

affected products were produced or imported during a base period (prescribed in paragraph (c)(2) of this section).

(b) *Prohibited acts.* Manufacturers and importers of glazing materials, fabricators, and manufacturers or importers of architectural products specified in §1201.1(a) who incorporate glazing materials shall not incorporate glazing materials which do not comply with the requirements of this part 1201 into such products between the date of issuance of this part in the FEDERAL REGISTER and the effective date set out in §1201.7 below at a rate greater than the rate of production or importation during the base period (defined in paragraph (c)(2) of this section) plus ten percent. For wired glass used in doors or other assemblies subject to this part 1201 and intended to retard the passage of fire, when such doors or other assemblies are required by a Federal, State, local or municipal fire ordinance, the rate of production during the base period may be increased annually by no more than 10 percent.

(c) *Definitions.* As used in this section:

(1) *Rate of production (or importation)* means the total number of affected architectural products incorporating glazing material not complying with this part manufactured or imported during a stated base period.

(2) *Base period* means, at the option of the manufacturer or importer, any period of 180 consecutive days prior to January 6, 1977, said period to be selected within an interval which begins July 6, 1975.

§ 1201.7 Effective date.

The effective date of this part 1201 shall be July 6, 1977 except:

(a) For glazing materials used in doors or other assemblies subject to this part and intended to retard the passage of fire when such doors or other assemblies are required by a Federal, State, or local or municipal fire ordinance, the effective date shall be January 6, 1980.

(b) Architectural glazing materials manufactured before July 6, 1977 may be incorporated into architectural products listed in §1201.1(a) through July 5, 1978 if:

(1) The architectural glazing material conforms to ANSI Standard Z97.1-1972 or 1975, "Performance Specifications and Methods of Test for Safety Glazing Material Used in Buildings," 1972 or 1975², which is incorporated by reference, and

(2) The architectural glazing material is permanently labeled to indicate it conforms to ANSI Z97.1-1972 or 1975 or is accompanied by a certificate certifying conformance to ANSI Z97.1 1972 or 1975.

(c) Tempered glass manufactured before July 6, 1977 may be incorporated into architectural products listed in §1201.1(a) through July 5, 1981 if:

(1) The tempered glass conforms to ANSI Z97.1-1972 or 1975; and

(2) The tempered glass is permanently labeled to indicate it conforms to ANSI Z97.1-1972 or 1975 or is accompanied by a certificate certifying conformance to ANSI Z97.1-1972 or 1975.

(d) Laminated glass manufactured on or after July 6, 1977 through December 3, 1977 may be incorporated into category II products as defined in §1201.2(a)(4) through July 5, 1978 if:

(1) The laminated glass conforms to ANSI Z97.1-1972 or 1975; and

(2) The laminated glass is permanently labeled to indicate that it conforms to ANSI Z97.1-1972 or 1975 or is accompanied by a certificate in accordance with section 14(a) of the CPSA certifying conformance to ANSI Z97.1-1972 or 1975.

(e) Architectural products manufactured between July 6, 1977 and July 5, 1978 incorporating glazing material in accordance with paragraph (b) of this

²Copies of ANSI Standard Z97.1-1972 or 1975 are available from the American National Standards Institute, 1430 Broadway, New York, New York 10018. They are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. This incorporation by reference was approved by the Director of the Federal Register. These materials are incorporated as they exist in the editions which have been approved by the Director of the Federal Register and which have been filed with the Office of the Federal Register.

§ 1201.7

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section, may be distributed and sold without restriction.

(f) Architectural products manufactured between July 6, 1977 and July 5, 1981 incorporating tempered glass in accordance with paragraph (c) of this section, may be distributed and sold without restriction.

(g) Architectural products identified in §1201.2(a)(4) manufactured between July 6, 1977 and July 5, 1978 incorporating laminated glass in accordance with §1201.7(d) may be distributed and sold without restriction.

(h) Patinaed glass manufactured between July 6, 1977 and January 8, 1979, in accordance with the Commission's stay order published in the FEDERAL REGISTER of August 9, 1977 (42 FR 40188), may be sold without restriction. Architectural products incorporating such glazing may also be sold without restriction.

