



Monday
May 8, 1995

Part XLIX

**Consumer Product
Safety Commission**

Semiannual Regulatory Agenda

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Regulatory Flexibility Act; Semiannual Regulatory Flexibility and Unified Agendas

AGENCY: Consumer Product Safety Commission.

ACTION: Publication of regulatory flexibility and unified agendas.

SUMMARY: The Regulatory Flexibility Act (RFA) requires each Federal agency to publish, twice each year, a regulatory flexibility agenda listing the rules expected to be proposed or promulgated which are likely to have a significant economic impact on a substantial number of small entities, including small businesses, small organizations, and small governmental units. In this document, the Commission publishes its semiannual regulatory flexibility agenda.

Additionally, Executive Order 12866 requires each agency to publish an agenda of regulatory actions expected to be under development or review by the agency during the next year and provides that such an agenda may be combined with an agency's regulatory flexibility agenda published in accordance with the RFA.

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, 1995.

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 501, 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: Allen F. Brauninger, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0980. 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 which 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 shall also 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: March 22, 1995.

Sadye E. Dunn,
Secretary, Consumer Product Safety Commission.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
4652	Petition HP 95-1 Requesting Development of a Safety Standard for Protective Batting Helmets	3041-AB43
4653	Petition CP 94-1 Requesting Development of Safety Standard for Portable Electric Heaters	3041-AB45
4654	Petition HP 93-1 Requesting Development of a Rule To Ban Certain Back Yard Play Sets	3041-AB47
4655	Petition HP 95-2 Requesting Issuance of a Rule To Ban Acetone Packaged for Household Use in One-Gallon Containers	3041-AB51

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4656	Proposed Amendment of Labeling Requirements for Charcoal	3041-AB16
4657	Flammability Standard for Upholstered Furniture	3041-AB35

CPSC

Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
4658	Safety Requirements for 5-Gallon Plastic Buckets	3041-AB37
4659	Multiple Tube Mine and Shell Fireworks	3041-AB39
4660	Baby Walkers	3041-AB40
4661	Safety Standard for Bicycle Helmets	3041-AB42

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
4662	Requirements for the Special Packaging of Household Substances; Revision of Test Protocol for Child-Resistant Packaging	3041-AA22
4663	Household Substances Containing Methylene Chloride; Status as Hazardous Substances; Proposed Rule	3041-AA59
4664	Amendment of Flammability Standards for Children's Sleepwear	3041-AB27
4665	Proposed Rule To Require Child-Resistant Packaging of Naproxen	3041-AB46

Completed/Longterm Actions

Sequence Number	Title	Regulation Identifier Number
4666	Rules To Require Child-Resistant Packaging for Certain Topical Prescription and Non-Prescription Preparations Containing Lidocaine or Dibucaine	3041-AB03
4667	Rule To Require Child-Resistant Packaging of Mouthwashes Containing Ethanol	3041-AB34
4668	Rules To Require Reporting of Choking Incidents	3041-AB36
4669	Rules To Ban Small Balls Intended for Children Younger Than Three Years of Age and To Require Labeling of Certain Toys and Games	3041-AB38
4670	Petition PP 94-1 Requesting Exemption of Certain Dietary Supplements Containing Iron From Requirements for Child-Resistant Packaging	3041-AB41
4671	Identification of Children's Products and Fireworks	3041-AB49
4672	Petition HP 94-1 Requesting Development of a Rule Requiring Automatic Child Restraints for Grocery Carts	3041-AB50

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Prerule Stage

4652. • PETITION HP 95-1 REQUESTING DEVELOPMENT OF A SAFETY STANDARD FOR PROTECTIVE BATTING HELMETS

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

CFR Citation: 16 CFR 00

Legal Deadline: None

Abstract: A petition from the Academy of Facial Plastic and Reconstructive Surgery requests the Commission to develop a safety standard for protective batting helmets intended for children younger than 15 years of age. The standard requested by the petition would require all protective batting helmets subject to its provisions to be

manufactured with a face guard that conforms to Standard F910 published by ASTM (formerly the American Society for Testing and Materials). On November 1, 1994, the Commission published a notice in the Federal Register inviting comments on the petition from interested parties. A decision by the Commission to grant or deny the petition is expected in July 1995.

