(b) Disapproval by concurrent resolution

Any regulation specified in subsection (a) of this section shall not take effect if—

(1) within the ninety calendar days of continuous session of the Congress which occur after the date of the promulgation of such regulation, both Houses of the Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows (with the blank spaces appropriately filled): ''That the Congress disapproves the flammability regulation which was promulgated under the Flammable Fabrics Act by the Consumer Product Safety Commission with respect to and which was transmitted to the Congress on and disapproves the regulation for the following reasons: .''; or

(2) within the sixty calendar days of continuous session of the Congress which occur after the date of the promulgation of such regulation, one House of the Congress adopts such concurrent resolution and transmits such resolution to the other House and such resolution is not disapproved by such other House within the thirty calendar days of continuous session of the Congress which occur after the date of such transmittal.

(c) Presumptions from Congressional action or inaction

Congressional inaction on, or rejection of, a concurrent resolution of disapproval under this section shall not be construed as an expression of approval of the regulation involved, and shall not be construed to create any presumption of validity with respect to such regulation.

(d) Continuous session of Congress

For purposes of this section—

(1) continuity of session is broken only by an adjournment of the Congress sine die; and

(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of the periods of continuous session of the Congress specified in subsection (b) of this section.

(June 30, 1953, ch. 164, § 17, as added Pub. L. 97–35, title XII, § 1207(d), Aug. 13, 1981, 95 Stat. 719; amended Pub. L. 110–314, title II, § 204(c)(2)(C), (H), Aug. 14, 2008, 122 Stat. 3042, 3043.)

REFERENCES IN TEXT

The Flammable Fabrics Act, referred to in subsec. (b), is act June 30, 1953, ch. 164, 67 Stat. 111, as amended, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1191 of this title and Tables.

PRIOR PROVISIONS

A prior section 1204, act June 30, 1953, ch. 164, § 17, as added Dec. 14, 1967, Pub. L. 90–189, § 10, 81 Stat. 574; amended May 11, 1976, Pub. L. 94–284, § 19, 90 Stat. 514, related to the National Advisory Committee for Flammable Fabrics Act, prior to repeal by Pub. L. 97–35, title XII, § 1205(b), Aug. 13, 1981, 95 Stat. 716, eff. Aug. 13, 1981.

AMENDMENTS

2008—Pub. L. 110–314, § 204(c)(2)(H), which directed substitution of ''Commission'' for ''Consumer Product Safety Commission'' in this section, was executed by making the substitution in subsec. (a) before ''shall transmit'', but not in subsec. (b)(1), to reflect the probable intent of Congress.

Subsec. (a). Pub. L. 110–314, § 204(c)(2)(C), which directed substitution of ''Commission'' for ''Secretary'' wherever appearing in the Flammable Fabrics Act, classified to this chapter, was not executed in subsec. (a) of this section, where ''Secretary'' precedes ''of the Senate'', to reflect the probable intent of Congress. Amendment was part of a series of conforming amendments to change references to the ''Secretary'' of Commerce to ''Commission''.

EFFECTIVE DATE

Section applicable with respect to consumer product safety rules under chapter 47 of this title and regulations under this chapter and chapter 30 of this title promulgated after Aug. 13, 1981, see section 1215 of Pub. L. 97–35, set out as an Effective Date of 1981 Amendment note under section 2052 of this title.

CHAPTER 26—HOUSEHOLD REFRIGERATORS

Sec.
1211. Prohibition against transportation of refrigerators without safety devices.
1212. Violations; misdemeanor; penalties.
1213. Publication of safety standards in Federal Register.
1214. ''Interstate commerce'' defined.

§ 1211. Prohibition against transportation of refrigerators without safety devices

It shall be unlawful for any person to introduce or deliver for introduction into interstate commerce any household refrigerator manufactured on or after the date this section takes effect unless it is equipped with a device, enabling the door thereof to be opened from the inside, which conforms with standards prescribed pursuant to section 1213 of this title.

(Aug. 2, 1956, ch. 890, § 1, 70 Stat. 953.)

REFERENCES IN TEXT

For date this section takes effect, referred to in text, see Effective Date note below.

EFFECTIVE DATE

Section 5 of act Aug. 2, 1956, provided that: ''This Act [this chapter] shall take effect on the date of its enactment [Aug. 2, 1956], except that the first section of this Act [this section] shall take effect one year and 90 days after the date of publication of commercial standards first established under section 3 of this Act [section 1213 of this title]. In the event of a change in said commercial standards first established, a like period shall be allowed for compliance with said change in commercial standards.''

TRANSFER OF FUNCTIONS

Functions of Secretary of Commerce and Federal Trade Commission under this chapter transferred to Consumer Product Safety Commission, see section 2079 of this title.

§ 1212. Violations; misdemeanor; penalties

Any person who violates section 1211 of this title shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for not more than one year, or a fine of not more than $1,000, or both.

(Aug. 2, 1956, ch. 890, § 2, 70 Stat. 953.)

TRANSFER OF FUNCTIONS

Functions of Secretary of Commerce and Federal Trade Commission under this chapter transferred to