[43 FR 50422, Oct. 30, 1978, as amended at 43 FR 57247, Dec. 7, 1978; 46 FR 63250, Dec. 31, 1981]

FIGURE 1 TO SUBPART A OF PART 1201—GLASS IMPACT TEST STRUCTURE

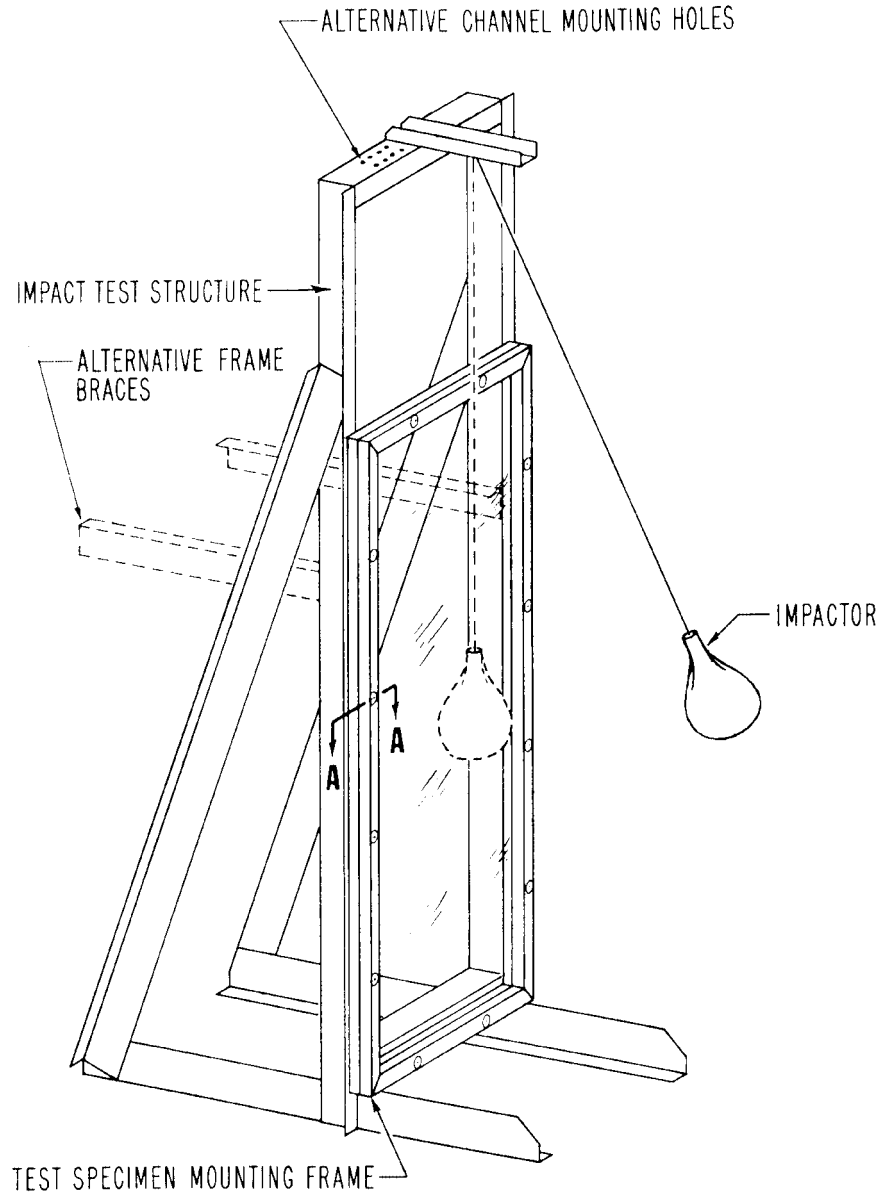


FIG 1-GLASS IMPACT TEST STRUCTURE

FIGURE 2 TO SUBPART A OF PART 1201—TEST FRAME

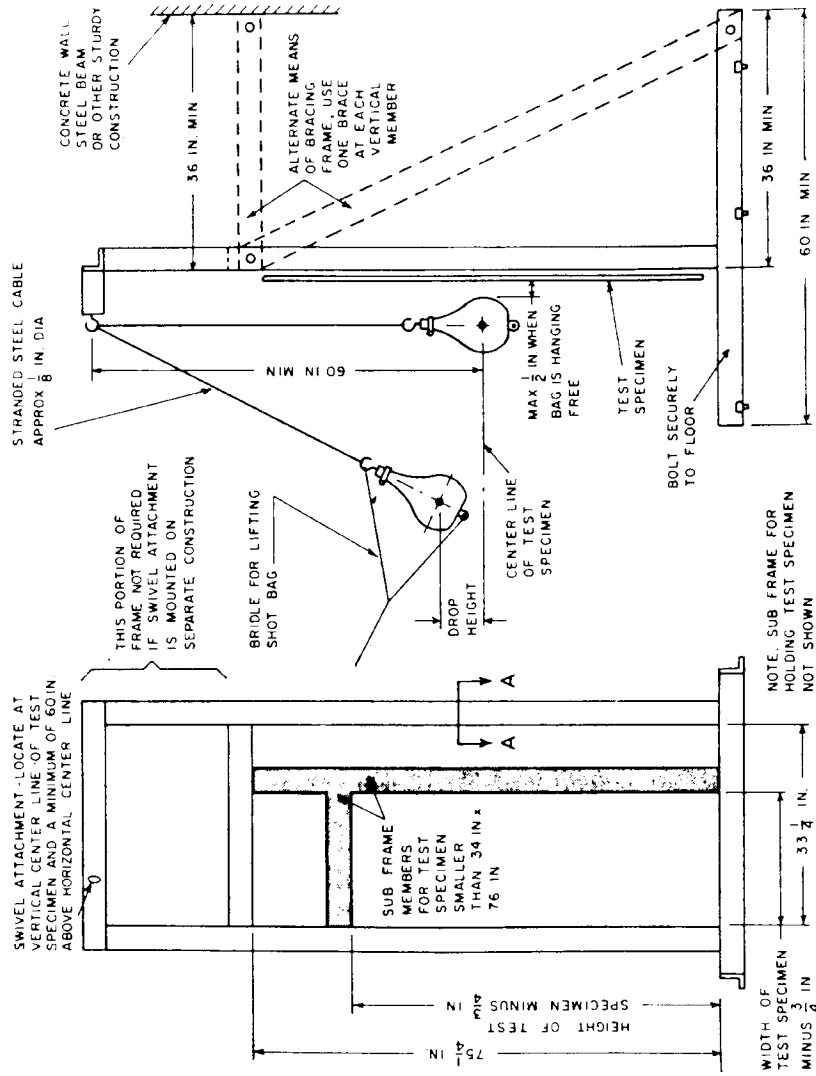


FIG 2—TEST FRAME

FIGURES 3 AND 4 TO SUBPART A OF PART 1201—TEST SPECIMENS

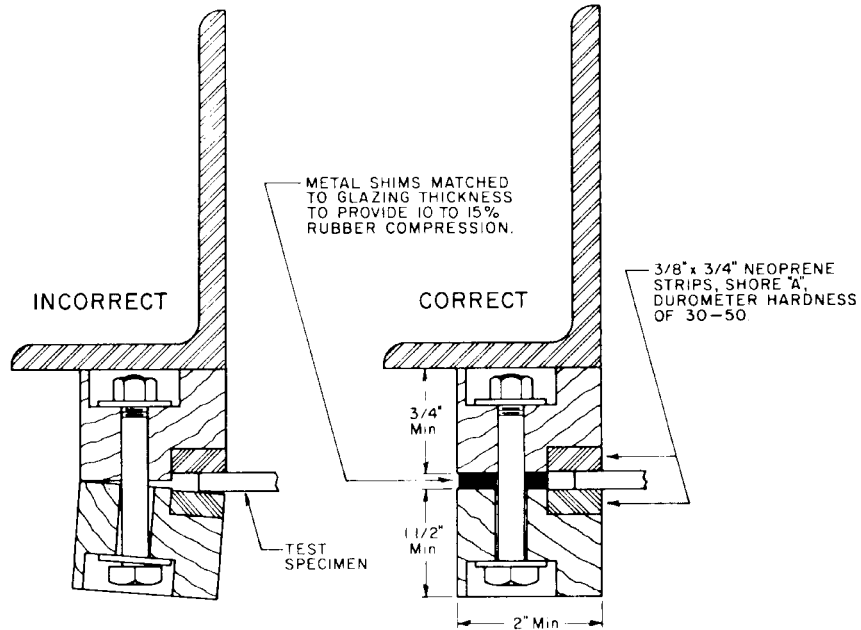


FIG 3—PROPERLY & IMPROPERLY CLAMPED TEST SPECIMEN (>1/8" THICK)

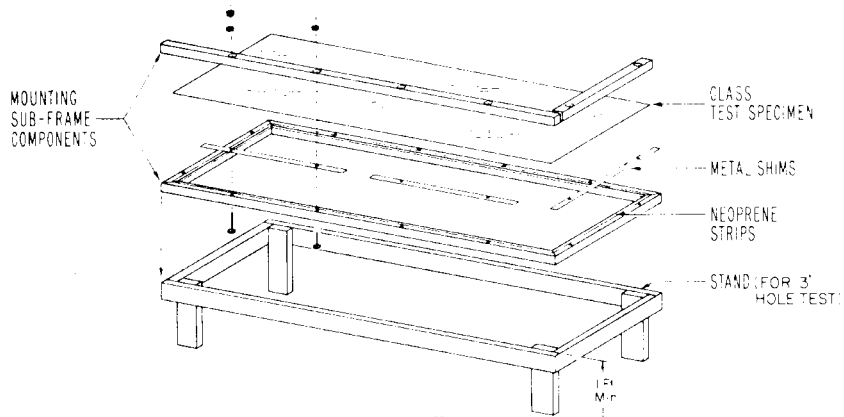


FIG 4—GLASS TEST SPECIMEN MOUNTING SUB-FRAME (EXPLODED) & STAND

FIGURE 5 TO SUBPART A OF PART 1201—IMPACTOR

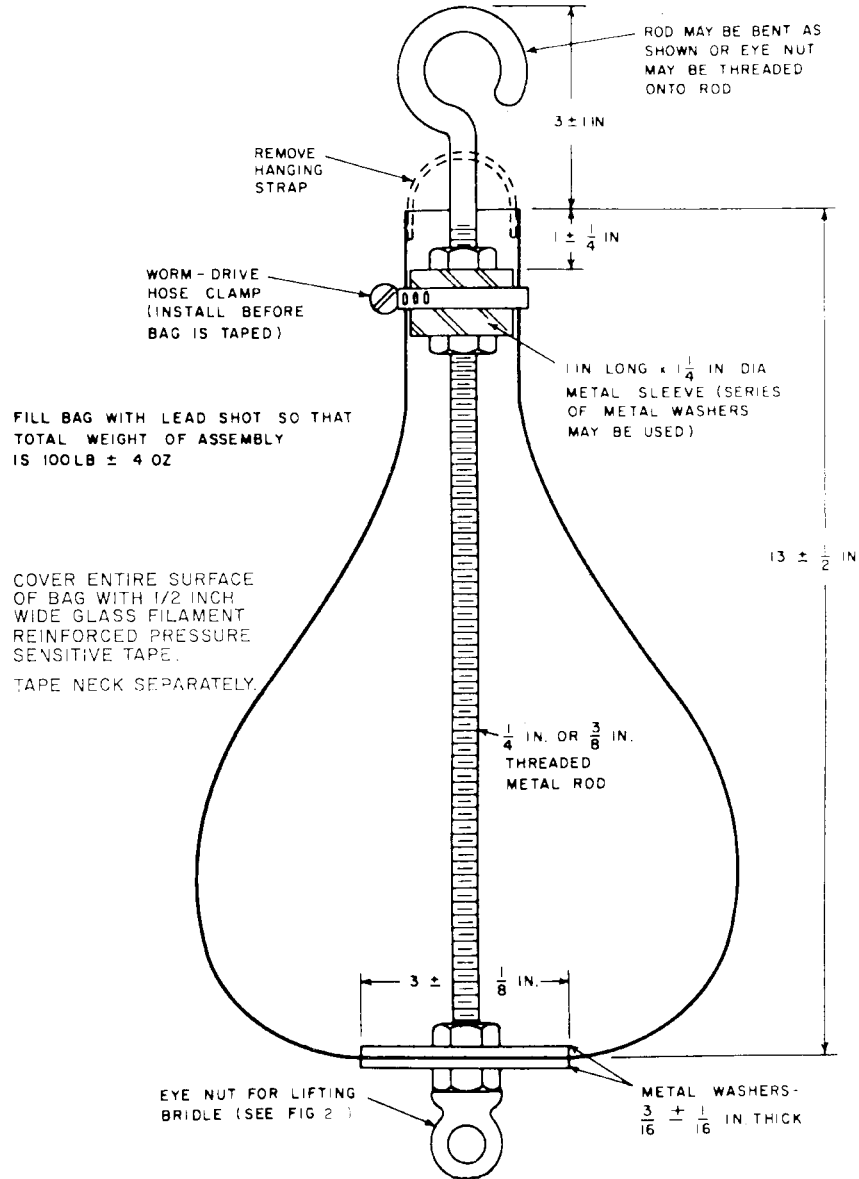


FIG 5—IMPACTOR

Consumer Product Safety Commission

§ 1202.2

Subpart B [Reserved]