Timetable:

Action	Date	FR Cite
Notice to Solicit Comments	11/01/94	59 FR 54548
Comment Period Ends	01/03/95	59 FR 54548
Commission Decision	07/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Susan Kyle, Project Manager, Consumer Product Safety Commission, Office of Hazard Identification and, Reduction, Washington, DC 20207, **301 504-0554**

RIN: 3041-AB43

4653. • PETITION CP 94-1 REQUESTING DEVELOPMENT OF SAFETY STANDARD FOR PORTABLE ELECTRIC HEATERS

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 2058 Consumer Product Safety Act

CPSC

Prerule Stage

CFR Citation: None

Legal Deadline: None

Abstract: A petition from Bernard Schwartz requests the Commission to develop a safety standard to address risks of deaths and injuries from fires associated with portable electric heaters. On September 23, 1994, the Commission published a notice to invite comments on the petition from interested parties. The staff is preparing a briefing package for consideration by the Commissioners of the agency when they decide whether to grant or deny the petition. A decision by the Commission is expected in July, 1995.

Timetable:

Action	Date	FR Cite
Notice to Solicit Comments	09/23/94	59 FR 48838
Comment Period End	11/22/94	59 FR 48838
Staff Sends Briefing Package to Commission	05/00/95	
Commission Decision	07/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Edward Krawiec, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207, 301 504-0508

RIN: 3041-AB45

4654. • PETITION HP 93-1 REQUESTING DEVELOPMENT OF A RULE TO BAN CERTAIN BACK YARD PLAY SETS

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 1262(b) Federal Hazardous Substances Act

CFR Citation: 00 CFR 00

Legal Deadline: None

Abstract: A petition from the New York City Department of Consumer Affairs requests the Commission to develop a rule to ban certain back yard play sets. The petition asserts that back yard play sets 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. The staff is preparing a briefing package for consideration by the Commissioners of the agency when deciding whether to grant or deny the petition. If the Commission grants the petition, it will publish an advance notice of proposed rulemaking to begin the rulemaking proceeding requested by the petition.

Timetable:

Action	Date	FR Cite
Staff Sends Briefing Package to Commission	03/24/95	
Commission Decision	04/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Troy Whitfield, Project Manager, Consumer Product Safety Commission, Directorate for Engineering Sciences, Washington, DC 20207, 301 504-0494

RIN: 3041-AB47

4655. • PETITION HP 95-2 REQUESTING ISSUANCE OF A RULE TO BAN ACETONE PACKAGED FOR HOUSEHOLD USE IN ONE-GALLON CONTAINERS

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 1261 Federal Hazardous Substances Act

CFR Citation: 00 CFR 00

Legal Deadline: None

Abstract: A petition from H. Richard Webster requests the Commission to issue a rule to ban acetone packaged for household use in one-gallon containers. The petition asserts that labeling currently required by the Federal Hazardous Substances Act is not adequate to protect consumers for burn injuries associated with household use acetone packaged in one-gallon containers. The staff is preparing a briefing package for consideration by the Commissioners of the agency when they decide whether to grant or deny the petition.

Timetable:

Action	Date	FR Cite
Staff Sends Briefing Package to Commission	08/00/95	
Commission Decision	09/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Celestine Trainor, Project Manager, Consumer Product Safety Commission, Directorate for Epidemiology, Washington, DC 20207, 301 504-0468

RIN: 3041-AB51

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Proposed Rule Stage

4656. PROPOSED AMENDMENT OF LABELING REQUIREMENTS FOR CHARCOAL

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 1262(b) Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500

Legal Deadline: None

Abstract: On December 22, 1992, the Commission voted to grant a part of

a petition from Barbara Mauk requesting amendment of the regulations which require labeling of containers of charcoal intended for household use. The portion of the petition granted by the Commission requests amendment of the rule codified at 16 C.F.R. section 1500.14(b)(6) to include warnings that burning charcoal produces carbon monoxide, and that carbon monoxide has no odor. The Commission also voted to revise that portion of the

existing label concerning indoor use of charcoal. The Commission directed the staff to draft a notice of proposed rulemaking to include the changes to the content and format of the label recommended by the staff. The Commission also directed the staff to include a pictogram in the proposed label if testing establishes that a pictogram can adequately warn consumers not to burn charcoal in homes, tents, or vehicles. The Commission directed the staff to

CPSC

Proposed Rule Stage

include a requirement in the proposed amendment that the labeling statement must appear in both English and Spanish if a pictogram cannot adequately communicate the safety message.

