

## § 1201.2

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*public health and safety.* The Commission has considered other means of achieving the objective of the standard, but has found none that it believes would have fewer adverse effects on competition or that would cause less disruption or dislocation of manufacturing and other commercial practices, consistent with the public health and safety. For the glazing industry in general, the disruptions and dislocations of existing manufacturing and commercial practices due to the standard are expected to be minor. However, it is possible that individual segments of the glazing materials industry are likely to be adversely affected by the standard. Specifically, there is likely to be disruption to the wired glass market, the organic-coated glass market and, to a lesser extent, to the laminated glass market. Manufacturers of wired glass will face a serious problem because technological improvements in the product will need to be made before wired glass can be used in Category I applications and because it probably will not be usable at all in Category II applications (see § 1201.2(a) (3) and (4) of the standard), since there appears to be little prospect at this time of developing a wired glass product capable of withstanding the Category II, 400 foot pound impact test prescribed in § 1201.4 of the standard. Laminated glass currently used for Category I applications can meet the 150 foot pound impact test requirements, but not all laminated glass currently used for Category II applications can meet the 400 foot pound impact test requirements. The price increase for technologically upgrading laminated glass will be borne by consumers. The Commission believes, however, that the competitive impact of the proposed changes would not severely weaken the position of laminated glass in the market place. The wired glass, organic-coated glass, and laminated glass markets affected by the standard are small in relation to the entire industry. The standard is not expected to have an appreciable impact on foreign or domestic competition. Increased competition is expected between primary glass temperers and regional temperers, with primary temperers taking an increased share of the original storm door, sliding door, bath-

tub enclosure and shower door markets. Sales of nonresidential glazing for major nonresidential buildings will remain with the primary glass companies. The regional temperers are expected to handle almost all the tempering of glazing for smaller nonresidential buildings. Thus, they will gain some of this market at the expense of local dealers and distributors. However, the distributors and dealers probably will operate as order takers for the smallest jobs. It is expected that glazing distributors and dealers will experience reduced market shares in both the residential and nonresidential new glazing markets. This will occur as a result of the transfer of business to the primary glass manufacturers and regional temperers, since tempered glass must be produced to size and it is not feasible to keep in inventory all sizes which might be needed.

(5) *Summary finding.* The Commission finds that there are unreasonable risks of injury associated with architectural glazing materials used in the architectural products listed in paragraph (a) of this section. In assessing the question of whether unreasonable risks of injury or injury potential are associated with architectural glazing materials, the Commission has balanced the degree, nature and frequency of injury against the potential effect of the standard on the ability of architectural glazing materials to meet the need of the public and the effect of the standard on the cost, utility, and availability of architectural glazing materials to meet that need. The Commission finds that this standard, including its effective date, is reasonably necessary to eliminate or reduce the unreasonable risks of injury associated with architectural glazing materials and that promulgation of the standard is in the public interest.

(Sec. 9(e), Pub. L. 92-573, 86 Stat. 1215 (15 U.S.C. 2058(e)) (5 U.S.C. 553)

[42 FR 1441, Jan. 6, 1977, as amended at 43 FR 57246 Dec. 7, 1978; 45 FR 57389, Aug. 28, 1980; 47 FR 27856, June 23, 1982; 49 FR 7107, Feb. 27, 1984]

### § 1201.2 Definitions.

(a) As used in this part 1201:

(1) *Annealed glass* means glass that has been subjected to a slow, controlled

cooling process during manufacture to control residual stresses so that it can be cut or subjected to other fabrication. Regular polished plate, float, sheet, rolled, and some patterned surface glasses are examples of annealed glass.

(2) *Bathtub doors and enclosures* means assemblies of panels and/or doors that are installed on the lip of or immediately surrounding a bathtub.

(3) *Category I products* means any of the following architectural products:

(i) Storm doors or combination doors that contain no single piece of glazing material greater than 9 square feet (0.83 square meters) in surface area of one side of the piece of glazing material.

(ii) Doors that contain no single piece of glazing material greater than 9 square feet (0.83 square meters) in surface area of one side of the piece of glazing material.

(4) *Category II products* means any of the following architectural products:

(i) Shower doors and enclosures.

(ii) Bathtub doors and enclosures.

(iii) Sliding glass doors (patio type).

(iv) Storm doors or combination doors that contain any piece of glazing material greater than 9 square feet (0.83 square meters) in surface area of one side of the piece of glazing material.

(v) Doors that contain any piece of glazing material greater than 9 square feet (0.83 square meters) in surface area of one side of the piece of glazing material.

