

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS

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John A. Gannon
President

Alfred K. Whitehead
Secretary-Treasurer

May 26, 1988

The Honorable Rick Boucher
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Boucher:

The International Association of Fire Fighters would like to congratulate you on your recent introduction of H.R. 4497 which would implement the recommendations of the Interagency Committee and the Technical Study Group on Cigarette and Little Cigar Fire Safety.

Our International Union has for several years endorsed legislation which would help to reduce the number of fire deaths and injuries in the United States caused in part as a result of the misuse of smoking materials. In particular, the IAFF supports the effort mandated under the Cigarette Safety Act of 1984 creating the study group which was to determine the feasibility of developing a fire safe cigarette and a test method leading to regulation in this area. We commend the work of the Technical Study Group and the National Bureau of Standards and have urged it to move forward as quickly as possible. We are gratified to see that your legislation would require this recommendation to be a legislative mandate.

The IAFF stands ready to support you and other members of Congress who have shown a strong interest in this area to help improve our nation's Fire Safety record.

Sincerely,

Harold A. Schaitberger
Director
Department of Governmental Affairs
and Public Relations

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Affiliated with:

AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS • CANADIAN LABOUR CONGRESS • NATIONAL FIRE PROTECTION ASSOCIATION



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Fire Safety Cigarette Implementation Act of 1988 (HR4497)

Representative Fred Boucher (D-VA) introduced the following legislation that would continue the efforts mandated by the Cigarette Safety Act of 1984. The Bill (HR4497) establishes an implementation task force to carry out recommendations made in late 1987 by the Technical Study Group on Cigarette and Little Cigar Fire Safety.

Your support of the sponsors of the legislation and encouragement of your congressional contacts is urged to pass this important legislation and proceed towards preventing fires involving cigarettes and to save more lives.

In the House of Representatives on April 29, 1988, Mr. Boucher, Mr. Cooper, Mr. Tauzin, Mr. Bliley, and Mr. Callahan introduced the following bill, which was referred to the Committee on Energy and Commerce.

A BILL

To implement the recommendations of the Interagency Committee and the Technical Study Group on Cigarette and Little Cigar Fire Safety, and for other purposes.

SECTION 1. Short Title

(a) Short Title. — This Act may be cited as the "Fire Safe Cigarette Implementation Act of 1988."

(b) Findings. — The Congress finds that:

(1) the Interagency Committee and the Technical Study Group on Cigarette and Little Cigar Fire Safety have submitted reports to the Congress, as required by the Cigarette Safety Act of 1984, on the technical and commercial feasibility, economic impact, and other consequences of developing cigarettes and little cigars having a minimum propensity to ignite upholstered furniture and mattresses;

(2) those reports indicate that the Technical Study Group, during the period specified by the Congress, made substantial progress in its work and urge that the Federal effort with respect to cigarette and little cigar fire safety be continued in certain specified areas, and

(3) there is a need for Federal legisla-

tion to complete the work mandated by the Cigarette Safety Act of 1984, implement the recommendations of the Technical Study Group, and address other issues.

SECTION 2. Interagency Committee and Implementation Task Force

(a) Interagency Committee. — The Interagency Committee on Cigarette and Little Cigar Fire Safety (hereinafter referred to as the "Interagency Committee"), created by the Cigarette Safety Act of 1984, is reestablished for the purpose of overseeing and reviewing the work of the Implementation Task Force (hereinafter referred to as the "Task Force") established under subsection

(b). The Interagency Committee may request the head of any Federal department or agency to assist the Interagency Committee or the Task Force, or both, in carrying out their responsibilities. The Interagency Committee also may retain or contract with such consultants as may be deemed necessary without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) and the Act of June 10, 1938 (known as the Walsh-Healey Act) (41 U.S.C. 35-45). The authority of the Interagency Committee to enter into contracts shall be effective for any fiscal year only to such extent or in such amounts as are provided in advance by appropriation Acts.

