

APPENDIX J: Organizational Structure and Functions

Organizational Structure and Functions

As provided in the Consumer Product Safety Act of 1972, the Chairman and Commissioners are the key policy makers of the U.S. Consumer Product Safety Commission. The staff carries out their decisions and policies.

The Consumer Product Safety Act provides for five Commissioners but three Commissioners currently head the agency. The Chairman and Commissioners are appointed by the President and confirmed by the Senate. The Commission annually elects a Vice Chairman.

The Chairman is the principal executive officer of the Commission. The Vice Chairman acts in the absence of the Chairman.

The following offices report directly to the Chairman:

The Office of Congressional Relations acts as the Commission's liaison with Congress. It provides information and assistance to congressional committees, responds to inquiries by legislators, and coordinates written and oral testimony by Commissioners and agency staff.

The Office of Equal Opportunity and Minority Enterprise monitors compliance with all laws, regulations, rules, and internal policies relating to equal employment opportunity. It also ensures compliance with relevant provisions of the Small Business Act, and conducts the Upward Mobility Program.

The Office of the Executive Director, under the broad direction of the Chairman and in accordance with Commission policy, acts as the chief operating manager of the agency, supporting the development of the agency's budget and operating plan before and after Commission approval, and managing the execution of those plans.

The Office of the General Counsel is the legal arm of the Commission. Staffed by lawyers, it provides advice and counsel to the Commission and staff on all legal matters, including contracting, personnel issues, and legal review of all reports, memoranda, press releases, and publications. It advises the Commission on matters of standards development, rules, petitions, interpretations of prevailing regulations, and Federal court litigation concerning compliance matters. It also defends court challenges to rules and other Commission actions.

The Office of the Inspector General is an independent office established under the provisions of the Inspector General Act, as amended. Reporting only to the Chairman, this office independently initiates, conducts, and supervises audits, reviews, inspections, and

investigations of Commission programs, activities, and operations to prevent and detect waste, fraud, and abuse. It makes recommendations to promote economy, efficiency, and effectiveness within the Commission's programs and operations. The office also may investigate allegations of employee misconduct.

The Office of the Secretary prepares the agendas for official agency meetings, maintains official records of Commission actions, manages the docket of adjudicative proceedings, and responds to requests for documents under the Freedom of Information Act (FOIA) and the Privacy Act. It issues the agency's official documents, including Federal Register notices, prepares and publishes the Public Calendar of Commission meetings, and supervises the operations of CPSC's public reading room.

The following offices report to the Executive Director:

The Office of the Budget is responsible for overseeing the development of the Commission's budget. The office, in consultation with other offices and directorates, prepares for the Commission's approval, the annual budget requests to Congress and the Office of Management and Budget and the operating plans for each fiscal year. It manages execution of the Commission's budget. The office recommends to the Office of the Executive Director actions to enhance effectiveness of the Commission's programs and activities.

The Office of Information and Public Affairs disseminates information to consumers and the media. It prepares and publishes brochures, booklets, fact sheets, and safety alerts recommending safe ways for consumers to identify and safely use consumer products. Press releases are prepared and circulated to the media on Commission actions, product recalls, and seasonal events such as toy safety, fireworks, holiday safety, residential pool use, and National Poison Prevention Week.

The Office of Planning and Evaluation is responsible for short-term and long-term planning and evaluation of agency programs and accomplishments. Evaluation studies are conducted to determine how well the Commission fulfills its mission. The office also manages the Commission's information collection budget and obtains Office of Management and Budget clearance for information collections.

The Office of Compliance directs the administrative enforcement of Commission rules. The office, staffed by lawyers and compliance specialists and working with field staff, also initiates investigations on safety hazards of products already in the consumer marketplace or being offered for import. It enforces the requirements that firms comply with specific regulations and that they identify and report product defects that could present possible substantial hazards, violations of consumer product safety rules, and violations of voluntary standards relied upon by the Commission. It negotiates and subsequently monitors corrective action plans designed to give public notice of hazards and to recall defective or non-complying

products. In addition, it provides advice and guidance to regulated industries on regulated industries on complying with Commission rules and regulations.

The Office of Hazard Identification and Reduction manages the Commission's Hazard Identification and Analysis Program and its Hazard Assessment and Reduction Program. The office develops strategies for and implements the agency's operating plan for these two hazard programs. The office reports to the Executive Director, and has line authority over the Directorates for Epidemiology and Health Sciences, Economic Analysis, Engineering Sciences, and Laboratory Sciences. The office's responsibilities include the collecting and analyzing of data to identify hazards and hazard patterns, the carrying out of the Commission's regulatory and voluntary standards development projects, and providing coordination of international activities related to consumer product safety. This office also provides technical and economic support for the Commission's compliance activities. The office assures that relevant technical, environmental and economic impacts of projects are comprehensively and objectively presented to the Commission for decision. The office also evaluates rulemaking petitions received by the Commission.

The Office of Human Resources Management provides human resources management support to the Commission in the areas of recruitment and placement, position classification, training and executive development, employee and labor relations, employee benefits and retirement assistance, employee assistance programs, drug testing, leave administration, disciplinary and adverse actions, grievances and appeals, and performance management.

The Office of Information Services is responsible for policy and operations relating to agency collection, use, and dissemination of information. The Office provides information technology support for data collection, information retrieval, report generation, and statistical and mathematical operations of the agency. The Office maintains the agency's local area networks and develops and supports other network applications such as electronic mail. The Office manages the agency's toll-free Hotline, Internet and fax-on-demand services. The Office is responsible for the agency's injury information clearinghouse, information resources management (including records management), and managing the agency's directive system.

The Directorate for Field Operations is responsible for all Commission field operations. The Commission's 130 member field staff, located in 38 cities across the country, supports the full range of CPSC programs. The field staff conducts in-depth investigations of injuries and deaths, provides local support for the hospitals that report through the NEISS system, and collects reports of product-related incidents. Field investigators inspect manufacturers, importers, distributors, and retailers and collect product samples for testing or evaluation to determine violations of safety regulations and possible substantial product hazards. The field staff ensures that appropriate action is taken to correct any violations. It also negotiates and monitors recalls of hazardous products and provides advice and guidance to industry. The field staff implements national safety education campaigns, responds to inquiries, and works with the press and local organizations to bring product safety information

to the public. The field staff also works with state and local officials and private organizations to inform the public about the safe use of consumer products and to obtain compliance with CPSC laws and regulations.

The Directorate for Administration is responsible for formulating and executing general administrative policies in the areas of financial management, procurement, property and space management, security equipment maintenance, printing, warehousing, mail, duplication, labor services, and physical security.

Date	Firm and Product	Alleged Hazard	Remedy
06/98	Safety First Inc. Chestnut Hill, MA Baby Bouncing Buggy Alternative Walker, model no. 45606	Children can break-off the toys attached to the walker which can result in scratches, cuts or bruises and also present a choking hazard.	Consumers can call a toll-free number to obtain free replacement toy posts made of a more flexible plastic material.
07/98	Rand International Inc. Farmingdale, NY Mountain bike suspension fork	The fork may be improperly adjusted which may cause a rider to fall from the bike.	The firm offered consumers free repair of the suspension fork.
07/98	Specialized Bicycle Components Inc. Morgan Hill, CA Chain on specialized mountain bike	The chain can break causing the rider to lose control of bike and fall.	The firm offered free replacement chains to consumers at all 1500 dealers.
07/98	Wilderness Trail Bikes Mill Valley, CA Quick release skewers, model Momentum bikes	The quick release skewers can fail and cause the wheel to detach.	A new improved Q/R skewer is offered free of charge to bike owners and distributed by dealers.
07/98	Performance, Inc. Chapel Hill, NC 'Campus' Bicycle Pedal	The pedal may detach causing the rider to fall.	The firm offered consumers a free replacement pedal.

Certain corrective actions may not rise to the level of a substantial product hazard, but a firm still chooses to undertake a voluntary corrective action plan. In some of those cases, the corrective action plan may not be listed.

Date	Firm and Product	Alleged Hazard	Remedy
07/98	Schwinn Bicycle Co. Boulder, CO Factory bicycle, model Homegrown XT and Factory XT	The brakes may over react causing the rider to fall.	The firm offered owners free repair or replacement of the brakes at all dealers.
07/98	Schwinn Bicycle Co. Boulder, CO Heavy duty bicycle	The wheel may come off due to a missing retention washer causing the rider to fall	The firm offered consumers a free retention washer via mail and retail posters.
07/98	Honeywell, Inc. Minneapolis, MN Electric baseboard heater thermostat, models T4600 and CT1650	Use of the heaters presents a potential fire hazard.	The firm recalled the heaters offering consumers a replacement or a refund of the purchase price.
07/98	Balboa Instruments, Inc. Newport, CA Control unit for portable spas and whirlpools, model Super Duplex	The spacing and isolation between high and low voltage circuits is insufficient. High voltage current may jump to low voltage circuitry, presenting a shock hazard.	The firm will replace the units that have insufficient separation and isolation of the high and low voltage circuitry.

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Date	Firm and Product	Alleged Hazard	Remedy
07/98	Quantum North America Philadelphia, PA Red Devil gas grill	The inadequately welded burner may fall off resulting in burns from the hot surface.	Replacement burners, made with a flange riveted in three places, were sent to all potentially affected consumers.
07/98	The Coleman Company Wichita, KS 3" X-Pert folding pocket knife	The knife lock blade may fail presenting a laceration hazard.	The firm offered refunds of the purchase price to consumers.
07/98	Bemis Manufacturing Company Sheboygan Falls, WI Reclining plastic chair, model 2068	The chairs may collapse resulting in falls to occupants.	The firm recalled the chairs from the consumer level of distribution.
07/98	Royal Sovereign Corporation Englewood, NJ Electric heaters, item # RST-1200	The heaters present fire and electrocution hazards.	The firm implemented a consumer level corrective action program.