Subpart C—Statements of Policy and Interpretation

§ 1201.40 Interpretation concerning bathtub and shower doors and enclosures.

(a) *Purpose and background.* The purpose of this section is to clarify the scope of the terms “bathtub doors and enclosures” and “shower door and enclosure” as they are used in the Standard in subpart A. The Standard lists the products that are subject to it (§1201.1(a)). This list includes *bathtub doors and enclosures*, a term defined in the Standard to mean “assemblies of panels and/or doors that are installed on the lip of or immediately surrounding a bathtub” (§1201.2(a)(2)). The list also includes *shower doors and enclosures*, a term defined to mean “(assemblies) of one or more panels installed to form all or part of the wall and/or door of a shower stall” (§1201.2(a)(30)). Since the Standard became effective on July 6, 1977, the question has arisen whether the definitions of these products include glazing materials in a window that is located over a bathtub or within a shower stall and in the exterior wall of a building. The definitions of the terms “bathtub doors and enclosures” and “shower door and enclosure” contain no specific exemption for glazing materials in such windows. If read literally, the Standard could include glazing materials in an exterior wall window located above a bathtub because that window could be interpreted as being “immediately surrounding” the bathtub. Similarly, the Standard, if read literally, could include glazing materials in an exterior wall window because that window could be interpreted as forming “all or part of the wall * * * of a shower stall.”

(b) *Interpretation.* When the Consumer Product Safety Commission issued the Standard, it did not intend the standard to apply to any item of glazing material in a window that is located over a bathtub or within a shower stall and in the exterior wall of a building. The Commission clarifies that the Standard does not apply to such items of glazing material or such windows. This inter-

pretation applies only to the term “bathtub doors and enclosures” and “shower door and enclosure” and does not affect the applicability of the Standard to any other product.

[46 FR 45751, Sept. 15, 1981]

PART 1202—SAFETY STANDARD FOR MATCHBOOKS

- Sec.
- 1202.1 Scope and effective date.
- 1202.2 Findings.
- 1202.3 Definitions.
- 1202.4 Matchbook general requirements.
- 1202.5 Certification.
- 1202.6 Marking.
- 1202.7 Prohibited stockpiling.

AUTHORITY: Secs. 2, 3, 7, 9, 14, 16, and 19, Pub. L. 92-573, 86 Stat. 1212-17 (15 U.S.C. 2051, 2052, 2056, 2058, 2063, 2065, and 2068).

SOURCE: 43 FR 53709, Nov. 17, 1978, unless otherwise noted.

§ 1202.1 Scope and effective date.

(a) *Scope.* This part 1202, a consumer product safety standard, prescribes the safety requirements, including labeling requirements, for the matchbook. This part 1202 applies to all matchbooks manufactured in or imported into the United States after its effective date.

(b) *Effective date.* The effective date shall be May 4, 1978.

§ 1202.2 Findings.¹

(a) *Risk of injury.* The Commission finds that unreasonable risks of injury from accidents are associated with matchbooks. These unreasonable risks,

¹The Commission's findings apply to the matchbook standard that it published on May 4, 1977 (42 FR 22656-70). On Mar. 31, 1978, the U.S. Court of Appeals for the First Circuit set aside portions of that standard (*D. D. Bean & Sons, Co. v. CPSC*, 574 F. 2d 643). On Nov. 17, 1978, the Commission published a revised version of the standard which reflects the court's decision. However, the findings have not been revised and they are therefore not fully applicable to the revised matchbook requirements. For example, the revised standard does not address the unreasonable risk of injury of “[b]urn injuries that have been sustained by persons from fires that have been set by the afterglow of extinguished bookmatches” (§1202.2(a)(6)) because the court set aside the afterglow performance requirement.