39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

# PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 USC 106(g), 40101, 40113, 44701.

### §39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

Boeing: Docket 95-NM-83-AD.

Applicability: Model 747SP series airplanes equipped with BFGoodrich evacuation systems identified in BFGoodrich Service Bulletin 7A1255–25–275, dated February 25, 1994; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must use the authority provided in paragraph (b) of this AD to request approval from the FAA. This approval may address either no action, if the current configuration eliminates the unsafe condition; or different actions necessary to address the unsafe condition described in this AD. Such a request should include an assessment of the effect of the changed configuration on the unsafe condition addressed by this AD. In no case does the presence of any modification, alteration, or repair remove any airplane from the applicability of this AD.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent the inability of passengers to exit the airplane through Door 2 in the event of an emergency evacuation, accomplish the following:

(a) Within 36 months after the effective date of this AD, modify the escape slide/raft on Door 2 in accordance with BFGoodrich Service Bulletin 7A1255–25–275, dated February 25, 1994.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate.

Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 4, 1995.

#### Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service. [FR Doc. 95–19775 Filed 8–9–95; 8:45 am] BILLING CODE 4910–13–U

### CONSUMER PRODUCT SAFETY COMMISSION

# 16 CFR Part 1500

# Requirements for Labeling of Retail Containers of Charcoal; Proposed Amendments

AGENCY: Consumer Product Safety Commission. ACTION: Proposed rule.<sup>1</sup>

**SUMMARY:** Under the Federal Hazardous Substances Act, the Commission is proposing a rule to change the required labeling for retail containers of charcoal intended for cooking or heating. The labeling addresses the carbon monoxide hazard associated with burning charcoal in confined spaces. The proposed amendments, which include a pictogram, are intended to make the label more noticeable and more easily read and understood and to increase the label's ability to motivate consumers to avoid burning charcoal in homes, tents, or vehicles.

**DATES:** Comments on the proposal should be submitted no later than October 24, 1995.

ADDRESSES: Comments should be mailed to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, or delivered to the Office of the Secretary, Consumer Product Safety Commission, room 502, 4330 East-West Highway, Bethesda, Maryland 20814–4408, telephone (301) 504–0800.

## FOR FURTHER INFORMATION CONTACT: Sharon White, Project Manager, Division of Human Factors, Directorate for Engineering Sciences, Consumer Product Safety Commission, Washington, D.C. 20207; telephone (301) 504–0468 ext. 1286.

#### SUPPLEMENTARY INFORMATION:

# A. Background

1. Relevant Statutes and Regulations. Since its creation in 1973, the Consumer Product Safety Commission ("Commission" or "CPSC") has administered the Federal Hazardous Substances Act ("FHSA"), 15 U.S.C. 1261–1278. Prior to that time, the FHSA was administered by the Food and Drug Administration ("FDA").

The FHSA defines "hazardous substance" as including any "substance or mixture of substances which (i) is toxic \* \* \* if [it] may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use. \* \* \*" Section 2(f)(1)(A) of the FHSA, 15 U.S.C. 1261(f)(1)(A). Hazardous substances are misbranded if they do not bear the labeling required by section 2(p)(1) of the FHSA, 15 U.S.C. 1261(p)(1).

Section 3(b) of the FHSA, 15 U.S.C. 1262(b), authorizes the Commission to issue regulations establishing variations from or additions to the labeling required under section 2(p)(1) if the Commission finds that the requirements of section 2(p)(1) are not adequate for the protection of the public health and safety in view of the special hazard presented by any particular hazardous substance. Rulemaking under section 3(b) is conducted under the informal notice and comment procedure provided in 5 U.S.C. 553.

In addition, section 3(a) of the FHSA, 15 U.S.C. 1262(a), authorizes the Commission to issue regulations declaring products to be hazardous substances if the Commission finds they meet the definition of hazardous substance in section 2(f)(1)(A). The purpose of this authority is to avoid or resolve uncertainty as to the application of the FHSA. 15 U.S.C. 1262(a).

In 1970, the FDA proposed a rule under sections 3(a) and 3(b) of the FHSA to require a statement on packages of charcoal intended for household use that would warn of the potentially deadly hazard of carbon monoxide ("CO") poisoning from breathing the combustion products of charcoal when used in a confined area. 35 FR 13887 (September 2, 1970). In 1971. FDA issued a final rule that is currently codified in 16 CFR 1500.14(b)(6). That section requires the following borderlined label on containers of charcoal for retail sale and intended for cooking or heating: BILLING CODE 6355-01-P

<sup>&</sup>lt;sup>1</sup>The Commission voted 2–1 to propose this rule. Chairman Ann Brown and Commissioner Thomas H. Moore voted for the proposal; Commissioner Mary Sheila Gall voted against the proposal. Separate statements by each commissioner are available from the Office of the Secretary.