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07/98	<p>Marco Manufacturing Lynwood, CA</p> <p>Marco Margas CCT decorative gas fireplaces with collinear venting</p>	<p>The exhaust flue may separate from the termination on the exterior of the house and release hot exhaust gases inside the wall. This could cause house fires.</p>	<p>The firm offered consumers a free in-home retrofit.</p>
08/98	<p>Char-Broil, Div. W.C. Bradley Co. Columbus, GA</p> <p>Gas grill regulator</p>	<p>The long length of the hose allows it to touch the burner. This presents a potential fire hazard.</p>	<p>The firm provided a retrofit pigtail assembly to consumers.</p>
08/98	<p>Neiman Marcus Group Chestnut Hill, MA</p> <p>Chandelier</p>	<p>The chandelier presents fire or electric shock hazards.</p>	<p>The firm provided a replacement UL listed product to owners.</p>
08/98	<p>A.E.S. Industries Plant City, FL</p> <p>Work Light</p>	<p>The light may overheat presenting an electrocution hazard.</p>	<p>No units of the product were distributed.</p>
08/98	<p>A.E.S. Industries Plant City, FL</p> <p>Nippon America surge protector, item 14-515</p>	<p>The product presents electrocution and fire hazards.</p>	<p>No units of the product were distributed.</p>

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Date	Firm and Product	Alleged Hazard	Remedy
08/98	Wide Open Doors Clovis, NM Bi-fold door with uncovered and bottom mounted operating mechanism	Fingers, hands and arms may be caught in the operating mechanism exposing the consumer to amputation, fracture and/or contusion hazards	New production will have covered mechanisms. All previously manufactured doors will be fixed free of charge to owners.
08/98	First Choice Products City of Industry, CA 6 outlet electric power strips, items 29005 & 29029	The electric power strips present fire and electric shock hazards.	The firm recalled the power strips offering consumers a refund of the purchase price.
08/98	J. Hofert Company Sparks, NV EVERGLOW" icicle Christmas lights, model WSI-97	The lights present an electrical shock hazard.	The firm recalled the lights.
08/98	Crate & Barrel Northbrook, IL Wooden toy chests #303-194 (maple) and #172-561(birch)	The toy chest lid can fall due to insufficient lid support which may result in injuries.	The firm sent free replacement lid supports to consumer owners.

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08/98	Holiday Innovations, Inc. Houston, TX Wonder Lights Christmas tree lights, models 8GG1-C, 8GG1-M, 8GG6-C, 8GG6-M, 8GG20-C & 8GG20-M	Live electrical connections can be exposed presenting a shock hazard	The firm stopped distribution and offered consumers a refund of the purchase price.
08/98	Square D Company Palatine, IL SERVICEPAK power outlet panel	Use of the panel presents a potential shock/electrocution hazard.	The firm stopped sales and redesigned the product. Affected units will be repaired at customer location.
08/98	AIG Design Holding, Inc. Alpharetta, GA Home entertainment unit, Sears models 49865, 49866, 49885, and 49886	Use of the products presents potential shock or fire hazards.	The retailer notified consumers to call a toll free number to arrange for the affected products to be replaced without cost.
08/98	Lexington Furniture Industries Lexington, NC Bunk beds, models Lexington, Devan, Young-Hinkle, Dixie, and Henry Link	Use of the bunk beds presents a head entrapment hazard.	The firm offered retrofit kits to consumers.

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Date	Firm and Product	Alleged Hazard	Remedy
08/98	Federated Department Stores Cincinnati, OH All-In-One cooking pan, model Tools-of-the-Trade	The polypropene washer under the lid's handle will melt at 200 degrees fahrenheit.	The firm stopped sales and offered consumers a refund of the purchase price.
08/98	American Honda Motor Co., Inc. Torrance, CA Honda generator, model EX4500 4500-watt	The engine stop-switch sensor bracket can cause a short circuit when the ignition is in the start position.	Honda will replace the brackets with a redesigned bracket at no charge.
08/98	Hamilton Beach Proctor Silex, Inc. Glen Allen, VA Proctor Silex in-door electric grill, model 31525	Use of the grill presents a potential fire hazard.	The firm recalled the grill offering consumers a refund of the purchase price.
08/98	TWS, USA Upland, CA All terrain vehicle model LEM 50 cc	The ATV is too fast for the age group intended, plus other voluntary standard failures.	The firm recalled all 200 units offering consumers a refund of the purchase price.
08/98	Conros Corporation Ontario, Canada Summer Lights Citronella Torches	The plastic fuel canisters present a potential fire hazard.	The firm offered replacement metal canisters for the plastic canisters.

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Date	Firm and Product	Alleged Hazard	Remedy
08/98	The Lancaster Colony Corporation Cincinnati, OH Large 3 Wick Peen Candle	Under certain conditions, the glass container may shatter or break presenting a laceration or thermal burn hazard.	The firm re-designed the candle to lessen the potential problem.
09/98	Nikon Inc. Melville, NY Nikonos speedlight, model SB-103	The front lens and flash tube can propel from the front of the unit.	The firm provided a free replacement unit.
09/98	The Glidden Company Cleveland, OH Rust Mate aluminum paint	There is a potential for the lids to propel from the paint cans.	The firm reworked the defective product to stop the gassing action which caused the lids to project from the cans.
09/98	AIWA America, Inc. Mahwah, NJ Portable stereo, models NSX-A303 & NSX-A304 with the CX-NA303 center section	A transistor may fail resulting in smoke or ignition of a speaker.	New production and customer returned units will have the transistors replaced. Unsold units will be modified to prevent fire hazard.

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Date	Firm and Product	Alleged Hazard	Remedy
09/98	Deere & Company Moline, IL Lawn tractors with Freedom 42 Mower Decks, models LT 155, LT166	Blade bolt could loosen, allowing blade to exit below the mower deck striking a bystander.	The firm added a locking bolt for each spindle, and re-torqued the blade bolt.
09/98	Yamaha Motor Corporation, USA Cypress, CA Snowmobile, 1997-98 model years VX500, 600, 700; VT500, 600; MM600, 700; SRX 600, 700; MSRX, 700	The snowmobile may lose the ability to be steered causing the rider to crash.	The firm replaced the original ski columns with reengineered columns.
09/98	Tara Toy Corporation Hauppauge, NY Flying Warriors dolls	While in use, the doll's wings may detach resulting in serious eye injuries.	Consumers are to return the dolls to their retailers for a full refund.
09/98	Woodstock International Bellingham, WA Cutterhead for power shaping equipment, Woodstock models D1700 & D1701, Grizzly models G2320 & G2606	The cutterhead may fracture and separate from the equipment expelling the shaping knives and cutterhead fragments.	The manufacturer of the cutterhead has been changed and the new cutterheads will be made to specifications.

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Date	Firm and Product	Alleged Hazard	Remedy
09/98	Pierce Engineered Products, Inc. Eugene, OR Fireplace pellet stove inserts, models P100ID and P2001	Pellets or sawdust may escape the fire box resulting in smoke and/or fire hazards.	All suspect units are to be professionally inspected, and if necessary, repaired free of charge.
09/98	Huffy Corporation Miamisburg, OH Bicycle, model 26" Huffy ABT 2000 & Sears 475170	The frame may crack or break causing the rider to lose control.	The firm offered consumers a replacement or refund of the purchase price.
09/98	MacKenzie-Childs Ltd. Aurora, NY Paper candle shade	The paper shade may ignite from the burning candle flame.	The firm recalled the original paper shades offering consumers replacement fire-resistant shades.
09/98	PJ Toys New York, NY Children's furniture, mirror, toy box, chair, wall hook, wall shelf, stool, coat tree, rocking unit, and table, Circus and princess, 097-02-0049, -0052, -0053, -0057, -0056, -0051, -0090, -0054, -0055, -0058, -00	The lead content is above the allowable level.	The firm recalled and destroyed the products.

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Date	Firm and Product	Alleged Hazard	Remedy
09/98	Krause, Inc. Roscoe, IL Krause articulating ladders, produced 12/97-5/98, models 12' MultiMatic (#121482), 16' MultiMatic (#121499), 12' TriMatic (#121321), (UL AC Nos. 7404-7488, 7494, 7495)	The ladders may collapse causing the users to fall.	The firm offered replacements or refunds of the purchase price.

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APPENDIX G: Litigation and Settlements

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Litigation and Settlements

Part I of this appendix summarizes the federal court cases, categorized by type, to which the Commission was a party during fiscal year 1998. Part II summarizes the civil penalty settlement agreements accepted by the Commission during fiscal year 1998.

Part I. Federal Court Cases

Criminal Case

U.S. v. UtilityFree, Inc. and John D'Angelo, No. 97-CR-312 (D. Colo.). In July 1993 John D'Angelo, president of UtilityFree, delivered to John Lawrence a bottle of potassium hydroxide solution as part of an order. Under federal laws administered by CPSC such solution, a highly corrosive clear liquid, must be packaged in child-resistant containers with specified labeling information, and may not be packaged in reused food containers. Mr. Lawrence, an electrician, planned to use the solution in his "sideline" job as an installer of photoelectric batteries in homes. After using some of the solution, Mr. Lawrence retained the rest for later use, on the advice of UtilityFree. In December 1993 Mr. Lawrence was transporting the solution and other possessions to a rented storage facility near his new home. He agreed to let 15-year-old Justin Pulliam help. Justin drank some of the solution and died 13 days later. On September 30, 1997, John D'Angelo pleaded guilty to fifteen counts of shipping potassium hydroxide in reused milk and water jugs and shipping other chemicals in violation of the Federal Hazardous Substances Act and the Poison Prevention Packaging Act. On January 27, 1998, Mr. D'Angelo was sentenced to 700 days in jail, to be followed by one year of supervised release.

