will be providing to the Commission a briefing package that will contain a comprehensive discussion on additional regulatory and non-regulatory alternatives which could be used to further reduce CO related deaths and injuries associated with the use of portable generators.