

## EFFECTIVE DATE

Section 6 of Pub. L. 85-623 provided that: "This Act [enacting this chapter and amending section 1716 of Title 18, Crimes and Criminal Procedure] shall take effect on the sixtieth day after the date of its enactment [Aug. 12, 1958]."

## SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99-570, title X, §10001, Oct. 27, 1986, 100 Stat. 3207-166, provided that: "This title [enacting section 1245 of this title, amending section 1716 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 1245 of this title] may be cited as the 'Ballistic Knife Prohibition Act of 1986'."

**§ 1242. Introduction, manufacture for introduction, transportation or distribution in interstate commerce; penalty**

Whoever knowingly introduces, or manufactures for introduction, into interstate commerce, or transports or distributes in interstate commerce, any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, §2, Aug. 12, 1958, 72 Stat. 562.)

## CROSS REFERENCES

Exceptions from application of section, see section 1244 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1244 of this title.

**§ 1243. Manufacture, sale, or possession within specific jurisdictions; penalty**

Whoever, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), manufactures, sells, or possesses any switchblade knife, shall be fined not more than \$2,000 or imprisoned not more than five years, or both.

(Pub. L. 85-623, §3, Aug. 12, 1958, 72 Stat. 562.)

## CROSS REFERENCES

Exceptions from application of section, see section 1244 of this title.

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1244 of this title.

**§ 1244. Exceptions**

Sections 1242 and 1243 of this title shall not apply to—

- (1) any common carrier or contract carrier, with respect to any switchblade knife shipped, transported, or delivered for shipment in interstate commerce in the ordinary course of business;
- (2) the manufacture, sale, transportation, distribution, possession, or introduction into interstate commerce, of switchblade knives pursuant to contract with the Armed Forces;
- (3) the Armed Forces or any member or employee thereof acting in the performance of his duty; or
- (4) the possession, and transportation upon his person, of any switchblade knife with a blade three inches or less in length by any individual who has only one arm.

(Pub. L. 85-623, §4, Aug. 12, 1958, 72 Stat. 562.)

## SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1245 of this title.

**§ 1245. Ballistic knives**

**(a) Prohibition and penalties for possession, manufacture, sale, or importation**

Whoever in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports a ballistic knife shall be fined as provided in title 18, or imprisoned not more than ten years, or both.

**(b) Prohibition and penalties for possession or use during commission of Federal crime of violence**

Whoever possesses or uses a ballistic knife in the commission of a Federal crime of violence shall be fined as provided in title 18, or imprisoned not less than five years and not more than ten years, or both.

**(c) Exceptions**

The exceptions provided in paragraphs (1), (2), and (3) of section 1244 of this title with respect to switchblade knives shall apply to ballistic knives under subsection (a) of this section.

**(d) "Ballistic knife" defined**

As used in this section, the term "ballistic knife" means a knife with a detachable blade that is propelled by a spring-operated mechanism.

(Pub. L. 85-623, §7, as added Pub. L. 99-570, title X, §10002, Oct. 27, 1986, 100 Stat. 3207-167; amended Pub. L. 100-690, title VI, §6472, Nov. 18, 1988, 102 Stat. 4379.)

## AMENDMENTS

1988—Subsec. (a). Pub. L. 100-690, §6472(1), substituted "in or affecting interstate commerce, within any Territory or possession of the United States, within Indian country (as defined in section 1151 of title 18), or within the special maritime and territorial jurisdiction of the United States (as defined in section 7 of title 18), knowingly possesses, manufactures, sells, or imports" for "knowingly possesses, manufactures, sells, or imports".

Subsec. (b). Pub. L. 100-690, §6472(2), struck out "or State" after "Federal".

## EFFECTIVE DATE

Section 10004 of Pub. L. 99-570 provided that: "The amendments made by this title [enacting this section, amending section 1716 of Title 18, Crimes and Criminal Procedure, and enacting provisions set out as a note under section 1241 of this title] shall take effect 30 days after the date of enactment of this title [Oct. 27, 1986]."

**CHAPTER 30—HAZARDOUS SUBSTANCES**

Sec.

1261.

1262.

Definitions.

Declaration of hazardous substances.

(a) Declaration of hazardous substances by regulation; review.

(b) Reasonable variations or additional label requirements.