Civil Penalty/Injunction Case

U.S. v. Shelton Fireworks, No. 96-6131-CV-SJ-1 (W. D. Mo.). Over a four-year period, Shelton Fireworks imported 23 different shipments of fireworks that failed to comply with CPSC's regulations and with the Federal Hazardous Substances Act. On October 2, 1996 the government filed a complaint seeking a civil penalty and injunction. Shelton filed an answer on November 29, 1996. Between July 1997 and April 1998, the parties engaged in discovery, including depositions, interrogatories, and document production. The government moved for summary judgment on February 13, 1998, and Shelton moved for summary judgment on March 3, 1998. On April 28, 1998, the court ruled on the cross motions for summary judgment and found that: (a) CPSC has jurisdiction to regulate fireworks, (b) Shelton's products were in interstate commerce, (c) the doctrine of laches does not preclude CPSC from seeking civil penalties, (d) CPSC may rely for injunctive relief on violative fireworks that it permitted Shelton to sell, (e) CPSC may use sampling to condemn a whole fireworks

shipment, (f) the issue of non-random sampling is reserved for trial, (g) Shelton's due process arguments lack merit, (h) the statistical validity of a sample that disregards the size of the shipment is reserved for trial, (i) Shelton's claim that fuse burn values of 2.51 and higher must be rounded up to 3 are not adopted, (j) Shelton's claim about the labeling of small festival balls is wrong, (k) Shelton's arguments about the corporate and individual distinctiveness of the three importers are reserved for trial, (l) CPSC's assertion that Shelton acted "knowingly" is reserved for trial, (m) there is jurisdiction over the NFA case, and (n) there is no evidence to support Shelton's claim that CPSC took "unjustified actions and threats" against Shelton. From May 11-15, 1998, the parties presented evidence at a bench trial (a non-jury trial before the judge). Both sides filed post-trial briefs on August 3, 1998. The court scheduled an oral argument for November 5, 1998.

Warrant Case

In the Matter of Establishment Inspection of Royal Sovereign, Inc., No. 97-7218 (D. N.J.). CPSC staff inspected Royal Sovereign's place of business of October 25, 1995. Later, CPSC learned that the company may have withheld some information during that inspection, and decided to follow up. On October 8, 1997, a U.S. Magistrate issued a Warrant for Inspection. The CPSC executed the warrant on October 15, 1997 and completed its second investigation of Royal Sovereign. On October 27, 1997, the government filed a return with the court

Cases Against the Commission

Douma, et al. v. F.W. Enterprises, et al., No. CV 96-73-Bu-JDS (D. Mont.). On March 7, 1994, Commission staff notified F.W. Enterprises that fireworks it imported were banned hazardous substances. On April 28, 1994, Commission staff approved F.W. Enterprises' application for authorization to destroy the fireworks by having them crushed by a bulldozer and then buried. The destruction took place on August 8, 1994 and was witnessed by a U.S. Customs Service agent. While plaintiff Martin Douma ran over the fireworks with the bulldozer, they ignited and burned him. He brought this action under the Federal Tort Claims Act, serving a complaint on the government on July 19, 1996. The government filed its answer on September 17, 1996. Following some discovery and a July 22, 1997 settlement conference with a magistrate, the government agreed to settle the claim against it for \$1.65 million. On September 10, 1997, the parties signed a Stipulation for Compromise Settlement. On October 9, 1997, the court ordered dismissal of the case (an October 14, 1997 order amended the October 9 order by setting a trial date for the remaining defendant, Gallatin County).

Daisy Manufacturing Company, Inc. v. CPSC, No. 96-5152 (W.D. Ark.) and No. 97-1458 (8th Cir.). In February 1996 Capital Cities/ABC filed a Freedom of

Information Act request for information on the Commission's investigation of an alleged defect with Daisy BB guns. After the Commission closed its investigation, it decided that some information in its file could be disclosed. On April 12, 1996, Daisy objected to such disclosure. On May 16, 1996, the Commission's Freedom of Information Officer decided not to disclose any information. On July 19, 1996, ABC appealed that decision to the Commission's General Counsel. On August 30, 1996, the General Counsel informed ABC that the FOI Officer has reconsidered his decision and was prepared to disclose some information. On the same day, the FOI Officer informed Daisy that the information would be disclosed in 10 days. Daisy sought and obtained an extension of that 10-day period until September 30, 1996. On September 26, 1996 Daisy filed a complaint seeking an injunction preventing the Commission from disclosing the information. On November 15, 1996, ABC filed a motion to intervene, which the court granted on December 3, 1996. After the three parties filed briefs, the court found no error in CPSC's decision to disclose the disputed information. On February 5, 1997 the court denied Daisy's request for an injunction and dismissed the case. Daisy appealed the court's decision to the U.S. Court of Appeals for the Eighth Circuit. Daisy filed its appellate brief on April 4, 1997, and the government filed its responsive brief on May 7, 1997. After hearing oral argument on September 8, 1997, the appellate court on January 14, 1998 affirmed the district court's order denying injunctive relief and held that: (1) CPSC did not violate section 6(b) of the Consumer Product Safety Act and (2) CPSC's decision to disclose the contested documents was not arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law.

Dorr v. Ann Brown, Chairman, CPSC, No. AW-96-3936 (D. Md.). This case seeks injunctive relief and compensatory damages for illegal discrimination in violation of Title VII of the Civil Rights Act of 1964. In a complaint filed on December 23, 1996, CPSC employee Young Soon Dorr alleged that CPSC created a hostile work environment by publicly humiliating her, interfering with her work performance, and denying her a promotion. On February 21, 1997, the government filed a motion to dismiss or to grant summary judgment. On April 7, 1997, the court granted the *motion as to the claim of failure to promote and denied it as to the claim of hostile work environment*. On April 8, 1997, Ms. Dorr filed an amended complaint. The government filed a motion to dismiss or to grant summary judgment on the amended complaint, which the court denied on May 27, 1997. On June 5, 1998, the government again moved to dismiss or to grant summary judgment on the amended complaint. Ms. Dorr opposed the government's motion on July 30, 1998, and the government replied on August 11, 1998. On September 17, 1998, the court granted the government's motion.

Shelton and National Fireworks Association, Ltd. v. CPSC, No. 97-6021-CV-SJ-4-6 (W. D. Mo.). Since 1969, the Federal Hazardous Substances Act has imposed statutory restrictions on the distribution of certain fireworks devices. Under regulations of the Food and Drug Administration and CPSC, additional restrictions

have existed. Under those statutory and regulatory provisions, CPSC takes enforcement actions against the products of Shelton and members of the National Fireworks Association. On February 14, 1997, the plaintiffs filed a complaint and motion for preliminary injunction, alleging that CPSC acted illegally. On March 4, 1997, the government filed a motion to dismiss. On April 10, 1997, the judge filed a Memorandum to Counsel, to which both sides responded. On May 8, 1997, the court denied the plaintiff's motion for a preliminary injunction and the government's motion to dismiss. Between July 1997 and April 1998, the parties engaged in discovery, including depositions, interrogatories, and document production. The government moved for summary judgment on February 13, 1998, and the plaintiffs moved for summary judgment on March 3, 1998. On April 28, 1998, the court ruled on the cross motions for summary judgment and found that: (a) CPSC has jurisdiction to regulate fireworks, (b) Shelton's products were in interstate commerce, (c) the doctrine of laches does not preclude CPSC from seeking civil penalties, (d) CPSC may rely for injunctive relief on violative fireworks that it permitted Shelton to sell, (e) CPSC may use sampling to condemn a whole fireworks shipment, (f) the issue of non-random sampling is reserved for trial, (g) Shelton's due process arguments lack merit, (h) the statistical validity of a sample that disregards the size of the shipment is reserved for trial, (i) Shelton's claim that fuse burn values of 2.51 and higher must be rounded up to 3 are not adopted, (j) Shelton's claim about the labeling of small festival balls is wrong, (k) Shelton's arguments about the corporate and individual distinctiveness of the three importers are reserved for trial, (l) CPSC's assertion that Shelton acted "knowingly" is reserved for trial, (m) there is jurisdiction over the NFA case, and (n) there is no evidence to support Shelton's claim that CPSC took "unjustified actions and threats" against Shelton. From May 11-15, 1998, the parties presented evidence at a bench trial (a non-jury trial before the judge). Both sides filed post-trial briefs on August 3, 1998. The court scheduled an oral argument for November 5, 1998.

Handlery Hotels, Inc. and Fireman's Fund Insurance Companies v. CPSC, No. 97-1100-B (S. D. Calif.). Beginning in July 1996, an attorney representing Fireman's Fund Insurance Company requested information from CPSC. In September 1996 and April 1997, CPSC disclosed some of the information and withheld other information. On April 10, 1997, the attorney appealed the decision of the CPSC's Freedom of Information Officer to withhold some information. On May 14, 1997, the CPSC's General Counsel affirmed the FOI Officer's decision. On June 9, 1997, the plaintiffs filed a complaint, and on July 24, 1997, they moved to compel preparation by the government of a "Vaughn index" (listing and describing withheld information). On August 15, 1997, the government filed an answer and opposed the motion by stating its intention to file a motion for summary judgment and Vaughn index in the future. On August 26, 1997, the court conditionally granted the motion and ordered the government to file a Vaughn index after it moved for summary judgment. On September 30, 1997, the government moved to dismiss, to transfer venue, or for summary judgment, and attached a Vaughn index. On November 14, 1997, the plaintiffs filed an opposition brief and moved for summary judgment. The government

replied to plaintiff's motion on December 3, 1997, and the plaintiffs replied to the government's motion on December 9, 1997. On December 15, 1997, the court granted the government's motion to dismiss the complaint for improper venue, without prejudice.

Handlery Hotels, Inc., Fireman's Fund Insurance Companies, and Peter A. Lynch v. CPSC, No. 97cv2295R (LAB) (S. D. Calif.). Beginning in July 1996, an attorney representing Fireman's Fund Insurance Company requested information from CPSC. In September 1996 and April 1997, CPSC disclosed some of the information and withheld other information. On April 10, 1997, the attorney appealed the decision of the CPSC's Freedom of Information Officer to withhold some information. On May 14, 1997, the CPSC's General Counsel affirmed the FOI Officer's decision. On December 23, 1997, the plaintiffs filed a complaint. On April 28, 1998, the parties settled the case: The government pays \$4000, a portion of the plaintiffs' attorneys fees, but will disclose no additional documents.

Edwin P. Krieger v. CPSC, et al. No. 97-2656-CIV-T-99A (M. D. Fla.). Beginning in October 1996, an attorney representing an injured person requested information from CPSC, under the Freedom of Information Act, on Candle-Lite candles. In July 1997, CPSC's Freedom of Information Officer disclosed some information and withheld other information. On July 21, 1997, the requester appealed to the CPSC's General Counsel. On August 5, 1997, the General Counsel affirmed the FOI Officer's decision. On October 31, 1997, the requester filed a complaint seeking the withheld information, and on December 1, 1997 the government filed an answer. On December 16, 1997, the court granted the government's motion to dismiss General Counsel Jeffrey Bromme and FOI Officer Todd Stevenson as parties. On February 18, 1998, Mr. Krieger moved for summary judgment. On March 13, 1998, the government moved for summary judgment and opposed Mr. Krieger motion. On April 2, 1998, Mr. Krieger moved for leave to supplement his motion, and the court denied it without prejudice on April 8, 1998. Also on April 8, the court referred the case to a mediator and ordered the parties to pay the mediator. On April 28, 1998, the government moved for reconsideration of the mediation order, based on the court's lack of authority to order the government to pay a mediator. On May 4, 1998, the court granted the government's motion and withdrew its order referring the case to a mediator. On May 5, 1998, the government moved for partial summary judgment on Mr. Krieger's entitlement to attorney fees and costs. On August 3, 1998, the case was dismissed based on a settlement between the parties: In return for Mr. Krieger's withdrawing the case, CPSC agreed to process a different Freedom of Information Act request from Mr. Krieger.

Part II: Civil Penalty Agreements Accepted by the Commission

In the Matter of Binky Griptight, Inc. CPSC No. 98-C0007—The staff accepted a civil penalty of \$150,000 to settle allegations the firm failed to report to the Commission defects in pacifiers it distributed.

In the Matter of Century Products Company CPSC No. 98-C0003--The firm settled allegations that it failed to report hazards in certain cribs and playpens as required by section 15(b) of the CPSA by agreeing to pay a \$225,000 civil penalty.

In the Matter of COA, Inc. d/b/a Coaster Company of America CPSC No. 98-C0004-The company agreed to pay a civil penalty of \$300,000 to settle allegations it sold cribs that violated the crib standard and failed to report defects or unreasonable risks in its cribs under section 15(b) of the CPSA.

In the Matter of The Limited, Inc. CPSC No.98-C0006—The Limited agreed to pay a civil penalty of \$200,000 to settle staff allegations it sold certain sweaters and fleece garments that violated the Commission's wearing apparel flammability standards.

In the Matter of Monarch Towel Company, Inc. CPSC No. 98-C0009-The firm settled allegations that it sold, or offered for sale, certain robes that violated the Commission's requirements for children's sleepwear. The firm agreed to pay a civil penalty of \$10,000 and to cease and desist from violating the sleepwear standard.

In the Matter of Ross Stores, Inc. CPSC 98-C0002--Ross agreed to pay a civil penalty of \$200,000 to settle staff allegations it sold various garments that violated the Commission's wearing apparel flammability standards.

Safety Ist, Inc. CPSC No. 98-C0008—The firm settled staff allegations that it failed to report defects in certain bed rails under section 15(b) of the CPSA by paying a civil penalty of \$175,000.

In the Matter of TJX Companies, Inc. CPSC No 98-C0005—TJX paid a \$150,000 civil penalty to settle allegations it sold sheer chiffon skirts and scarves that violated the Commission's wearing apparel flammability requirements.

In the Matter of Yongxin International, Inc. CPSC No. 98-C0001—The firm agreed to pay a civil penalty of \$50,000 to settle staff allegations that it imported and distributed cigarette lighters that did not comply with the Commission's lighter standard.

APPENDIX H: Index of Products Regulated by CPSC

Index of Products Regulated By CPSC

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Acetaminophen	PPPA	special packaging exemption	1700.14(a)(16)
Acetic acid	HSA	labeling	1700.14(a)(16)(i),(ii) 1500.129(g)
Acetonitrile (see glue remover)			
Adhesives, containing methyl alcohol	HSA HSA	labeling exemption from labeling	1500.133 1500.83(a)(34)
nitrocellulose base	HSA	exemption from labeling	1500.83(a)(10)
floor covering	HSA	exemption from labeling	1500.83(a)(13)
extremely flammable contact	CPSA CPSA	ban to be regulated under CPSA	1302 1145.3
Aerosols (see self-pressurized products)	HSA	suggested labeling	1500.130
Aluminized polyester film kite	HSA	ban	1500.18(c)(1)
Ammonia, ammonia water (household), ammonium hydroxide	HSA	labeling	1500.129(g)
Antennas (CB base station and TV) (Omnidirectional CB base station)	CPSA CPSA	labeling requirement performance and certification	1402 1204
Antifreeze, ethylene glycol	HSA PPPA	labeling special packaging	1500.14(a)(2), (b)(2) 1700.14(a)(11)
Antiquing kits	HSA	exemption from labeling	1500.83(a)(25)
Appliances, coal and wood-burning	CPSA	provision of performance and technical data	1406
Architectural glazing materials	CPSA	safety standard	1201
Art materials	HSA HSA	exemption from ban labeling	1500.85(a)(4) 1500.14(b)(8)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Artist's paints	CPSA	exemption from lead limit	1303.3(c)(2)
Asbestos-containing patching compounds	CPSA CPSA	ban to be regulated under the CPSA	1304 1145.4
Asbestos-containing garments for general use	HSA	ban	1500.17(a)(7)
Asbestos-containing artificial emberizing materials	CPSA CPSA	ban to be regulated under the CPSA	1305 1145.5
Aspirin products	PPPA	special packaging effervescent tablet exemption unflavored powders exemption	1700.14(a)(1) 1700.14(a)(1)(i) 1700.14(a)(1)(ii)
Baby bouncers and walkers	HSA	standard and ban exemption from banning	1500.18(a)(6) 1500.86(a)(4)
Balloons, plastic mixtures	HSA	exemption from banning	1500.85(a)(4)
Bassinet legs	CPSA	to be regulated under the CPSA	1145.15
Batteries, storage, wet-cell	PPPA	exemption from special packaging	1700.14(a)(9)
Benzene (benzol)	HSA	special labeling	1500.14(b)(3)(i)
Benzene (paint solvents)	PPPA	special packaging	1700.14(a)(15)
Bergamot oil	HSA	labeling	1500.13(e)
Betamethasone	PPPA	exemption from special packaging	
Bicycles	HSA	ban safety requirements	1500.18(a)(12) 1512
Bicycle helmets	CPSA	safety requirements	1203
Biological specimens, preserved	HSA	exemption from ban	1500.85(a)(4)
Blasting caps	HSA	exemption from labeling	1500.83(a)(35)
Butane in cigarette lighters	HSA	exemption from labeling	1500.83(a)(29)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Carbolic acid (phenol)	HSA	labeling	1500.129(d)
Carbon tetrachloride	HSA	ban	1500.17(a)(2)
Carpets and rugs (large)	FFA	standard (FF 1-70)	1630
Carpets and rugs (small)	FFA	standard (FF 2-70)	1631
Caustic poisons	HSA	labeling	1500.129
potash	HSA	labeling	1500.129
	PPPA	special packaging	1700.14(a)(5)
soda	HSA	labeling	1500.29(j)
	PPPA	special packaging	1700.14(a)(5)
Cellulose sponges	HSA	exemption from labeling	1500.83(a)(15)
Cellulose insulation	CPSA	standard	1209
	CPSA	labeling	1404
Charcoal briquettes	HSA	classification as hazardous	1500.12(a)(1)
		special labeling	1500.14(b)(6)
Chemistry sets	HSA	exemption from labeling exemption from banning	1550.83(a)(23) 1500.85(a)(1)
Child-resistant packaging (see special packaging)	PPPA	criteria and substances subject	1700
Chlorofluorocarbons, self pressurized products containing	CPSA	labeling requirement	1401
Cholestyramine, anhydrous	PPPA	exemption from special packaging	1700.14(A)(10)(v)
Cigarette lighters	HSA	exemption from labeling	1500.83(a)(29)
	CPSA	exemption from labeling standard	1500.83(a)(20) 1210
Clacker balls	HSA	requirements	1500.18(a)(7) 1500.86(a)(5)
Cleaning products	HSA	exemption from labeling	1500.83(a)(11)
Clothing (see wearing apparel, sleepwear)			
Coal burning appliances (see appliances)			

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Coldwave permanent neutralizers containing sodium bromate or potassium bromate	PPPA	special packaging	1700.14(a)(19)
Colestipol	PPPA	exemption from special packaging	1700.14(a)(10)(xv)
Combustible hazardous substances	HSA	definition flashpoint testing	1500.3(c)(iii) 1500.43a
Conjugated estrogens tablets	PPPA	exemption from special packaging	1700.14(a)(10)(xvii)
Consumer product	CPSA	reporting of substantial product hazards	1115
Containers, consumer-owned (portable)	HSA	exemption from full labeling	1500.83(a)(14)
Controlled drugs	PPPA	special packaging	1700.14(a)(4)
Corrosive substances	HSA	definition	1500.3(b)(7),(c)(3)
Cosmetics	HSA	exemption	1500.81(a)
Crib hardware	CPSA	to be regulated under the CPSA	1145.14
Cribs (full-size)	HSA	ban safety requirements	1500.18(a)(13) 1508
Crib (non-full-size)	HSA	ban safety requirements	1500.18(a)(14) 1509
Crib, mesh-sided	CPSA	to be regulated under the CPSA	1145.12
Cushions, infant	HSA	ban	1500.18(a)(16)
Cyanide salts	HSA	ban	1500.17(a)(5)
Dibucaine	PPPA	special packaging	1700.14(a)(24)
Dietary supplements, iron-containing	PPPA	special packaging	1700.14(a)(13)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Diethylene glycol	HSA	labeling special labeling exemption from labeling	1500.14(a)(1) 1500.14(b)(1) 1500.83(a)(15)
Diethylenetriamine	HSA	labeling	1500.13(c)
Diglycidyl ethers	HSA	labeling	1500.13(c)
Diphenhydramine preparations	PPPA	special packaging	1700.14(a)(17)
Disclaimer deceptive use of	HSA	misbranded	1500.122
Drain cleaners, liquid	HSA PPPA	ban special packaging	1500.17(a)(4) 1700.14(a)(5),(9)
Drugs, controlled	PPPA	special packaging	1700.14(a)(4)
Drugs, oral prescription	PPPA	special packaging	1700.14(a)(10)
Except:			
Nitroglycerin tablets (sublingual)			1700.14(a)(10)(i)
Isosorbide dinitrate (10 mg. sub- lingual and chewable tablets)			1700.14(a)(10)(ii)
Erythromycin ethylsuccinate (8 gm oral suspension and granules for oral suspensions)			1700.14(a)(10)(iii)
Erythromycin ethylsuccinate tablets (no more than 16 gm)			1700.14(a)(10)(xvi)
Cyclical oral contraceptives			1700.14(a)(10)(iv)
Anhydrous cholestyramine (powder form)			1700.14(a)(10)(v)
Potassium supplements (containing not more than 50 MEq potassium per unit dose package)			1700.14(a)(10)(vi)
Sodium fluoride (264 mg per package of liquid forms and tablet forms)			1700.14(a)(10)(vii)
Betamethasone (12.6 mg per package)			1700.14(a)(10)(viii)
Pancrelipase in tablet, capsule or powder form			1700.14(a)(10)(ix)
Prednisone tablets (not more than 105 mg per package)			1700.14(a)(10)(x)
Mebendazole (600 mg per package)			1700.14(a)(10)(xiii)
Methylprednisolone tablets (not more than 84 mg per package)			1700.14(a)(10)(xiv)
Colestipol (packages containing not more than 5 grams of powder)			1700.14(a)(10)(xv)
Conjugated estrogens tablets (not more than 32 mg per package)			1700.14(a)(10)(xvii)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Norethindrone acetate tablets (not more than 50 mg per package)			1700.14(a)(10)(xviii)
Medroxyprogesterone acetate tablets			1700.14(a)(10)(xix)
Drugs, iron-containing	PPPA	special packaging	1700.14(a)(12)
Dry-cleaning solvents	HSA	exemption from labeling	1500.83(a)(18)
Emberizing materials, artificial, containing asbestos	CPSA	ban	1305
Epoxy resins	HSA	labeling	1500.13(c)
Erythromycin ethylsuccinate, Suspension and granules for suspension	PPPA	exemption from special packaging	1700.14(a)(10)(iii)
Chewable tablets			1700.14(a)(10)(xvi)
Ethanol-containing mouthwash	PPPA	special packaging	1700.14(a)(22)
Ethylenediamine	HSA	labeling	1500.13(c)
Ethylene glycol in felt pads	HSA	exemption from labeling special labeling	1500.83(a)(28) 1500.14(b)(4)
Ethylene glycol 1500.14(a)(2),(b)(2)	HSA	labeling	
		special packaging	1700.14(a)(11)
Ethylene glycol antifreeze	HSA	labeling	1500.132
Expandable children's enclosures	CPSC	to be regulated under the CPSA	1145.13
Exports (noncomplying products)	All	reporting requirements	1019
Extremely flammable contents of self-pressurized containers	HSA	definition method to determine flashpoint testing exemption from labeling	1500.3(c)(6)(vii) 1500.45 1500.46 1500.83(a)(1)
Extremely flammable hazardous substances	HSA	definition testing method	1500.3(c)(6)(i) 1500.43a
Extremely flammable solids	HSA	definition testing method	1500.3(c)(6)(v) 1500.44
Eye irritants	HSA	testing method definition	1500.3(b)(8),(c)(4) 1500.42

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Fabrics	FFA	flammability	1602-1632
Felt-tip marking devices	HSA	labeling exemption	1500.83(a)(9)
Ferrous oxalate	HSA	exemption from labeling	1500.83(a)(17)
Fertilizers, dry granular	HSA	exemption from labeling	1500 83(a)(21)
Fire extinguishers	HSA	exemption from labeling labeling, warning	1500.83(a)(24) 1500.15(a)(b)
Fireworks	HSA	ban (more than 2 grains pyrotechnic material for audible reports) ban (firecrackers more than 50 mg.) exemption from labeling agricultural exemption exemption from classification special labeling ban reloadable tube aerial shells more than 1.7 inches in outer diameter) multiple tube mines & shells; stability test safety requirements	1500.17(a)(3) 1500.17(a)(8)&9 1500.83(a)(27) 1500.17(a)(3) 1500.85(a)(2) 1500.14(b)(7) 1500.17(a)(11) 1500.17(a)(12) 1507.12 1507
First Aid	HSA	policy for emesis labeling	1500.134
Flammable contents of self- pressurized containers	HSA	definition method for determining flashpoint testing exemption from labeling	1500.3(c)(6)(viii) 1500.45 1500.46 1500.83(a)(1)
Flammable solids	HSA	definition testing method	1500.3(c)(6)(vi) 1500.44
Fluoride	PPPA	special packaging	1700.14(a)(27) 1700.14(a)(10)(vii)
Flammable substances	HSA	definition flashpoint testing	1500.3(c)(6)(iii) 1500.43a
Food	HSA	exemption from specific labeling	1500.81(a)
Formaldehyde	HSA	labeling	1500.13(d)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Fuel	HSA	exemptions exemptions from banning special packaging	1500.81(b) 1500.85(a)(5) 1700.14(a)(7)
Fuel kits with difluorodichloromethane	HSA	exemption from banning warning label	1500.85(a)(12), (13)
Furniture, painted with lead- containing paint	CPSA	ban	1303
Furniture polish, liquid	PPPA	special packaging	1700.14(a)(2)
Furniture polish, paste	HSA	exemption from labeling	1500.83(a)(8)
Garage Door Openers, automatic residential	CPSA	requirements for equipment protector	1211
Gasoline	HSA	exemption from labeling special labeling labeling	1500.83(a)(14) 1500.14(b)(3) 1500.14(a)(3)
Glazing compounds	HSA	exemption from labeling	1500.83(a)(13)
Glue remover containing acetonitrile (household)	PPPA	special packaging	1700.14(a)(18)
Hartshorn	HSA	labeling	1500.129(1)
Heaters (see appliances)			
Highly toxic substances	HSA	definition testing method labeling	1500.3(e) 1500.40 1500.121
Household substances	HSA	definition	1500.3(c)(10)
Hydrochloric acid	HSA	labeling	1500.129(a)
Hypochlorous acid Ibuprofen Imported products & importers	HSA PPPA ALL	labeling special packaging policy	1500.129(h) 1700.14(a)(20) 1009.3
Imports	HSA	various	1500.265-272

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Industrial supplies	HSA	exemption	1500.3(c)(10)(i)
Infant cushions	HSA	ban	1500.18(a)(16)
Ink, cartridges	HSA	exemption from labeling	1500.83(a)(7),(38)
dry concentrate containers	HSA	exemption from labeling	1500.83(a)(12)
Ink-marking devices	HSA	exemption	1500.83(a)(9)
Insulation, cellulose	CPSA	standard	1209
Iron preparations	PPPA	special packaging	1700.14(a)(12),(13)
Irritant substances	HSA	definition testing method	1500.3(g) 1500.41
Isobutane in cigarette lighters	HSA	exemption from labeling	1500.83(a)(29)
Isosorbide dinitrate, pre- scription sublingual and chewable forms	PPPA	exemption from special packaging	1700.14(a)(10)(ii)
Ketoprofen	PPPA	special packaging	1700.14(a)(26)
Kerosene	HSA	labeling special labeling exemption from labeling special packaging	1500.14(a)(4) 1500.14(b)(3) 1500.83(a)(14) 1700.14(a)(7)
Kindling and illuminating preparations	PPPA	special packaging	1700.14(a)(7)
Kites, aluminized polyester film	HSA	ban	1500.18(c)(1)
Labels	HSA	requirements condensation informal comment on exemption from labeling	1500.121 1500.123 1500.128 1500.83(a)(5)
Laboratory chemicals, if educational	HSA	exemption from banning and labeling	1500.85(a)(4) 1500.85(a)(5)
Lacquers	HSA	exemption from labeling	1500.83(a)(13)
Lawn darts	HSA	ban	1500.18(a)(4)
Lawnmowers, power	CPSA	ban	1306
	CPSA	performance standard, labeling rule, and certification rule	1205