(5) *Distributor* means a person to whom a consumer product is delivered or sold for purposes of distribution in commerce, including persons cutting glazing material to size, except that such term does not include a manufacturer or retailer of such product.

(6) *Distribution in commerce* means to sell in commerce, to introduce or deliver for introduction into commerce, or to hold for sale or distribution after introduction into commerce.

(7) *Door* means an assembly that is installed in an interior or exterior wall; that is movable in a sliding, pivoting, hinged, or revolving manner of movement; and that is used by consumers to produce or close off an open-

ing for use as a means of human passage.

(8) *Fabricator* means any person who assembles or otherwise incorporates glazing materials into an architectural product listed in §1201.1(a). A fabricator is considered a manufacturer as defined in paragraph (a)(16) of this section.

(9) *Glass* means a hard, brittle, amorphous substance produced by fusion, usually consisting of mutually dissolved silica and silicates that also contains sods and lime. It may be transparent, translucent, or opaque.

(10) [Reserved]

(11) *Glazing material* means glass, including annealed glass, organic coated glass, tempered glass, laminated glass, wired glass; or combinations thereof where these are used:

(i) In openings through the architectural products listed in §1201.1(a), or

(ii) As the architectural products themselves, e.g. unframed doors.

(12) *Jalousie door* means a door (as "door" is defined in paragraph (a)(7) of this section) having an opening glazed with operable, overlapping louvers. Each louver is one of a series of overlapping pieces of glazing material designed to admit ventilation and light but exclude rain and is typically operated by a crank and gear mechanism.

(13) *Laminated glass* means glazing material composed of two or more pieces of glass, each piece being either tempered glass, heat strengthened glass, annealed glass or wired glass, bonded to an intervening layer or layers of resilient plastic material.

(14) *Leaded glass* means a decorative composite glazing material made of individual pieces of glass whose perimeter is enclosed by lengths of durable metal such as lead or zinc and the pieces of glass are completely held together and supported by such metal. Such pieces of glass can be clear, colored, beveled, painted, or flashed and etched.

(15) *Manufacture* means to manufacture, produce or assemble.

(16) *Manufacturer* means any person who manufactures, fabricates or imports a glazing material or architectural product listed in §1201.1(a) that incorporates glazing material.

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(17) *Mirror* means a treated, polished or smooth glazing material that forms images by the reflection of light.

(18) *Mobile home* means a structure transportable in one or more sections, which is eight body feet (2.4 body meters) or more in width and is thirty-two body feet (9.7 body meters) or more in length, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities.

(19) *Other buildings or parts thereof* means buildings or parts thereof (other than residential, school, public, or recreational buildings) in which all or part of the building is open to the public with or without specific invitation. Included are buildings or parts thereof such as banks and recreational or retail facilities in a building and multiuse buildings that contain residential units.

(20) *Organic-coated glass* means a glazing material consisting of a piece of glass, coated and bonded on one or both sides with an applied polymeric coating, sheeting, or film.

(21) *Patio door* (See “sliding glass doors (patio-type)” in paragraph (a)(31) of this section).

(22) *Permanent label* means a label that will remain permanently legible and visible after installation of the glazing material and that would be destroyed in attempts to remove it from the glazing material and includes (but is not limited to) sandblast, acid etch, hot-stamp, and destructible polyester labels.

(23) [Reserved]

(24) *Private labeler* means an owner of a brand or trademark on the label of a consumer product which bears a private label, and includes any fabricator, distributor, or installer who cuts certified and permanently labeled glazing materials into smaller pieces.

(25) *Public building* means a building of public assembly or meeting including (but not limited to) a museum, place of worship, or restaurant.

(26) *Recreational building* means a building used for recreational purposes including (but not limited to) a theater, stadium, gymnasium, amusement park building or library.

(27) *Residential building* means a building, permanent or temporary, such as a single or multifamily residence, including (but not limited to) a house, apartment building, lodging home, dormitory, hotel, motel, hospital, sanitarium, and nursing home, used as a dwelling for one or more persons or families and any structure which is attached to, a part of, or appurtenant to such a building. Public areas of all residential buildings, such as lobbies and other common facilities, are included within the definition of “other buildings or parts thereof” in paragraph (a)(19) of this section. For purposes of this part 1201, a mobile home as defined in paragraph (a)(18) of this section is not considered to be a residential building.

(28) *Retailer* means a person to whom a consumer product is delivered or sold for purposes of sale or distribution by such person to a consumer; the term retailer includes a person who cuts glazing material to size for consumers.

