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U.S. CONSUMER PRODUCT SAFETY COMMISSION 4330 EAST WEST HIGHWAY BETHESDA, MD 20814

Suzanne Barone, Ph.D.
Project Manager for Poison Prevention
Division of Health Sciences

Tel: 301-504-7256 Fax: 301-504-0079 email: sbarone@cpsc.gov

May 3, 2004

Ronald Raboin Chairman, ASTM F15.10

RE: Ballot Vote on Reinstatement of PS 119-01 Specification for Child Resistant

Portable Gasoline Containers for Consumer Use.

Dear Mr. Raboin:

These comments are those of the staff of the U.S. Consumer Product Safety Commission (CPSC), have not been reviewed or approved by, and may not necessarily reflect the views of, the Commission. The CPSC staff is providing these comments in response to the ballot to reinstate PS 119, Standard Specification for Child-resistant Portable Gasoline Containers for Consumer Use, as a full consensus standard.

The CPSC staff continues to believe that the standard should not be finalized as currently written. The current version is intended to be technically equivalent to the testing protocols and standards defined in the regulations of the CPSC's Poison Prevention Packaging Act. In the comments of April 7, 2003 and October 29, 2003, the CPSC staff expressed concern that the draft standard was not specific enough for portable gasoline containers (gas cans). Copies of these two correspondences are enclosed.

The standard as written does not give adequate direction for conducting the tests in a reproducible manner. The standard does not address the issues related to multiple opening sites that are associated with all gas cans. These include an opening for filling (fill port), a spout to facilitate pouring, and a vent which some cans may have. In some designs, the spout can be stored inside the gas can.

The negative votes and comments resulting from the February 2003 ballot were not all resolved at the January 14, 2004 ASTM F15.10 Subcommittee meeting and the subsequent conference call of a task group on February 19, 2004. The appropriate conditioning of the gas can prior to child testing was the issue with the most disagreement. The CPSC staff belief following those discussions was that clarifications to the test methods would be made while additional testing and the collection of

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information continued. The CPSC staff was surprised to receive notification of the ballot of this standard in its original unaltered state.

As stated earlier, the CPSC staff believes strongly that the standard should not be finalized in its current state. We would like to continue to work with the Subcommittee to adopt a more clearly defined test method for gas cans in the interim, while additional work to address the issue of preconditioning continues.

Please contact me if you have questions about these comments.

Sincerely,

Suzanne Barone, Ph.D.

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