before the effective date are not subject to the revised requirements.

Accordingly, for the reasons given above, the Commission preliminarily certifies that the proposed rule, if issued, would not have significant economic effects on a substantial number of small entities. However, the Commission solicits comments concerning the potential effects of the proposed rule on small firms.

### I. Environmental Considerations

Pursuant to the National Environmental Policy Act, and in accordance with the Council on Environmental Quality regulations and CPSC procedures for environmental review, the Commission has assessed the possible environmental effects associated with the proposed rule to revise the warning labels for packages of charcoal. Preliminary analysis of the potential impact of this proposed rule indicates that it would have no significant effects on the environment if the effective date of a rule enables the firms to deplete existing stocks of filled and empty bags. (Some firms have indicated that, depending on the time of the year, they may have as much as a 2-year supply of filled and empty bags.) As previously noted, bags filled before the effective date would not be affected

by the proposed rule. Even if some old inventory of bags remains and cannot be restickered, the environmental consequences would not be major.

Therefore, because the proposed rule would have no significant impact on the environment, neither an environmental assessment nor an environmental impact statement is required.

### J. Conclusion

For the reasons discussed above, the Commission preliminarily concludes that the labeling required by section 2(p)(1) of the FHSA for packages of charcoal is not adequate for the protection of the public health and safety, in view of the special hazard of CO poisoning presented by using charcoal in a confined area. The Commission preliminarily finds that the additional label requirements in the proposed revised label are necessary for the protection of the public health and safety and proposes to issue such requirements under the authority of section 3(b) of the FHSA, 15 U.S.C. 1262(b).

# **Effective Date**

The Commission proposes to make the final rule effective on a date that is 12 to 18 months after it is published in the **Federal Register**, as to charcoal intended for cooking or heating that is placed in containers for retail sale on or after that date.

# List of Subjects in 16 CFR Part 1500

Consumer protection, Hazardous materials, Hazardous substances, Imports, Infants and children, Labeling, Law Enforcement, Toys.

For the reasons given above, the Commission proposes to amend 16 CFR part 1500 as follows:

# PART 1500—HAZARDOUS SUBSTANCES AND ARTICLES; ADMINISTRATION AND ENFORCEMENT REGULATIONS

1. The authority citation for part 1500 is revised to read as follows:

Authority: 15 U.S.C. 1261-1278.

2. Section 1500.14 is amended by revising the borderlined label statement in paragraph (b)(6)(i) and paragraph (b)(6)(ii) as follows:

§ 1500.14 Substances requiring special labeling under section 3(b) of the act.

- (b) \* \* \*
- (6) \* \* \*
- (i) \* \* \*
- BILLING CODE 6355-01-P

# AWARNING

# VARNING CARBON MONOXIDE HAZARD

Burning charcoal inside can kill you. It gives off carbon monoxide, which has no odor.

NEVER burn charcoal inside homes, vehicles or tents.

BILLING CODE 6355-01-C

(ii) For bags of charcoal, the label specified in paragraph (b)(6)(i) of this section shall appear within a heavy borderline in a color sharply contrasting to that of the background, on both the front and back panels in the upper 25 percent of the panels of the bag, at least 1 inch below the seam and at least 1 inch above any reading material or design elements. The signal word "WARNING" shall be in capital letters in at least 27-point (7.14 mm, %32 inch)

type. The remaining text of the warning statement shall be in at least 18-point (4.763 mm,  $^3/_{16}$  inch) type. The lettering shall have a strokewidth-to-height ratio of from 1:6 to 1:8, and the spacing between the bottom of the letters of one line of the statement of consequences and the statement of how to avoid the hazard and the top of the letter of the next line of that statement shall be about one-fourth of the height of the type size. The label shall be at least 50.8 mm (2

inches) high. The label's lettering and pictogram shall have the size relation to each other and to the remainder of the label as shown in paragraph (b)(6)(i) of this section.

Dated: August 1, 1995.

Sadye E. Dunn,

Secretary, Consumer Product Safety
Commission.