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Lead in paint	HSA	ban over 0.5% (pre-1978)	1500.17(a)(6)
	CPSA	ban over 0.06% (1978 and later)	1303
Lidocaine	PPPA	special packaging	1700.14(a)(23)
Lighter fluid, etc. Lunar caustic (silver nitrate)	PPPA	special packaging	1700.14(a)(7)
	HSA	labeling	1500.129(k)
Lye	HSA	labeling	1500.129(j)
	PPPA	special packaging	1700.14(a)(5)
Matchbooks	CPSA	standard	1202
Matches	HSA	exemption from flammability labeling	1500.83(a)(2)
Mattresses	FFA	standard (FF 4-72)	1632
Mebendazole	PPPA	exemption from special packaging	1700.14(a)(10)(xiii)
Medroxyprogesterone acetate tablets	PPPA	exemption from special packaging	1700.14(a)(10)(xix)
Methyl alcohol (methanol)	HSA	exemption from labeling	1500.83(a)(10)
		labeling	1500.14(a)(4),(b)(4)
	PPPA	exemption from labeling	1500.83(a)(19)
		special packaging	1500.83(a)(34) 1700.14(a)(8)
Methylprednisolone	PPPA	exemption from special packaging	1700.14(a)(10)(xiv)
Methyl salicylate	PPPA	special packaging	1700.14(a)(3)
Mineral oil (in toys) Mineral seal oil	HSA	exemption from labeling	1500.83(a)(33)
	HSA	labeling	1500.14(a)(3)
Mineral spirits	PPPA	special labeling	1500.14(b)(3)
		special packaging	1700.14(a)(2)
	HSA	labeling	1500.14(a)(3)
		special labeling	1500.14(b)(3)
		special packaging	1700.14(a)(15)
Mirrors	CPSA	exemption from lead limit	1303.3(c)(2)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Mixtures of hazardous substances	HSA	labeling	1500.5
Mouthwash with ethanol	PPPA	special packaging	1700.14(a)(22)
Multiple hazard, substances with	HSA	labeling	1500.127
Naphtha	HSA	labeling	1500.14(a)(3)
Naproxen	PPPA	special labeling special packaging	1500.14(b)(3) 1700.14(a)(25)
Nitric acid	HSA	labeling	1500.129(c)
Nitroglycerine, prescription,	PPPA	exemption from special sublingual dosage packaging	1700.14(a)(10)(i)
Norethindrone acetate tablets	PPPA	exemption from packaging	1700.14(a)(10)(xviii)
Oral contraceptives	PPPA	exemption from special cyclical packaging	1700.14(a)(10)(iv)
Orris root, powdered	HSA	labeling	1500.13(b)
Oxalic acid and salts	HSA	labeling	1500.129(e),(f)
Packages, child-resistant(see child-resistant packaging)			
Packages, sample	PPPA	submission	1700.14(b)
Paint, lead in	HSA	ban over 0.5% (pre- 1978)	1500.17(a)(6)
	CPSA	ban over 0.06% (1978 and later)	1303
	CPSA	to be regulated under the CPSA	1145.2
Paint solvents	PPPA	special packaging	1700.14(a)(15)
Painting kits	HSA	exemption	1500.83(a)(25)
Pancrelipase	PPPA	exemption from special packaging	1700.14(a)(10)(ix)
		(11),(13),(14),(20)	

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Paper items	HSA	exemption from labeling list	1500.83(a)(3)
Paraphenylenediamine	HSA	labeling	1500.13(a)
Patching compounds, containing asbestos	CPSA	ban	1304
Perchloroethylene in visual novelty devices	HSA	exemption from labeling	1500.83(a)(31)
Percussion explosives Petroleum distillates	HSA HSA	definition labeling special labeling exemption from labeling	1500.3(c)(7)(i)(a) 1500.14(a)(3) 1500.14(b)(3) 1500.83(a)(8),(9),
Phenol (carbolic acid)	PPPA HSA	special packaging labeling	1700.14(a)(7),(2),(15) 1500.129(d)
Photodynamic sensitizer	HSA	definition	1500.3(b)(9)
Photographic color processing kits	HSA	exemption from labeling	1500.83(a)(25)
Plant foods, dry granular	HSA	exemption from labeling	1500.83(a)(21)
Playpens: expandable mesh-sided	CPSA	to be regulated under the CPSA	1145.13
	CPSA	to be regulated under the CPSA	1145.11
Poisons, caustic	HSA	labeling requirements	1500.129
Polishing products	HSA	exemption from labeling	1500.83(a)(11)
Potash, caustic	HSA	labeling special packaging	1500.129(i) 1700.14(a)(5)
Potassium hydroxide	HSA PPPA	labeling special packaging	1500.129(i) 1700.14(a)(5)
Potassium supplements, effervescent	PPPA	exemption from special packaging	1700.14(a)(10)(vi)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Prednisone	PPPA	exemption from special packaging	1700.14(a)(10)(x)
Pressure-generating substances	HSA	definition	1500.3(c)(7)(i)
Primary irritant	HSA	definition testing method	1500.3(g)(2) 1500.41
Propellant devices for model rockets	HSA	exemption from banning	1500.85(a)(8),(9),(12) (12), (13)
Radiator cleaners	HSA	as household substance	1500.3(c)(10)(i)
Radioactive substances	HSA	defined exemption	1500.3(b)(11),(c)(8)
Refrigerator doors	RSA	standard to permit opening from inside	1750
Refuse bins, unstable	CPSA	ban	1301
Roof coatings	HSA	exemption from labeling	1500.83(a)(13), (34)
Rope, cord, string, etc.	HSA	exemption from labeling	1500.83(a)(4)
Rugs (see Carpets)			.
Rubber vulcanizing	HSA	exemption from labeling	1500.83(a)(13)
Salt (sodium chloride)	HSA	exemption from labeling	1500.83(a)(1)
Self-pressurized products	HSA	exemption from full labeling testing method for flammable or extremely flammable contents information statements required	1500.83(a)(1) 1500.45,46 1500.130
containing chlorofluorocarbons	CPSA	labeling requirement	1401
containing vinyl chlorides	HSA	ban	1500.17(a)(10)
Sensitizers	HSA	definitions	1500.3(b)(9), (c)(5)
Signal words	HSA	labeling requirements	1500.121
Silver nitrate (lunar caustic)	HSA	labeling	1500.129(k)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Sleepwear, children's sizes 0-6x, sizes 7-14	HSA	FFA standard (FF 3-71) standard (FF 5-74)	1615 1616
Sodium arsenite	HSA	labeling	1500.132(b)
Sodium fluoride (prescription aqueous solutions)	PPPA	exempting from special packaging	1700.14(a)(10)(vii)
Sodium hydroxide	HSA	labeling	1500.129(j)
Sodium/potassium hydroxide	PPPA	special packaging	1700.14(a)(5)
Solder kit	HSA	exemption from labeling	1500.83(a)(30)
Solder paste	HSA	exemption from labeling	1500.83(a)(22)
Special packaging	PPPA	standards re-use prohibited test procedure restricted flow requirement	1700.15 1700.15(c) 1700.20 1700.15(d)
Spot removers, single- use	HSA	exemption from labeling	1500.83(a)(18),(19),(26)
Spot removing kits	HSA	exemption from labeling	1500.83(a)(25)
Sponges, cellulose	HSA	exemption from labeling	1500.83(a)(15)
Squeeze toys	CPSA	to be regulated under the CPSA	1145.10
Stoddard solvent	HSA	labeling special labeling	1500.14(a)(4) 1500.14(b)(3)(ii)
Stoves, coal and wood burning (see appliances)			
Strong sensitizers	HSA	definition list of	1500.3(b)(9) 1500.13
Sulfuric acid	HSA	labeling	1500.129(b)
Swimming pool slides	PPPA CPSA	special packaging standard	1700.14(a)(9) 1207
Tank coatings	HSA	exemption from labeling	1500.83(a)(34)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Thread, string, twine, etc.	HSA	exemption from labeling	1500.83(a)(4)
Toluene (toluol)	HSA	labeling special labeling exemption from labeling	1500.14(a)(3) 1500.14(b)(3)(ii),(iii) 1500.83(a)(8),(9),(11),(13)
Toluene (paint solvents)	PPPA	special packaging	1700.14(a)(15)
Toxic substances	HSA	definition labeling test method	1500.3(b)(5),(c)(2) 1500.121,129 1500.40
Toys			
balloons, latex	HSA	labeling	1500.19
balls, small	HSA	ban	1500.18(a)(17)
caps and toy guns	HSA	labeling ban	1500.19 1500.18(a)(5)
producing impulse-type sound		testing method exemption from banning	1500.47 1500.85(a)(2) 1500.86(a)(6)
clacker balls	HSA	ban exemption from banning	1500.18(a)(7) 1500.85(a)(5)
dolls presenting hazards	HSA	ban exemption from banning	1500.18(a)(3) 1500.86(a)(2)
electrically-operated toys and children's article	HSA	ban	1500.18(b)
games,self-pressurized hollow plastic toys	HSA	requirements	1505
games	HSA	labeling	1505.3
		performance	1505.6
		exemption from banning	1500.85(a)(7)
		labeling	1500.19
marbles	HSA	labeling	1500.19
mineral oil	HSA	exemption from banning	1500.83(a)(32)
mechanical hazards (various)	HSA	ban	1500.18(a)
pacifiers	HSA	ban	1500.18(a)(8)
		safety requirements	1511
noisemaking toys	HSA	ban	1500.18(a)(2)
painted with lead	HSA	ban, over 0.5% (pre-1978)	1500.17(a)(6)
	CPSA	ban, over 0.06% (1978 & later)	1303
squeeze	CPSA	to be regulated under the CPSA	1145.10

