



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

MINUTES OF COMMISSION MEETING
February 2, 2012

Chairman Inez M. Tenenbaum convened the February 2, 2012, 9:00 a.m., meeting of the U. S. Consumer Product Safety Commission in open session. Commissioners Nancy A. Nord, and Robert S. Adler were in attendance. Commissioner Anne M. Northup was not present. Chairman Tenenbaum made welcoming remarks and summarized the agenda for the meeting.

Decisional Matter: Notice of Proposed Rulemaking (“NPR”) - Safety Standard for Infant Swings under Section 104(b) of the Consumer Product Safety Improvement Act of 2008 (“CPSIA”) (Briefing package dated January 11, 2012)

Chairman Tenenbaum introduced the decisional matter and asked the Commission whether there was any discussion about the issuance in the *Federal Register* (“*FR*”) of a NPR for safety standard for infant swings under section 104(b) of the CPSIA. Celestine Kiss, Engineering Psychologist, Division of Human Factors, and Leah Wade, General Attorney, Office of the General Counsel, were present to respond to any questions. Chairman Tenenbaum called for any discussion. There being no discussion, Chairman Tenenbaum called for any motions. Commissioner Nord moved that the Commission approve an amendment that she prepared to the draft *FR* notice for the NPR to establish a safety standard for infant swings. Commissioner Adler seconded the motion. Commissioner Nord explained the purpose of the amendment. After brief comments from the Commissioners, Chairman Tenenbaum called for a vote on the motion. The Commission voted unanimously (4-0) to approve the motion to amend the draft *FR* NPR to establish a safety standard for infant swings. The amendment added two requests for comments to section (L) of the preamble. Specifically, the amendment added provisions to request comments on: (1) test methods to address electrical and battery issues; and (2) the alignment of the mandatory infant swing safety rule and the notice of requirements to establish the criteria for Commission acceptance of accreditation of third party conformity assessment bodies to test infant swings. Commissioner Northup voted by written ballot.

Chairman Tenenbaum called for any motions. Commissioner Adler moved that the Commission approve publication of the draft notice in the *FR* as amended that will announce the proposed rule that would establish a safety standard for infant swings, pursuant to section 104 of the CPSIA of 2008. Commissioner Nord seconded the motion. Hearing no discussion, Chairman Tenenbaum called for a vote. The Commission voted unanimously (4-0) to approve publication of the draft notice in the *FR* as amended. Commissioner Northup voted by written ballot.

Briefing Matter: ASTM F963-11 Proposed Revision
(Briefing package dated January 25, 2012)

Jonathan Midgett, Engineering Psychologist, Office of Hazard Identification and Reduction, and David DiMatteo, General Attorney, Office of General Counsel, briefed the Commission on the proposed revisions to ASTM-11 standard titled, *Standard Consumer Safety Specifications for Toy Safety*. The staff also explained that the staff recommends that the Commission accept the revisions to ASTM-11 and announce it in the publication of a draft *FR* notice. The staff responded to questions from the Commission. No decisions were made during this part of the meeting.

There being no further business on the agenda, Chairman Tenenbaum adjourned the meeting at 10:00 a.m.

For the Commission:



Todd A. Stevenson
Secretary to the Commission