

(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. Definitions.

Sec. 1262. Declaration of hazardous substances.
(a) Declaration of hazardous substances by regulation; review.
(b) Reasonable variations or additional label requirements.
(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.

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- (d) Charge for remedy; reimbursement for expenses.
 - (e) Hearing; representative of class.
 - (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 foreseeable handling or use, including reasonably foreseeable ingestion by children.

(B) Any substances which the Commission by regulation finds, pursuant to the provisions of section 1262(a) of this title, meet the requirements of subparagraph (1)(A) of this paragraph.

(C) Any radioactive substance, if, with respect to such substance as used in a particular class of article or as packaged, the Commission determines by regulation that the substance is sufficiently hazardous to require labeling in accordance with this chapter in order to protect the public health.

(D) Any toy or other article intended for use by children which the Commission by regulation determines, in accordance with section 1262(e) of this title, presents an electrical, mechanical, or thermal hazard.

(E) Any solder which has a lead content in excess of 0.2 percent.

(2) The term "hazardous substance" shall not apply to pesticides subject to the Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. 136 et seq.], nor to foods, drugs and cosmetics subject to the Federal Food, Drug, and Cosmetic Act [21 U.S.C. 301 et seq.], nor to substances intended for use as fuels when stored in containers and used in the heating, cooking, or refrigeration system of a house, nor to tobacco and tobacco products, but such term shall apply to any article which is not itself a pesticide within the meaning of the Federal Insecticide, Fungicide, and Rodenticide Act but which is a hazardous substance within the meaning of paragraph (1) of this subsection by reason of bearing or containing such a pesticide.

(3) The term "hazardous substance" shall not include any source material, special nuclear material, or byproduct material as defined in the Atomic Energy Act of 1954, as amended [42 U.S.C. 2011 et seq.], and regulations issued pursuant thereto by the Atomic Energy Commission.

(g) The term "toxic" shall apply to any substance (other than a radioactive substance) which has the capacity to produce personal injury or illness to man through ingestion, inhalation, or absorption through any body surface.

(h)(1) The term "highly toxic" means any substance which falls within any of the following categories: (a) Produces death within fourteen days in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, at a single dose of fifty milligrams or less per kilogram of body weight, when orally administered; or (b) produces death within fourteen days in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, when inhaled continuously for a period of one hour or less at an atmospheric concentration of two hundred parts per million by volume or less of gas or vapor or two milligrams per liter by volume or less of mist or dust, provided such concentration is likely to be encountered by man