- Sec. (c) Exemption from requirements by regulation.
- (d) Exemption from requirements of this chapter of substances or containers adequately regulated by other provisions of law.
- (e) Regulation of toys or articles intended for use by children.
- (f) Commencement of proceeding for promulgation of regulation; notice.
- (g) Publication of standard; termination of proceeding for promulgation of regulation; monitoring of compliance.
- (h) Publication of proposed rule together with preliminary regulatory analysis.
- (i) Publication of final regulatory analysis with regulation; required findings; judicial review.
- (j) Petition to initiate rulemaking.
- 1263. Prohibited acts.
- 1264. Penalties; exceptions.
  - (a) Criminal penalties.
  - (b) Exceptions.
  - (c) Civil penalties.
  - (d) Civil action for injunction.
- 1265. Seizures.
  - (a) Grounds and jurisdiction.
  - (b) Procedure; multiplicity of pending proceedings.
  - (c) Disposition of goods after decree of condemnation.
  - (d) Costs and fees.
  - (e) Removal of case for trial.
- 1266. Hearing before report of criminal violation.
- 1267. Injunctions; criminal contempt; trial by court or jury.
  - (a) Jurisdiction.
  - (b) Trials.
- 1268. Proceedings in name of United States; subpoenas.
- 1269. Regulations.
  - (a) Authority.
  - (b) Joint regulations.
- 1270. Examinations and investigations.
  - (a) Authority to conduct.
  - (b) Inspection; notice; samples.
  - (c) Receipt for sample; results of analysis.
- 1271. Records of interstate shipment.
- 1272. Publicity; reports; dissemination of information.
  - (a) Summaries of judgments, decrees, orders.
  - (b) Information as to health dangers and investigations.
- 1273. Imports.
  - (a) Delivery of samples to Commission; examination; refusal of admission.
  - (b) Disposition of refused articles.
  - (c) Expenses in connection with refused articles.
  - (d) Statement of exportation: filing period, information; notification of foreign country; petition for minimum filing period; good cause.
- 1274. Remedies respecting banned hazardous substances.
  - (a) Notice to protect public; form and contents.
  - (b) Order of Commission; repair, replacement, or refund.
  - (c) Discretionary remedial activities available to Commission; orders; contents.
  - (d) Charge for remedy; reimbursement for expenses.
  - (e) Hearing; representative of class.

- Sec. (f) "Manufacturer" defined.
- (g) Cost-benefit analysis of notification or other action not required.
- 1275. Toxicological Advisory Board.
  - (a) Establishment; functions; review and recommendations.
  - (b) Membership; appointment; qualifications; Chairman; term of office; re-appointment; vacancies; meetings; compensation and travel expenses; Federal nonemployee status.
  - (c) Termination.
- 1276. Congressional veto of hazardous substances regulations.
  - (a) Transmission to Congress.
  - (b) Disapproval by concurrent resolution.
  - (c) Presumptions from Congressional action or inaction.
  - (d) Continuous session of Congress.
- 1277. Labeling of art materials.
  - (a) Regulation status of standard D-4236 of American Society for Testing and Materials.
  - (b) Requirements applicable to standard D-4236.
  - (c) Revisions incorporated into standard D-4236; notice and hearing; amendment; opportunity for comment; transcript of proceedings.
  - (d) Guidelines for determining chronically hazardous art materials; issuance; public hearing; scope of criteria; review; amendment.
  - (e) Informational and educational materials; development and distribution.
  - (f) Injunctions.
- 1278. Requirements for labeling certain toys and games.
  - (a) Toys or games for children who are at least 3.
  - (b) Balloons, small balls, and marbles.
  - (c) General labeling requirements.
  - (d) Treatment as misbranded hazardous substance.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1276, 1460, 2052, 2055, 2079 of this title.

§ 1261. Definitions

For the purposes of this chapter—

- (a) The term "territory" means any territory or possession of the United States, including the District of Columbia and the Commonwealth of Puerto Rico but excluding the Canal Zone.
- (b) The term "interstate commerce" means (1) commerce between any State or territory and any place outside thereof, and (2) commerce within the District of Columbia or within any territory not organized with a legislative body.
- (c) Omitted
- (d) The term "Commission" means the Consumer Product Safety Commission.
- (e) The term "person" includes an individual, partnership, corporation, and association.
- (f) The term "hazardous substance" means:
  - (1)(A) Any substance or mixture of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is a strong sensitizer, (v) is flammable or combustible, or (vi) generates pressure through decomposition, heat, or other means, if such substances or mixture of substances may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably