

distributed at the roundtable and the list of the roundtable participants for the roundtable and their associations will also be posted on the USPTO's Internet Web site.

Dated: January 28, 2011.

**David J. Kappos,**

*Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.*

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## CONSUMER PRODUCT SAFETY COMMISSION

### Consumer Product Safety Act: Notice of Commission Action on the Stay of Enforcement of Testing and Certification Requirements

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Revision of terms of stay of enforcement.

**SUMMARY:** The Consumer Product Safety Commission ("CPSC" or "Commission" or "we") is announcing its decision to revise the terms of its stay of enforcement of certain testing and certification provisions of section 14 of the Consumer Product Safety Act ("CPSA") as amended by section 102 of the Consumer Product Safety Improvement Act of 2008 ("CPSIA"). Through this notice, the Commission announces an extension of the stay of enforcement pertaining to total lead content in children's products (except for metal components of children's metal jewelry), and certain related products, until December 31, 2011.<sup>1</sup>

**DATES:** The stay of enforcement pertaining to total lead content in children's products (except for metal components of children's metal jewelry), and certain related products, is extended until December 31, 2011, upon which date the stay will expire.

**FOR FURTHER INFORMATION CONTACT:** Robert "Jay" Howell, Acting Assistant Executive Director for the Office of Compliance and Field Operations, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda,

Maryland 20814; e-mail [rhowell@cpsc.gov](mailto:rhowell@cpsc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Section 14 of the CPSA requires that every manufacturer of a product (and the private labeler, if the product bears a private label) that is subject to a consumer product safety rule, ban, standard, or regulation enforced by the Commission certify, based on testing, that its product complies with the applicable safety rule, ban, standard, or regulation. For nonchildren's products, the certification must be based on a test of each product or a reasonable testing program. For children's products, the certification must be based on testing conducted by a CPSC-accepted third party conformity assessment body (laboratory).

On February 9, 2009, the Commission published a notice in the **Federal Register**, staying enforcement of many of the testing and certification requirements, including the requirements related to total lead in children's products (other than the lead content of metal components of children's metal jewelry). 74 FR 6396, 6397. The Commission committed to the stay for one year, explaining that the stay was necessary to "give us the time needed to develop sound rules and requirements as well as implement outreach efforts to explain these [new] requirements of the CPSIA and their applicability." 74 FR at 6398. With regard to lead content in metal components of children's metal jewelry, the Commission stated that certifications based on third party testing would be required for such products manufactured after March 23, 2009. 74 FR at 6397.

On December 28, 2009, the Commission published a notice in the **Federal Register**, revising the terms of the stay. 74 FR 68588. In that notice, the Commission lifted the stay for some CPSC regulations and extended the stay for other CPSC regulations. Relevant for present purposes, the Commission stated that it "plans to keep the stay in effect for total lead content in metal children's products and in non-metal children's products \* \* \* (section 101 of the CPSIA) until February 10, 2011." 74 FR at 68591. The December 28, 2009, notice did not affect certifications and testing of lead content in metal components of children's metal jewelry; the stay pertaining to those products had expired on March 23, 2009. 74 FR at 68589.

The Commission also published two notices concerning discrete stays of

enforcement related to lead content. On May 12, 2009, the Commission published a notice staying enforcement with regard to the lead content in certain parts and youth motorized vehicles that contain those parts. 74 FR 22154. The notice announced that the stay would remain in effect until May 1, 2011. *Id.* Specifically, the Commission stayed enforcement of the specified lead level as it pertains to certain parts of youth all-terrain vehicles, youth off-road motorcycles, and youth snowmobiles ("Youth Motorized Recreational Vehicles" or "Vehicles"), specifically battery terminals containing up to 100 percent lead, and components made with metal alloys, including steel containing up to 0.35 percent lead, aluminum with up to 0.4 percent lead, and copper with up to 4.0 percent lead, and the vehicles that contain them. *Id.*

On June 30, 2009, the Commission published a notice staying enforcement with regard to the lead content in certain parts of bicycles, jogger strollers, and bicycle trailers ("Bicycles and Related Products") designed or intended primarily for children 12 years of age or younger. 74 FR 31254. In brief, the stay applied to components made with metal alloys, including steel containing up to 0.35 percent lead, aluminum with up to 0.4 percent lead, and copper with up to 4.0 percent lead. 74 FR at 31257. The Commission stated the stay would remain in effect until July 1, 2011. 74 FR at 31254.