(29) *School building* means a building designed primarily for the conduct of educational instruction and includes the classrooms, libraries, administrative offices, auditoriums, eating and sanitary facilities, stadiums, gymnasiums and all other structures associated with such buildings.

(30) *Shower door and enclosure* means an assembly of one or more panels installed to form all or part of the wall and or door of a shower stall.

(31) *Sliding glass door (patio-type)* means an assembly of one or more panels, at least one of which is suitably movable for use as a means of human ingress or egress. The term includes the nonmovable and movable panels of such assembly.

(32) *Storm door (or combination door)* means a movable assembly, used in tandem with an exterior door to protect the exterior door against weather elements and/or to improve indoor climate control.

(33) *Tempered glass* means a piece of specially heat treated or chemically treated glass that cannot be cut, drilled, ground, or polished after treatment without fracture. When fractured at any point, if highly tempered, the entire piece breaks into small particles.

(34) *Wired glass* means a single piece of annealed glass that contains wire embedded in the body of the glass.

(35) *Commission* means the Consumer Product Safety Commission.

(36) *Carved glass* means a decoration glazing material in which a permanent visible design has been produced by polishing, grinding, or otherwise removing portions of the surface.

(37) *Dalle glass* or *dalle de verre* (including faceted glass) means a decorative composite glazing material made of individual pieces of glass which are imbedded in a cast matrix of concrete or epoxy.

(b) Definitions given in the Consumer Product Safety Act, and not repeated in this section, are applicable to this part.

(c) Test methods and recommended practices published by the American Society for Testing and Materials (ASTM)<sup>1</sup>, and referred to in this part 1201, are hereby incorporated by reference into this part.

(d) Test methods and recommended practices published by the American National Standards Institute (ANSI) and referred to in this part 1201, are hereby incorporated by reference into this part.

(Sec. 9(e), Pub. L. 92-573, 86 Stat. 1215; (15 U.S.C. 2058(e); (5 U.S.C. 553))

[42 FR 1441, Jan. 6, 1977, as amended at 42 FR 61860, Dec. 7, 1977; 43 FR 50422, Oct. 30, 1978; 43 FR 57247, Dec. 7, 1978; 45 FR 57389, Aug. 28, 1980; 47 FR 27856, June 28, 1982]

§ 1201.3 General requirements.

(a) All glazing materials to which this standard applies, as described in § 1201.1, shall meet the impact and environmental test requirements in § 1201.4, and shall be labeled by manufacturers in accordance with § 1201.5.

(b) Glazing materials used in architectural products not listed in § 1201.1(a) are not subject to this part. Any material not listed in the definition of “glazing material” in § 1201.2(a)(11) is not subject to this part 1201.

[42 FR 1441, Jan. 6, 1977, as amended at 47 FR 27856, June 28, 1982]

§ 1201.4 Test procedures.

(a) *Types of tests*—(1) *Impact test*. Specimens shall be struck as prescribed by paragraph (d)(1) of this section using equipment specified by paragraphs (b) (1) and (2) of this section. Results of the impact test are to be interpreted in accordance with paragraph (e)(1) of this section. The test specimens shall be selected in accordance with paragraphs (c) (1) and (2) of this section.

(2) *Accelerated environmental durability tests*. Each specimen of glazing material subject to this part 1201 shall be tested in accordance with the accelerated tests referenced in table 1, “Accelerated Tests” of this section. However, tempered glass, wired glass, and annealed glass are not required to be subjected to the accelerated environmental durability tests.

TABLE 1—ACCELERATED TEST (APPLICABLE PARAGRAPHS)

Glazing materials	Specimen	Test equipment	Exposure	Criteria for passing
Laminated glass	§ 1201.4(c)(1) and (c)(3)(i)	§ 1201.4(b)(3)(i)	§ 1201.4(d)(2)(i)	§ 1201.4(e)(2)(i)
Organic coated glass	§ 1201.4(c)(1) and (c)(3)(ii)(B)	§ 1201.4(b)(3)(ii)	§ 1201.4(d)(2)(ii)(B)	§ 1201.4(e)(2)(ii)(B)
Tempered glass	Exempt			
Wired glass	Exempt			
Annealed glass	Exempt			

(3) Separate testing is required for different glazing materials or for differences within a type of glazing material that could noticeably affect performance in the impact or environ-

mental durability tests. Such differences could include (but are not limited to): Nominal thickness or thicknesses, method of manufacture (in appropriate cases), types and amounts

<sup>1</sup>ASTM test methods and recommended practices are approved by, published by, and available for purchase from the American

Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.