In June, 1995, the staff plans to send a briefing package to the Commission concerning a proposed amendment of the labeling requirements for charcoal. Publication of the notice of proposed rulemaking is expected in September, 1995.

Timetable:

Action	Date	FR Cite
Staff Sends Briefing Package to Commission	06/00/95	
NPRM	09/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Sharon White, Project Manager, Consumer Product Safety Commission, Directorate for Epidemiology, Washington, DC 20207, 301 504-0468

RIN: 3041-AB16

4657. FLAMMABILITY STANDARD FOR UPHOLSTERED FURNITURE

Priority: Regulatory Plan

Legal Authority: 15 USC 1293 Flammable Fabrics Act

CFR Citation: 16 CFR 1640

Legal Deadline: None

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 for upholstered furniture. The ANPRM announced that the regulatory alternatives under consideration include issuance of a mandatory standard to address risks of death, injury, and property damage from fires associated with ignition of upholstered furniture by small open-flame sources. Fire hazards associated with ignition of upholstered furniture by cigarettes or large open-flame sources are outside the scope of this proceeding. The staff is preparing a briefing package for consideration by the Commissioners of the agency when they decide whether to publish a proposed standard.

Timetable:

Action	Date	FR Cite
ANPRM	06/15/94	59 FR 30735
ANPRM Comment Period End	08/15/94	59 FR 30735
Staff Sends Briefing Package to Commission	09/00/96	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Dale R. Ray, Project Manager, Directorate for Economics, Consumer Product Safety Commission, Washington, DC 20207, 301 504-0962

RIN: 3041-AB35

4658. SAFETY REQUIREMENTS FOR 5-GALLON PLASTIC BUCKETS

Priority: Regulatory Plan

Legal Authority: 15 USC 2056 Consumer Product Safety Act; 15 USC 2057 Consumer Product Safety Act; 15 USC 2058 Consumer Product Safety Act

CFR Citation: 16 CFR 1307

Legal Deadline: None

Abstract: On July 8, 1994, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding which could result in mandatory requirements to address risks of drowning to children associated with five-gallon plastic buckets. On February 8, 1995, the Commission voted to withdraw the ANPRM. The Commission took this action after receiving information to the effect that the five major manufacturers are labeling at least 80 percent of their five-gallon plastic buckets with warning labels in English and Spanish. The Commission also was advised that those manufacturers are funding a \$500,000 information and education campaign to warn consumers about drowning hazards associated with five-gallon plastic buckets. Publication of a notice in the Federal Register to withdraw the ANPRM is expected in April, 1995.

Timetable:

Action	Date	FR Cite
ANPRM	07/08/94	59 FR 35058
ANPRM Comment Period End	09/06/94	59 FR 35058
Decision to Withdraw ANPRM	02/08/95	
Notice to Withdraw ANPRM	04/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Celestine Trainor, Project Manager, Directorate for Epidemiology, Consumer Product Safety Commission, Washington, DC 20207, 301 504-0468

RIN: 3041-AB37

4659. MULTIPLE TUBE MINE AND SHELL FIREWORKS

Legal Authority: 15 USC 1261 Federal Hazardous Substances Act; 15 USC 1262 Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500

Legal Deadline: None

Abstract: On July 1, 1994, the Commission published an advanced notice of proposed rulemaking (ANPRM) to begin a proceeding which may lead to amendment of existing regulations applicable to multiple tube mine and shell fireworks devices. These products are comprised of several vertical tubes with a common fuse. Some have a horizontal base; others do not. Each tube is loaded with propellant and one or more shells or mines. When the fuse is ignited, the tubes fire sequentially, producing audible reports or a display of stars or other visual effects or both. The Commission has received reports of two deaths and two burn injuries involving multiple tube mine and shell fireworks devices which became unstable and tipped over after they were ignited. These products are subject to regulations issued under the Federal Hazardous Substances Act. However, these regulations do not adequately assure that a multiple tube mine and shell fireworks device will not tip over when it is fired.