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Toys (cont'd)			
rattles	HSA	bans exemption from banning safety requirements	1500.18(a)(1) & (15) 1500.86(a)(1) 1510
sharp edges	HSA	technical requirements	1500.49
sharp points	HSA	technical requirements	1500.48
small parts	HSA	ban safety requirements	1500.18(a)(9) 1501
model rockets	HSA	exemption from labeling	1500.83(a)(36)
model rockets, propellant	HSA	exemption from labeling	1500.85(a)(8),(9),(10), (11),(12),(13)
sewing machines	HSA	requirements	1505.4(h)(3)
stuffed animals with laceration hazard	HSA	ban	1500.18(a)(3)
stuffed toys to be suspended	CPSC	to be regulated under the CPSA	1145.9
toys	HSA	labeling	1500.19
train smoke	HSA	exemption from labeling	1500.83(a)(33)
use and abuse tests	HSA	testing procedures labeling	1500.50.53 1500.14(a)(5)
	PPPA	exemption special packaging	1500.83(a)(8) 1700.14(a)(6)
Tubes, collapsible metal	HSA	labeling	1500.121(e)
Unpackaged hazardous substances	HSA	labeling requirements	1500.121(f)
Turpentine	HSA	special labeling	1500.14(b)(5)
Varnish	HSA	exemption from labeling	1500.83(a)(13)
Video games	CPSA	exemption from electrically- operated toy requirements	1505
Vienna paste	HSA	labeling	1500.129(i)
Vinyl chloride	HSA	ban	1500.17(a)(10)
Vinyl plastic film	FFA	standard (CS 192-53)	1611
Visual novelty devices containing perchloroethylene	HSA	exemption	1500.83(a)(31)

Product	Act	Type of Regulation	Reference Source Title 16 CFR Part Number
Volatile flammable materials	HSA	flashpoint testing method	1500.43
Walker-jumper	HSA	ban exemption from classification	1500.18(a)(6) 1500.86(a)(4)
Water-repellant mixtures, masonry	HSA	ban	1500.17(a)(1)
Wax containers	HSA	exemption from labeling	1500.83(a)(8)
Waxes, paste for autos, furniture, floors, shoes	HSA	exemption from labeling	1500.83(a)(8)
Wearing apparel	FFA	standard (CS 191-53)	1610
Wood burning appliances (see appliances)			
Writing instruments	HSA	exemption from labeling	1500.83(a)(38)
Xylene (xylol)	HSA	labeling special labeling exemption from labeling	1500.14(a)(3) 1500.14(b)(3)(ii),(iii) 1500.83(a)(8),(9),(11),(13)
Xylene (paint solvents)	PPPA	special packaging	1700.14(a)(15)

APPENDIX I: Federal-State Cooperative Program

Federal-State Cooperative Program

The Commission is required by Section 29 of the Consumer Product Safety Act to establish "a program to promote Federal-State cooperation for purposes of carrying out the Act."

Federal, state and local cooperative programs are one key to CPSC's success in reducing unreasonable risks of injury to consumers. State and local professionals bring the Commission's programs "alive" when they deliver CPSC information, education and services to the public they serve at the local level. The public resides in counties, cities and towns served by dedicated state and local health, consumer and safety professionals. These professionals know the needs of their communities and know best how to meet their needs. Resources invested in providing information, contracts and materials to state and local professionals returns many times that amount in consumer product safety programs delivered to people where they live, work and play.

The Directorate for Field Operations plans, organizes, directs and controls the Commission's Federal-State Cooperative Program. This program receives overall direction through the Field Operating Plan which is formulated directly from the Commission's yearly Operating Plan. The Federal-State plan provides direction to the three Regional Centers which provide operational day-to-day contact with the states.

State Designees are the Commission's primary liaison with state and local officials. State Designees are appointed, at the Commission's request, by the Governor of each state. This individual serves as a liaison for product safety efforts within the state.

State Designees are selected after analyzing each state's structure. Each represents that department of state government most compatible with the CPSC mission. In most states it is the Department of Health. In others, it is the Office of the Attorneys General or the Department of Agriculture or Consumer Protection.

In addition to working with State Designees, CPSC Regional Centers regularly cooperate with local government officials, as well. Keeping up with Designees in 50 states and territories is demanding, but working with thousands of local officials is most difficult. To solve this problem, CPSC always works with State Designees and selectively works with local officials. "Selectively" is defined as meaning the proper official at the proper place at the proper time.

The Federal State Cooperative Plan consists of four major components:

1. **Contracts.** Cost effective state and local contracts allow the Commission to accomplish product safety work in places across our nation that CPSC would not get to. Because CPSC contracts are usually small, state and local governments often match the Commission's funds with their own to accomplish the objective.

2. Memoranda of Understanding (MOU)-Partnership Agreements. MOUs and partnership agreements with states extend overall consumer protection through more effective use of collective resources. Partnering is an arrangement between CPSC and state agencies wherein both parties agree to share, at no cost, the responsibility for certain product safety activities.

3. Commissioning. Commissioning has the effect of making a state or local employee a federal officer for the purposes of conducting investigations, inspections, recalls and sample collections.

State or local officials are qualified for and capable of functioning as an official of the CPSC. CPSC trains state and local officials to qualify for a commission.

4. States' Information-Sharing Program. CPSC routinely transmits information on Commission programs and activities to states in order that Designees, their staff and others may respond to media inquiries and be kept current on Commission developments.

States share their success stories with CPSC and the Commission, in turn, disseminates this information to all of the states.

The funded work done by the states is subject to the same quality assurance and is held to the same high standards as work done by the CPSC field staff. The progress and direction of the state work is monitored through weekly conference calls, quarterly reports and a final report at the end of the fiscal year. This enables the Regional Centers to assure that the state contract work is proceeding in accordance with the Commission's Operating Plan and is of adequate quality to meet the Commission's needs. The states report on other product safety work, not funded by CPSC, by providing highlights and summaries to CPSC field offices for input into their required program reports.

State and Local Contracts Program

Cost-effective contracts with state and local agencies for needed services provide a basis upon which greater cooperation can grow. Because the missions are compatible, state and local governments usually match CPSC funds with their own money to accomplish the objective. In addition, state and local contracts allow the Commission to accomplish product safety work in places across our nation that CPSC would not get to otherwise.

In FY98, the Commission supported the state and local contracts program in the amount of \$170,000 -- for Compliance, Hazard Identification and Reduction, and Consumer Information activities. In addition to the specific States and State agencies listed below, the Commission entered into an extensive activity with approximately 95 state and local fire departments to collect information about residential structure fires that the fire department called lighter child play.

States or local agencies that participated in the FY 1998 CPSC contract's program

Mid-Atlantic Service Center

Maryland

Department of Health & Mental
Hygiene
 Recall Checks
 In-depth Investigations
 Voluntary Standards Monitoring

Pennsylvania

Bucks County Consumer Protection
ATV Monitoring

New Jersey

Camden County Consumer Affairs
 Recall Checks
 In-depth Investigations
 ATV Monitoring

Eastern Region

Connecticut

Department of Consumer Protection
Recall Checks
In-depth Investigations
ATV Monitoring

Florida

Department of Agriculture
Recall Checks
In-depth Investigations
ATV Monitoring

New Jersey

Division of Consumer Affairs
Recall Checks
In-depth Investigations
ATV Monitoring

Monmouth County Consumer Affairs
Recall Checks

Passaic County Consumer Affairs
Recall Checks

Cumberland County Consumer Affairs
Recall Checks

Mercer County Consumer Affairs
Recall Checks

Union County Consumer Affairs
Recall Checks

Somerset County Consumer Affairs
Recall Checks

Cape May County Consumer Affairs
Recall Checks

New York

Consumer Protection Board
ATV Monitoring

Puerto Rico

Department of Consumer Affairs
In-depth Investigations
Recall Checks

Vermont

Department of Health
Recall Checks
ATV Monitoring

Virgin Islands

Department of Licensing and
Consumer Affairs
Recall Checks

Central Region

Alabama

Department of Public Health
Recall Checks

Georgia

Office of Consumer Affairs
Recall Checks
ATV Monitoring

Iowa

Department of Public Health
In-depth Investigations
Recall Checks
ATV Monitoring

Kansas

Bureau of Disease Prevention and
Control
In-depth Investigations
Recall Checks
ATV Monitoring

Kentucky

Bureau of Health Services
In-depth Investigations

Mississippi

State Board of Health
Recall Checks

North Dakota

State Laboratories
Recall Checks

Ohio

Department of Health
Recall Checks

Wisconsin

Department of Agriculture
In-depth Investigations
Recall Checks
ATV Monitoring

Western Region

Arkansas

Department of Health
Recall Checks
In-depth Investigations
ATV Monitoring

California

Department of Health Services
Recall Checks
In-depth Investigations
ATV Monitoring

Bureau of Home Furnishings
Recall Checks

Colorado

Department of Health
Recall Checks
In-depth Investigations
ATV Monitoring

Tri-County Health Department
In-depth Investigations

Idaho

S.E. District Health Department
Recall Checks
ATV Monitoring

S W. District Health Department
Recall Checks
ATV Monitoring

Central District Health Department
Recall Checks
ATV Monitoring

Louisiana

Department of Justice
Recall Checks

Montana

Department of Health and
Human Services
Recall Checks

Oklahoma

Department of Health
Recall Checks
In-depth Investigations
ATV Monitoring

Oregon

ATV Monitoring

Texas

Department of Health
Recall Checks
In-depth Investigations
ATV Monitoring

Wyoming

Recall Checks

**Federal-State-Local Cooperative Program
Commissioning Program**

Section 29(a)(2) of the Consumer Product Safety Act provides the Commission authority to commission state and local officers for conducting any of three activities on behalf of the CPSC: investigations, inspections, and sample collections.

In furtherance of the Congressional mandate to establish a program to promote Federal and state cooperation, the Commission assists in training state and local officials to qualify for a commission. After commissioning, those officials are knowledgeable in CPSC procedures for inspections, investigations, sample collection, and preparation and submission of reports.

