

## § 1204.5

breakdown occurs and if no current reading exceeds 5 mA rms.

### § 1204.5 Manufacturer's instructions.

(a) For all antennas covered under this part 1204, the following statement shall be included in the manufacturer's instructions, in addition to the material required by 16 CFR 1402.4(a)(1)(ii):

Under some conditions, this antenna may not prevent electrocution. Users should keep antenna away from any overhead wires. If antenna contacts a power line, any initial protection could fail at any time. IF ANTENNA NEARS ANY OVERHEAD WIRES, IMMEDIATELY LET GO, STAY AWAY, AND CALL UTILITY COMPANY.

(b) This warning statement shall be in a separate paragraph immediately following the warning statement required by 16 CFR 1402.4(a)(1)(ii)(A).

(c) This warning statement shall be legible and conspicuous and shall be in type that is at least as large as the largest type used on the remainder of the page, with the exception of the logo and any identification of the manufacturer, brand, model, or similar designations, and that is preferably no smaller than 10 point type.

### § 1204.6 Findings.

As required by section 9 (b) and (c) of the Consumer Product Safety Act, 15 U.S.C. 2058 (b) and (c), the Commission makes the following findings:

(a) *The degree and nature of the risk of injury the rule is designed to reduce.* (1) The rule addresses the risk of injury or death caused by electric shock occurring when the antenna comes into contact with electrical power lines while the antenna is being put up or taken down.

(2) About 175 fatalities were estimated to be associated with omnidirectional CB antennas in 1976. The estimated number of fatalities declined to about 125 in 1977 and to about 55 in 1978. Since then, the number of fatalities appears to have leveled off at about 45-50 each year. In addition to the 45-50 deaths, it is estimated that a somewhat greater number of injuries occur annually and that about half of them are serious enough to require surgery, amputation, skin grafts, etc. It is common for multiple deaths or injuries to occur in a single accident.

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(3) The Commission's staff has estimated that since 1979 about 20 percent of the accidents involved antennas less than a year old, resulting in about 8 deaths in 1980.

(4) Since a substantial portion of the accidents associated with these antennas occur when the antenna is being taken down after it has been installed in an outdoor environment for a number of years, the standard recommends that materials selected to provide protection from shock be weather resistant.

(5) The standard specifies that protection shall be provided against voltages of 14,500 volts phase-to-ground. Voltages of this level or less are involved in 98 percent of the accidents and 95 percent of the total circuit mileage of distribution circuits.

(b) *The approximate number of consumer products, or types or classes thereof, subject to the rule.* (1) The standard applies to omnidirectional CB base station antennas. The Commission estimates that there were approximately 5 million omnidirectional base station antennas in use in 1981, and at that time as many as 75,000 of these antennas were expected to be sold each year for the next several years.

(2) [Reserved]

(c)(1) *The need of the public for the consumer products subject to the rule.* Omnidirectional CB base station antennas are used in non-mobile applications to obtain essentially uniform receiving and transmitting capabilities in all directions simultaneously. Although directional antennas can obtain greater reception and transmitting capabilities in one or more directions than can omnidirectionals, directionals are generally more expensive and must be oriented so that they point in the desired direction. Therefore, omnidirectional antennas are preferred by many base station operators, and they can also be used in conjunction with a directional antenna to locate another station to which the directional antenna can then be oriented.

(2) CB stations are used by individuals as a communications device for both practical and personal enjoyment purposes. Some operators volunteer to monitor the commonly used and/or emergency channels for distress calls