Timetable:

Action	Date	FR Cite
ANPRM	07/01/94	59 FR 33928
ANPRM Comment Period End	08/03/94	59 FR 33928
Staff Sends Briefing Package to Commission	06/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Agency Contact: Michael Babich, Project Manager, Consumer Product Safety Commission, Directorate for

CPSC

Proposed Rule Stage

Health Sciences, Washington, DC
20207, **301 504-0477**

RIN: 3041-AB39

4660. BABY WALKERS

Legal Authority: 15 USC 1261 Federal Hazardous Substances Act; 15 USC 1262 Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500

Legal Deadline: None

Abstract: On August 2, 1994, the Commission published an advance notice of proposed rulemaking (ANPRM) to begin a proceeding which 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 its feet to move about before or while learning to walk. Typically, a baby walker consists of a fabric seat which has leg openings and is mounted to a rigid plastic deck. The deck is attached to a base which usually is mounted on wheels to allow mobility. In 1993, an estimated 25,000 children were treated in emergency rooms for injuries associated with baby walkers. The majority of these injuries resulted from falls down stairs or steps. Among the regulatory options under consideration by the Commission are mandatory performance or design requirements to reduce the likelihood that a child will be able to maneuver a baby walker into a position where it can fall down stairs or steps. In June, 1995, the staff is scheduled to send a briefing package concerning baby walkers to the Commission.

Timetable:

Action	Date	FR Cite
ANPRM	08/02/94	59 FR 39309
ANPRM Comment Period End	10/03/94	59 FR 39309
Staff Sends Briefing Package to the Commission	06/00/95	

Small Entities Affected: Undetermined
Government Levels Affected: Undetermined

Agency Contact: **Barbara Jacobson**, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, **301 504-0477**

RIN: 3041-AB40

4661. SAFETY STANDARD FOR BICYCLE HELMETS

Legal Authority: 5 USC 553 Administrative Procedure Act

CFR Citation: 16 CFR 1203

Legal Deadline: NPRM, Statutory, August 15, 1994.

Abstract: The Children's Bicycle 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 to begin a proceeding for issuance of a safety standard for bicycle helmets. The proposed standard includes impact-attenuation requirements, and other requirements derived from existing voluntary standards for bicycle helmets. The proposed standard also contains requirements to 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 Z90.4-1984, Protective Headgear for Bicyclists; (2) ASTM standards F 1447-93 or F 1447-94, Standard Specification

for Protective Headgear Used in Bicycling, incorporating the relevant provisions of ASTM F 1446-93 or F 1446-94, Standard Test Methods for Evaluating the Performance Characteristics of Protective Headgear, respectively; (3) Canadian Standard Association standard Cycling Helmets, CAN/CSA-D113.2-M89; (4) Snell Memorial Foundation (Snell) 1990 Standard for Protective Headgear for Use in Bicycling (designation B-90); (5) Snell 1990 Standard for Protective Headgear for Use in Bicycling, including March 9 1994 Supplement (designation B-90S); (6) Snell 1994 Standard for Protective Headgear for Use in Non-Motorized Sports (designation N-94); (7) Snell 1995 Standard for Protective Headgear for Use With Bicycles 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.

The Staff is drafting revisions of the proposed standard and plans to transmit those revisions to the Commission in August, 1995.

Timetable:

Action	Date	FR Cite
NPRM	08/15/94	59 FR 41719
NPRM Comment Period End	10/31/94	59 FR 41719
Staff Sends Revisions of Proposed Standard to Commission	08/00/95	

Small Entities Affected: Undetermined
Government Levels Affected: Undetermined

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

RIN: 3041-AB42

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Final Rule Stage

4662. REQUIREMENTS FOR THE SPECIAL PACKAGING OF HOUSEHOLD SUBSTANCES; REVISION OF TEST PROTOCOL FOR CHILD-RESISTANT PACKAGING**Priority:** Regulatory Plan**Legal Authority:** 15 USC 1472 Poison Prevention Packaging Act; 15 USC 1473 Poison Prevention Packaging Act**CFR Citation:** 16 CFR 1700.20**Legal Deadline:** None

Abstract: On January 19, 1983, the Commission published an advance notice of proposed rulemaking (ANPRM) soliciting comments on ways to amend the existing requirements for child-resistant packaging to improve the effectiveness and efficiency of these requirements. On October 5, 1990, the Commission proposed specific revisions of the child test protocol and the adult test protocol. On March 5, 1991, the Commission published a notice in the Federal Register to extend the period for receipt of written comments on the proposed amendments of the test protocols until July 1, 1991. This notice also solicited comments on additional changes to the adult test protocol. Additional testing was conducted to address issues raised by comments on the proposed amendments. On March 21, 1994, the Commission published the new test data in the Federal Register for public comment. On February 6, 1995, the Commission approved final amendments of the test protocols for child-resistant packaging. Thereafter, the Commission became aware of comments on the final rule that had not been submitted to the agency during the rulemaking proceeding. On February 8, 1995, the Commission voted to delay publication of the notice of final rulemaking in order to consider two new issues raised by these comments but not previously considered during the

Timetable:

Action	Date	FR Cite
ANPRM	01/19/83	48 FR 2389
ANPRM Comment Period End	03/21/83	48 FR 2389
NPRM	10/05/90	55 FR 40856
NPRM Comment Period End	07/01/91	56 FR 9181
Publication of New Test Data	03/21/94	59 FR 13264
Comment Period End	05/20/94	59 FR 13264

Action	Date	FR Cite
Commission Approves Final Amendments	02/06/95	
Notice to Solicit Comments on New Issues	02/21/95	60 FR 9654
Comment Period End	03/07/95	60 FR 9654
Public Hearing	03/16/95	
Final Action	00/00/00	

Small Entities Affected: Businesses**Government Levels Affected:** Undetermined

Additional Information: rulemaking proceeding. On February 21, 1995, the Commission published a notice in the Federal Register to solicit written comments on these issues. The Commission also scheduled a public hearing on March 16, 1995, to afford interested persons an opportunity to make oral presentations concerning the two new issues.

Agency Contact: Suzanne Barone, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, **301 504-0477**

RIN: 3041-AA22**4663. HOUSEHOLD SUBSTANCES CONTAINING METHYLENE CHLORIDE; STATUS AS HAZARDOUS SUBSTANCES; PROPOSED RULE****Legal Authority:** 15 USC 1261 Federal Hazardous Substances Act; 15 USC 1262 Federal Hazardous Substances Act**CFR Citation:** 16 CFR 1500.12(a)(2)**Legal Deadline:** None

Abstract: On August 20, 1986, the Commission proposed a rule to declare that household products containing methylene chloride are hazardous substances under the Federal Hazardous Substances Act (FHSA). These products include some paint strippers and spray paints. The Commission's concern arises from animal tests showing that methylene chloride is a carcinogen by inhalation and studies indicating a significant human exposure as a result of reasonably foreseeable use of products containing methylene chloride. The initiation of this rulemaking proceeding granted one part of a petition (HP 85-1) from the Consumer Federation of America. The staff provided an analysis of the comments on the proposed rule to the Commission in June 1987. In

August 1987, the Commission determined that there was no uncertainty as to the application of the FHSA to this substance that needed to be resolved by rulemaking. Therefore, the Commission suspended the rulemaking and issued a statement of enforcement policy stating the Commission's view that household products that contain methylene chloride and that expose consumers to significant levels (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/20/86	51 FR 29778
NPRM Comment Period End	10/20/86	51 FR 29778
Policy Published	09/14/87	52 FR 34698
Commission Decision to Continue Project	04/26/93	
Staff Transmits Briefing Package to Commission	05/00/95	
Commission Decision	06/00/95	

Small Entities Affected: None**Government Levels Affected:** None

Additional Information: ABSTRACT CONT: of methylene chloride are subject to the FHSA's labeling requirements. On April 7, 1993, the staff briefed the Commission on options for further Commission action with regard to household products containing methylene chloride. On April 26, 1993, the Commission directed the staff to continue work to evaluate the safety of substitute chemicals used in paint strippers and to improve the warning label for household products containing methylene chloride by considering revisions to the example of labeling in the policy statement to emphasize the importance of ventilation. The staff met with representatives of industry, consumer groups, and other Federal agencies concerned with household products containing methylene chloride to discuss the proposed labeling changes in May, 1994. In May, 1995, the staff is scheduled to transmit a briefing package to the Commission concerning proposed revisions of the warning label. The staff is also evaluating the safety of major substitutes for methylene chloride. Some of this work is being conducted in conjunction with other Federal agencies and industry committees.