##### II. Extension of Stay of Enforcement

We have received several requests for an extension of the stay of enforcement related to lead testing and certifications. After considering these requests and other matters, the Commission has decided to extend the existing stay of enforcement on testing and certifications of the total lead content in children's products (except for metal components of children's metal jewelry) until December 31, 2011, at which time the stay will expire. This action by the Commission encompasses the stays described above, pertaining to lead content in Youth Motorized Recreational Vehicles and Bicycles and Related Products; those stays are hereby extended until December 31, 2011.

The Commission notes that there remains in effect a stay of enforcement on testing and certification for children's products subject to those children's product safety rules for which a notice of requirements for accreditation of third party conformity assessment bodies (laboratories) has not published yet, including testing of children's toys and child care articles for banned phthalates, and testing of

<sup>1</sup> The Commission voted 4-1 to approve publication of this notice. Chairman Inez M. Tenenbaum, Commissioner Thomas H. Moore, Commissioner Nancy Nord, and Commissioner Anne M. Northup voted for the publication of the notice with changes. Commissioner Robert S. Adler voted against publication of the notice. Chairman Tenenbaum, Commissioner Northup, and Commissioner Adler filed statements concerning this vote. The statements may be viewed on the Commission's Web site at <http://www.cpsc.gov/pr/statements.html>.

children's toys for compliance with the mandatory toy safety standard ASTM F-963 (which includes caps and toy guns). The Commission's current action does not affect that stay of enforcement; accordingly, and as described in the December 28, 2009, notice (74 FR 68591-68592), such stay will continue until the respective notices of requirements for laboratory accreditation are published.

Dated: February 1, 2011.

**Todd A. Stevenson,**  
Secretary, Consumer Product Safety  
Commission.

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**BILLING CODE 6355-01-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Meeting of the Defense Science Board

**AGENCY:** Department of Defense.

**ACTION:** Notice of Advisory Committee Meetings.

**SUMMARY:** The Defense Science Board will meet in closed session on February 23-24, 2011; at the Pentagon, Arlington, VA.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology & Logistics on scientific and technical matters as they affect the perceived needs of the Department of Defense. At this meeting, the Board will discuss interim finding and recommendations resulting from ongoing Task Force activities. The Board will also discuss plans for future consideration of scientific and technical aspects of specific strategies, tactics, and policies as they may affect the U.S. national defense posture and homeland security.

In accordance with section 10(d) of the Federal Advisory Committee Act, Public Law 92-463, as amended (5 U.S.C. App. 2) and 41 CFR 102-3.155, the Department of Defense has determined that these Defense Science Board Quarterly meetings will be closed to the public. Specifically, the Under Secretary of Defense (Acquisition, Technology and Logistics), with the coordination of the DoD Office of General Counsel, has determined in writing that all sessions of these meetings will be closed to the public because they will be concerned throughout with matters listed in 5 U.S.C. 552b(c)(1).

Interested persons may submit a written statement for consideration by the Defense Science Board. Individuals

submitting a written statement must submit their statement to the Designated Federal Official at the address detailed below, at any point, however, if a written statement is not received at least 10 calendar days prior to the meeting, which is the subject of this notice, then it may not be provided to or considered by the Defense Science Board. The Designated Federal Official will review all timely submissions with the Defense Science Board Chairperson, and ensure they are provided to members of the Defense Science Board before the meeting that is the subject of this notice.