Currently, 161 officials in 21 states, Puerto Rico, The Virgin Islands, and Guam are commissioned by the CPSC.

State(s) or Commonwealth	Department	Commissioned Officers
Mid-Atlantic Service Center		
Delaware	Board of Pharmacy	Dale W. Magee James L. Kaminski Calvin M. Campbell William H. Knotts Robert S. Jameson David W. Dryden Sandra S. Robinson
Maryland	Department of Health & Mental Hygiene Office of Food Protection & Consumer Health Services	Pamela J. Engle David Roberts Bruce Wilhelm Patricia A. Schweningen Linda Leichliter Tara L. Funk
	Division of Drug Control	Robert Chang Jack H. Freedman Peter Frederick Smith Yukie Nomoto
New Jersey	Consumer Affairs Camden County	Thomas J. DiNunzio James L. Wickner Patricia Tuck-Davis

State(s) or Commonwealth	Department	Commissioned Officers
Mid-Atlantic Service Center (Continued)		
Pennsylvania	Bucks County	Steven R. Reilly A. Courtney Yelle
Eastern Region		
Connecticut	Department of Consumer Protection	Joan Jordan Lois Bryant Vincent J. Pugliese, Jr.
Florida	Department of Agriculture & Consumer Services	James R. Kelly Robert L. Lastinger Douglas W. Jennings Steven F. Lux Diana Fuchs
New Jersey	Office of Consumer Affairs	Anthony J. Brennan Terry Lawrence Smith Jeffrey Caccese Richard A. Zitelli
	Cape May County	Edward J. Rodgers E. Robert Spiegel
	Cumberland County	Louis G. Moreno, Jr. William Walters
	Monmouth County	Dorothy H. Avallone Jane Jennings Mary D. Flaherty Beverly Cohen
	Passaic County	Mary Ann Maloney Barbara Anne Mekita

State(s) or Commonwealth	Department	Commissioned Officers
Eastern Region (Continued)		
	Somerset County Division of Consumer Affairs	Marianne Mattei Virginia G. Mastrogiovanni Eileen V. Popovich
	Union County	Ollie Boone Leida Martinez Patric Morris
Puerto Rico	Department of Consumer Affairs	Jose Rodriguez Sanchez Carlos Mateo Alers Hector Rivera Aponte Enrique V. Irigoyen Francisco F. Aponte
South Carolina	Board of Pyrotechnic Safety	Gerard W. Wingard
	Department of Consumer Affairs	William D. Kadlowec Herbert Walker, Jr. William E. Maree
	Office of State Fire Marshal	William V. Porcel
Vermont	Department of Health	Sara Villeneuve
Virgin Islands	Consumer Services Administration	Calvin L. Brooks Margaret Evelyn Sumter
Central Region		
Georgia	Office of Consumer Affairs	Connie P. Spearman Charles F. Mills Russell F. Laurens Michael A. Kaiser Diane W. Holland Marian R. Collins Calvin Cash

State(s) or Commonwealth	Department	Commissioned Officers
Central Region (Continued)		
Georgia (Continued)	Office of Consumer Affairs	Perry Charles Lunsford Brenda D. Womack Tryllis Hallford Jared J. Smith Monty D. Mohr Ruth J. Ormond Sondra Sue Pitts Edmund J. Bazar Alma F. Washington Pamela Y. Wells Brad W. Houston Queen C. Acree David R. Boucher Margaret K. Cash
Indiana	State Department of Health	Linda J. Hayman
Iowa	Department of Public Health	Debra L. Cooper Thomas W. Schlife Michael Magnant William F. Permar
Kansas	Department of Health and Environment Bureau of Foods and Drugs	James A. Pyles Roger E. Ozias Gary Magathan Launa Osbourn Gerald E. Vornholt Earnest E. Barnes Stephen N. Paige David R. Bustos Melissa d. Lill Daniel S. Hutchinson Don Parsons Mary T. Glassburner Amy S. Peters Daryl W. Meierhoff Mark Lackey

State(s) or Commonwealth	Department	Commissioned Officers
Central Region (Continued)		
Kansas (Continued)	Department of Health and Environment Bureau of Foods and Drugs	Melinda L. Rice Bonnie J Howell Gregory D. Willas
Kentucky	Department of Human Resources	Michael B. Cavanah
	Bureau of Health Services	Douglas L. Jackson Maxine M. Brown
Ohio	Department of Public Health	Michael W. Moser Gary L. Matson Donald E. Miles
Western Region		
Arkansas	Department of Health	William R. Comer Carla M. Gilbreath Martha M. Chitwood Gerald O'Bryan
California	Department of Health Services Food and Drug Branch Sacramento	Bruce R. Hilliard Anthony J. Kwan
	Department of Health Services, Food and Drug Branch Los Angeles	Anthony R. Falzone
	Department of Consumer Affairs, Sacramento	Terry L. McClellan
	Bureau of Home Furnishings and Thermal Insulation, North Highland	Leo D. Virata Terry D. Lee David E. Whipple Byron R. Bluen, Jr. Richard A. Lasiter

State(s) or Commonwealth	Department	Commissioned Officers
Western Region (Continued)		
California (Continued)		
	Poison Control Center	Linda J. Pope Elise C. Stone
Colorado	Department of Health	Larry T. Berryman Dale T. Tanda Victoria Smith Jacalyn Whelan Roberta L. Boitano Lisa C. Butts Clark Wilson Thomas E. Ballock Jeffrey J. Lawrence
	Tri-County Health Department	Lisa C. Butts
Guam	Department of Public Health and Social Services	Annabelle L. Cruz, MSW
Louisiana	Office of Public Health	Louis Tractman, MD Isabel Wingerter
Oklahoma	Department of Health	K.C. Ely John Lamb
Texas	Department of Health Austin	Glenn Dunlap Terry W. Johnson Michael L. Ward Joel Ortiz Marcia A. Roberts Steven J. Mattoon
	Department of Health Arlington	Joe Balderas Richard M. Lerro

State(s) or Commonwealth	Department	Commissioned Officers
Western Region (Continued)		
Texas (Continued)		
	Department of Health Houston	Richard Boykin Robert H. Lance
Wyoming	Department of Agriculture	Shawn Moore Gerald V. Olson Nancy Rieke Doug Krogman Harold D. Anderson, Jr.

**Federal-State-Local Cooperative Program
Memorandum of Understanding (MOU)-Partnership Agreements**

It is the policy of the CPSC to initiate and enter into MOU's with agencies of state or local governments. Such cooperation creates a partnership which extends overall consumer protection through more effective use of collective resources. Partnering creates an arrangement between CPSC and state or local agencies wherein both parties agree to share, at no cost to the other party, the responsibility for certain product safety activities. These agreements are usually with agencies having responsibilities that are similar to CPSC's.

Partnership agreements have resulted in a free exchange of information on inspectional activity, recalls, enforcement actions, and outreach programs. It has provided cross-training and an increase in state expertise in product safety.

State or Commonwealth	Department
Mid-Atlantic Service Center	
Delaware	Department of Community Affairs and Economic Development Board of Pharmacy
District of Columbia	Department of Consumer and Regulatory Affairs
Maryland	Department of Health & Mental Hygiene Drug Control Administration
Pennsylvania	Department of Health Allegheny County Health Dept. Bureau of Consumer Protection
Virginia	Department of Agriculture & Consumer Services Board of Pharmacy
West Virginia	Department of Labor Board of Pharmacy

State or Commonwealth	Department
Eastern Region	
Connecticut	Office of Chief Medical Examiner Drug Control Division Department of Consumer Protection
Florida	Department of Agriculture and Consumer Services
Maine	Division of Health Engineering Home Economic Resource Center Northeast Combat Division of Licensing & Enforcement
Massachusetts	Department of Public Health Board of Registration in Pharmacy
New Hampshire	Safety Council
New Jersey	Office of Consumer Protection Drug & Poison Information Center
New York	Education Department Office of Profess. Discipline (OPD)
North Carolina	State Board of Pharmacy
Puerto Rico	Department of Consumer Affairs Board of Pharmacy
Rhode Island	Consumers' Council Division of Drug Control
South Carolina	Department of Health and Environmental Control Board of Pharmacy
Virgin Islands	Consumer Services Administration Board of Pharmacy

State or Commonwealth	Department
Central Region	
Alabama	Department of Public Health
Georgia	Office of Consumer Affairs
Illinois	Department of Public Health Office of Environmental Health
Indiana	State Department of Health
Iowa	State Department of Public Health
Kansas	Dept. of Health & Environment
Kentucky	Department of Human Services
Michigan	Center for Environmental Health Sciences Department of Health
Minnesota	Attorney General's Office
Mississippi	State Board of Health
Missouri	Department of Health
Nebraska	State Dept. of Health
North Dakota	State Laboratories Branch
Ohio	Department of Health
South Dakota	Department of Health
Tennessee	Department of Agriculture
Wisconsin	Department of Agriculture Trade & Consumer Division

State or Commonwealth	Department
Western Region	
Alaska	Department of Health and Social Services
Arizona	Board of Pharmacy
Arkansas	Department of Health Board of Pharmacy
California	Department of Health Food & Drug Section Bureau of Home Furnishing
Colorado	Department of Health
Idaho	Board of Pharmacy
Louisiana	Board of Pharmacy
Montana	Department of Health & Environmental Services Board of Pharmacy
New Mexico	Health & Environment Department
Oklahoma	State Department of Health
Oregon	Office of State Fire Marshal Board of Pharmacy
Texas	Department of Health Board of Pharmacy
Washington	Board of Pharmacy
Wyoming	Board of Pharmacy

LIST OF STATE DESIGNEES

State Designees are the Commission's primary liaison with state and local officials. State Designees are appointed, at the Commission's request, by the Governor of each state. This individual serves as a liaison for product safety efforts within the state.

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