Agency Contact: Laureen Burton, Project Manager, Consumer Product Safety Commission, Directorate for

CPSC

Final Rule Stage

Health Sciences, Washington, DC
20207, **301 504-0994**

RIN: 3041-AA59

4664. AMENDMENT OF FLAMMABILITY STANDARDS FOR CHILDREN'S SLEEPWEAR

Legal Authority: 15 USC 1193
Flammable Fabrics Act; 15 USC 2079(b)
Consumer Product Safety Act

CFR Citation: 16 CFR 1615; 16 CFR 1616

Legal Deadline: None

Abstract: The flammability standards for children's sleepwear are applicable to children's sleepwear garments in sizes 0 through 14, and to fabrics intended for use in such garments. The standards were issued to eliminate or reduce unreasonable risks of deaths and burn injuries to children associated with ignition of sleepwear garments. On October 25, 1994, the Commission published proposed amendments of the standards to exempt tight-fitting sleepwear garments and garments for infants from the requirements of the standards. The staff is preparing a briefing package for consideration by the Commissioners of the agency when deciding whether to issue final amendments of the standard.

Timetable:

Action	Date	FR Cite
ANPRM	01/13/93	58 FR 4111
ANPRM Comment Period End	03/13/93	58 FR 4111
NPRM	10/25/94	59 FR 53616

Action	Date	FR Cite
NPRM Comment Period End	01/09/95	59 FR 53616
Staff Sends Briefing Package to Commission	09/00/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Terrance R. Karels,
Project Manager, Consumer Product
Safety Commission, Directorate for
Economic Analysis, Washington, DC
20207, **301 504-0962**

RIN: 3041-AB27

4665. • PROPOSED RULE TO REQUIRE CHILD-RESISTANT PACKAGING OF NAPROXEN

Legal Authority: 15 USC 1472 Poison
Prevention Packaging Act

CFR Citation: 16 CFR 1700.14

Legal Deadline: None

Abstract: Naproxen is a nonsteroidal anti-inflammatory drug used to treat various forms of arthritis, mild to moderate pain, and menstrual pain. Until recently, naproxen was available only by prescription. As a prescription drug for human use in oral dose form, naproxen was required to be packaged in child-resistant packaging by provisions of 16 CFR 1700.14(a)(10). On January 11, 1994, the Food and Drug Administration authorized the sodium salt of naproxen to be sold as a non-prescription (over-the-counter or OTC) drug. Because the regulation requiring child-resistant packaging of drugs in oral dose form covers only prescription drugs, it is not applicable to the OTC

form of naproxen. Ingestion of naproxen can result in gastrointestinal complications such as constipation, heartburn, abdominal pain, and diarrhea. Less commonly, ingestion of naproxen can also cause seizures, apnea (cessation of breathing), metabolic acidosis (reduced blood pH), and impaired kidney function. The Commission has preliminarily determined that child-resistant packaging of the OTC form of naproxen is needed to protect children from serious illness from accidentally ingesting naproxen. On November 14, 1994, the Commission proposed a regulation under provisions of the Poison Prevention Packaging

Timetable:

Action	Date	FR Cite
NPRM	11/14/94	59 FR 56445
NPRM Comment Period End	03/01/95	60 FR 2716
Staff Sends Briefing Package to Commission	06/00/95	

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: Act to require child-resistant packaging for naproxen preparations containing 250 milligrams or more of naproxen per package.

Agency Contact: Jacqueline Ferrante,
Ph. D., Project Manager, Consumer
Product Safety Commission, Directorate
for Health Sciences, Washington, DC
20207, **301 504-0477**

RIN: 3041-AB46

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Completed/Longterm Actions

4666. RULES TO REQUIRE CHILD-RESISTANT PACKAGING FOR CERTAIN TOPICAL PRESCRIPTION AND NON-PRESCRIPTION PREPARATIONS CONTAINING LIDOCAINE OR DIBUCAINE

CFR Citation: 16 CFR 1700.14

Completed:

Reason	Date	FR Cite
Final Action	04/10/95	60 FR 17992
Final Action Effective	04/10/96	60 FR 17992

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Suzanne Barone, **301 504-0477**

RIN: 3041-AB03

4667. RULE TO REQUIRE CHILD-RESISTANT PACKAGING OF MOUTHWASHES CONTAINING ETHANOL

CFR Citation: 16 CFR 1700.14

Completed:

Reason	Date	FR Cite
Final Action	01/24/95	60 FR 4536
Final Action Effective	07/24/95	60 FR 4536

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jacqueline Ferrante,
301 504-0477

RIN: 3041-AB34

4668. RULES TO REQUIRE REPORTING OF CHOKING INCIDENTS

CFR Citation: 16 CFR 1117

CPSC

Completed/Longterm Actions

Completed:

Reason	Date	FR Cite
Final Action	02/27/95	60 FR 10490
Final Action Effective	03/29/95	60 FR 10490

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Eric L. Stone, 301 504-0626

RIN: 3041-AB36

4669. RULES TO BAN SMALL BALLS INTENDED FOR CHILDREN YOUNGER THAN THREE YEARS OF AGE AND TO REQUIRE LABELING OF CERTAIN TOYS AND GAMES

CFR Citation: 16 CFR 1500

Completed:

Reason	Date	FR Cite
Final Action	02/27/95	60 FR 10742
Final Action Effective	08/27/95	60 FR 10742

Small Entities Affected: None

Government Levels Affected: State, Local

Agency Contact: Michael J. Gidding, 301 504-0626

RIN: 3041-AB38

4670. PETITION PP 94-1 REQUESTING EXEMPTION OF CERTAIN DIETARY SUPPLEMENTS CONTAINING IRON FROM REQUIREMENTS FOR CHILD-RESISTANT PACKAGING

CFR Citation: 16 CFR 1700

Completed:

Reason	Date	FR Cite
Final Action - Petition granted.	03/28/95	
Final Action Effective	03/28/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jacqueline Ferrante, 301 504-0477

RIN: 3041-AB41

4671. • IDENTIFICATION OF CHILDREN'S PRODUCTS AND FIREWORKS

Legal Authority: 15 USC 1261, Federal Hazardous Substances Act; 15 USC 2051, Consumer Product Safety Act

CFR Citation: None

Legal Deadline: None

Abstract: Provisions of the Federal Hazardous Substances Act and the Consumer Product Safety Act authorize the Commission to order firms to replace, repair, or refund the purchase price of unsafe consumer products. However, in some cases, the Commission's ability to order such action has been frustrated because the Commission is not able to determine the identity of the manufacturer or importer of the product. In other cases, the Commission knows the identity of the manufacturer of an unsafe product which is similar in appearance to other products which do not present any hazard. On November 7, 1994, the Commission published a notice of inquiry concerning the possible need for a rule to require children's products and fireworks to be permanently marked so that the Commission can determine the identity of the manufacturer, importer, or private labeler; the model or other designation to distinguish the particular product from all others; and the date of production. On February 22, 1995, the Commission decided to terminate this inquiry.

Timetable:

Action	Date	FR Cite
Final Action - Inquiry Terminated	02/22/95	
Final Action Effective	02/22/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Alan Shakin, Assistant General Counsel, Office of the General Counsel, Consumer Product

Safety Commission, Washington, DC 20207, 301 504-0980

RIN: 3041-AB49

4672. • PETITION HP 94-1 REQUESTING DEVELOPMENT OF A RULE REQUIRING AUTOMATIC CHILD RESTRAINTS FOR GROCERY CARTS

Legal Authority: 5 USC 553(e), Administrative Procedure Act; 15 USC 1261, Federal Hazardous Substances Act

CFR Citation: None

Legal Deadline: None

Abstract: A petition from Charles De Stefano requested the Commission to develop a rule requiring automatic child restraints for grocery carts. The petition asserted that the requested rule is needed to address risks of head and facial injuries which have resulted when children have fallen out of grocery carts. On February 16, 1995, the Commission denied the petition. The Food Marketing Institute agreed to work with the Commission to better understand and prevent accidents involving falls from grocery carts.

Timetable:

Action	Date	FR Cite
Final Action - Petition Denied	02/16/95	
Final Action Effective	02/16/95	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Barbara Jacobson, Project Manager, Directorate for Health Sciences, Consumer Product Safety Commission, Washington, DC 20207, 301 504-0477

RIN: 3041-AB50

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