**FOR FURTHER INFORMATION CONTACT:** Ms. Debra Rose, Executive Officer, Defense Science Board, 3140 Defense Pentagon, Room 3B888A, Washington, DC 20301-3140, via e-mail at [debra.rose@osd.mil](mailto:debra.rose@osd.mil), or via phone at (703) 571-0084.

Dated: February 3, 2011.

**Morgan F. Park,**  
Alternate OSD Federal Register Liaison  
Officer, Department of Defense.

[FR Doc. 2011-2684 Filed 2-7-11; 8:45 am]

**BILLING CODE 5001-06-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Veterans' Advisory Board on Dose Reconstruction; Meeting

**AGENCY:** Defense Threat Reduction Agency, DoD.

**ACTION:** Advisory Board meeting notice.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C., Appendix, as amended), the Sunshine in the Government Act of 1976 (5 U.S.C. 552b, as amended), the Defense Threat Reduction Agency (DTRA), and the Department of Veterans Affairs (VA) announce the following advisory board meeting of the Veterans' Advisory Board on Dose Reconstruction (VBDR).

**DATES:** Friday, March 11, 2011, 8 a.m. to 12:15 p.m. and from 1:15 p.m. to 5 p.m. The public is invited to attend. A public comment session is scheduled from 10:15 a.m. to 10:45 a.m.

**Location:** Hilton Arlington Hotel, 950 North Stafford Street, Arlington, VA 22203.

**FOR FURTHER INFORMATION CONTACT:** The Veterans' Advisory Board on Dose Reconstruction Toll Free at 1-866-657-VBDR (8237). Additional information may be found at <http://vbdr.org>.

**SUPPLEMENTARY INFORMATION: Purpose of Meeting:** To obtain, review, and evaluate information related to the Board's mission to provide guidance and

oversight of the dose reconstruction and claims compensation programs for veterans of U.S.-sponsored atmospheric nuclear weapons tests from 1945-1962; veterans of the 1945-1946 occupation of Hiroshima and Nagasaki, Japan; and veterans who were prisoners of war in those regions at the conclusion of World War II. In addition, the advisory board will assist the VA and DTRA in communicating with the veterans.

**Meeting Agenda:** The meeting will open with an introduction of the Board. After introductions, the remainder of the morning will include the following briefings: "Review of Atomic Veterans Epidemiology Study" by Dr. John Boice; "Review of Atomic Veterans Demographic Study" by Dr. John Lathrop; "Quality Review of Radiation Cases at the Jackson VARO", by VA STAR Representative; "Update on the Nuclear Test Personnel Review (NTPR) Dose Reconstruction Program", by Dr. Paul Blake; and "Update on the VA Radiation Claims Compensation Program for Veterans", by Mr. Brad Flohr. The morning session includes one half-hour open public comment session. The afternoon session will begin with a presentation on the VA/DTRA/VBDR Atomic Veterans Communications Plan. Next, the four subcommittees established during the inaugural VBDR session will report on their activities since March 2010. These subcommittees consist of the following: Subcommittee on DTRA Dose Reconstruction Procedures; the Subcommittee on VA Claims Adjudication Procedures; the Subcommittee on Quality Management and VA Process Integration with DTRA Nuclear Test Personnel Review Program; and the Subcommittee on Communication and Outreach. The remainder of the meeting will be devoted to a discussion of the future of the VBDR.

**Meeting Accessibility:** Pursuant to 5 U.S.C. 552b, as amended, and 41 CFR 102-3.140 through 102-3.165, and the availability of space, this meeting is open to the public. Seating is limited by the size of the meeting room. All persons must sign in legibly at the registration desk.

**Written Statements:** Pursuant to 41 CFR 102-3.105(j) and 102-3.140(c), interested persons may submit a written statement for consideration by the Veterans' Advisory Board on Dose Reconstruction; statements may be on the VBDR's mission or in response to the March 11, 2011 meeting agenda. Supporting documentation may also be included as needed to establish the appropriate historical context and to