

## HR 2715

To provide the Consumer Product Safety Commission with greater authority and discretion in enforcing the consumer product safety laws, and for other purposes.

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Commerce

**Introduced:** Aug 1, 2011

**Current Status:** Became Public Law No: 112-28.

**Latest Action:** Became Public Law No: 112-28. (Aug 12, 2011)

**Law:** 112-28 (Enacted Aug 12, 2011)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/2715>

### Sponsor

**Name:** Rep. Bono Mack, Mary [R-CA-45]

**Party:** Republican • **State:** CA • **Chamber:** House

### Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barton, Joe [R-TX-6]	R · TX		Aug 1, 2011
Rep. Butterfield, G. K. [D-NC-1]	D · NC		Aug 1, 2011
Rep. Dingell, John D. [D-MI-15]	D · MI		Aug 1, 2011
Rep. Rehberg, Denny [R-MT-At Large]	R · MT		Aug 1, 2011
Rep. Towns, Edolphus [D-NY-10]	D · NY		Aug 1, 2011
Rep. Upton, Fred [R-MI-6]	R · MI		Aug 1, 2011
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Aug 1, 2011

### Committee Activity

Committee	Chamber	Activity	Date
Energy and Commerce Committee	House	Referred To	Aug 1, 2011

### Subjects & Policy Tags

#### Policy Area:

Commerce

### Related Bills

No related bills are listed.

**(This measure has not been amended since it was introduced. The expanded summary of the House passed version is repeated here.)**

(Sec. 1) Amends the Consumer Product Safety Improvement Act of 2008 to apply the limit on lead content in children's products only to product's manufactured after the effective date of the limit.

Requires the Consumer Product Safety Commission (CPSC) to grant an exception to such lead limit for a specific product, class of product, material, or component part if CPSC determines that: (1) it is not practicable or technologically feasible to manufacture the item in accordance with the lead limit by removing the excessive lead or by making the lead inaccessible; (2) the item is not likely to be placed in the mouth or ingested by a child; and (3) the exception will have no measurable adverse effect on public health or safety (i.e., the exception will result in no measurable increase in blood lead levels of a child). Sets forth procedures for granting these exceptions.

Exempts off-highway vehicles from the limit on lead content in children's products. Exempts bicycles from such lead limit and applies an alternate limit for the metal component part of the products.

Exempts used children's products from the lead limit, except for children's metal jewelry, any product for which the donating party or seller has actual knowledge that the product is in violation of the lead limits, or any product or category as determined by CPSC.

(Sec. 2) Amends the Consumer Product Safety Act to authorize CPSC to revise third party testing regulations to reduce testing costs consistent with assuring compliance with children's product safety rules.

Requires CPSC to exempt small batch manufacturers from third party testing requirements if no alternative testing requirement is available or economically practicable. Limits such exemption as necessary to protect public health and safety and for certain children's products (e.g., durable infant or toddler products). Excludes ordinary books, ordinary paper-based printed materials, and the metal component parts of bicycles from third party testing requirements. Prohibits subdividing production of a children's product into small quantities that has the effect of evading any third party testing requirements.

(Sec. 3) Sets forth procedures that apply when CPSC adopts a voluntary consumer product safety standard issued by an organization. Applies revisions to the safety standards for cribs only to a person that manufactures or imports cribs, unless a more expansive application is necessary to protect against an unreasonable risk to health or safety.

(Sec. 4) Considers any provision that restates or incorporates a regulation promulgated by the Food and Drug Administration (FDA) or any statute administered by FDA to be a consumer product safety standard issued by CPSC.

(Sec. 5) Applies limits on phthalates in children's toys or child care articles to plasticized component parts of such toys or articles, unless such component is not accessible to a child.

(Sec. 6) Authorizes CPSC to: (1) exclude a specific product or class of products from regulations requiring that products contain distinguishing marks to identify production information if it is not practicable for such product or class of products to bear such marks; and (2) establish alternative requirements for identification of products.

(Sec. 7) Revises provisions regarding reports of harm relating to the use of consumer products for the database on the safety of consumer products to: (1) require a stay of five days before submitting such information if CPSC receives notice

that information in a report is materially inaccurate, and (2) establish procedures for when the CPSC receives a report missing a model or serial number for the product.

(Sec. 8) Gives the CPSC the authority to: (1) issue subpoenas for the production of physical evidence, and (2) delegate to CPSC's general counsel the authority to issue subpoenas to federal, state, or local government agencies.

(Sec. 9) Requires CPSC to issue a final rule on safety standards pertaining to all-terrain vehicles within one year of enactment of this Act.

## **Actions Timeline**

---

- **Aug 12, 2011:** Signed by President.
- **Aug 12, 2011:** Became Public Law No: 112-28.
- **Aug 5, 2011:** Presented to President.
- **Aug 2, 2011:** Message on Senate action sent to the House.
- **Aug 1, 2011:** Introduced in House
- **Aug 1, 2011:** Referred to the House Committee on Energy and Commerce.
- **Aug 1, 2011:** Mrs. Bono Mack moved to suspend the rules and pass the bill.
- **Aug 1, 2011:** Considered under suspension of the rules. (consideration: CR H5823-5828)
- **Aug 1, 2011:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2715.
- **Aug 1, 2011:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Aug 1, 2011:** Considered as unfinished business. (consideration: CR H5829)
- **Aug 1, 2011:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 421 - 2 (Roll no. 683).(text: CR H5823-5826)
- **Aug 1, 2011:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 421 - 2 (Roll no. 683). (text: CR H5823-5826)
- **Aug 1, 2011:** Motion to reconsider laid on the table Agreed to without objection.
- **Aug 1, 2011:** Passed/agreed to in Senate: Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S5199)
- **Aug 1, 2011:** Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S5199)