(b) Implementation Task Force. — There is established an Implementation Task Force which shall consist of —

(1) 2 scientists having expertise in the development of a valid and reliable method for testing the ignition propensity of cigarettes and little cigars, one of whom shall be appointed by the Chairman of the Consumer Product Safety Commission from among the employees of the Commission and the other of whom shall be appointed by the Director of the Center for Fire Research of the National Bureau of Standards from among the employees of the National Bureau of Standards;

(2) 2 scientists having expertise concerning the possible consequences for

smokers of any cigarette or little cigar modification, one of whom shall be appointed by the Director of the National Institutes of Health from among the employees of the National Institutes of Health and the other of whom shall be appointed by the Chairman of the Interagency Committee, with the advice and consent of the Interagency Committee, from a list of individuals submitted by the American Health Foundation.

(3) 2 scientists having expertise in the chemistry and physics of combustion to be appointed by the Chairman of the Interagency Committee, with the advice and consent of the Interagency Committee, from lists of individuals submitted by the International Association of Fire Chiefs and the International Association of Fire Fighters;

(4) 2 scientists having expertise in the content and characteristics of soft furnishings and fabrics to be appointed by the Chairman of the Interagency Committee, with the advice and consent of the Interagency Committee, from lists of individuals submitted by the American Furniture Manufacturers Association and the Business and Institutional Furniture Manufacturers Association; and

(5) 5 scientists having expertise in the manufacture and design of cigarettes and little cigars to be appointed by the Chairman of the Interagency Committee, with the advice and consent of the Interagency Committee, from a list of individuals submitted by The Tobacco Institute.

The persons appointed to serve on the Task Force may designate, with the advice and consent of the Interagency Committee, from among their number such persons to serve as team leaders, coordinators, or chairpersons as they deem necessary or appropriate to carry out the Task Force's functions under section 3.

SECTION 3. Responsibilities, Reporting

(a) Task Force Responsibilities. — The Task Force, subject to oversight and review by the Interagency Committee, shall continue the work specified by the Cigarette Safety Act of 1984, including implementing the recommendations contained in the final report of the Technical Study Group on Cigarette and Little Cigar Fire Safety. Such activities shall include —

(1) developing a validated test method to determine the ignition propensity of cigarettes and little cigars when in contact with upholstered furniture or mattresses. ▶

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(2) developing representative performance data for current market cigarettes, using the validated test method described in paragraph (1), to serve as a baseline to compare future cigarette performance.

(3) continuing laboratory studies on, and computer modelling of, ignition physics relating to cigarettes, little cigars, soft furnishings, and fabrics.

(4) designing and implementing a study or studies to collect baseline and follow-up data about the characteristics of cigarettes and little cigars, products ignited, and smokers involved in cigarette and little cigar fires.

(5) developing systematic knowledge (from existing or new sources as appropriate) on changes in the composition of smoke of modified cigarettes and little cigars and societal costs of injuries stemming from fires involving cigarettes or little cigars, and

(6) assessing the commercial feasibility and economic impact of manufacturing and marketing cigarettes and little cigars with reduced ignition propensity.

(b) Hearings. —

For purposes of carrying out the functions described in subsection (a), the Interagency Committee and the Task Force may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Interagency Committee or the Task Force deems appropriate.

(c) Confidentiality. —

(1) Any information provided to the Interagency Committee or to the Task Force under subsection (a) that is designed as trade secret or confidential information shall be treated as trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, and shall not be revealed except as provided by paragraph (2). No member of the Interagency Committee or Task Force, and no person assigned to or consulting with such entities, shall disclose any such information to any person who is not a member of, assigned to, or consulting with the Interagency Committee or Task Force unless the person submitting such information specifically and in writing authorizes such disclosure.

(2) Paragraph (1) does not authorize the withholding of any information from

any duly authorized committee or subcommittee of the Congress, except that if a committee or subcommittee of the Congress requests access to confidential information that has been submitted to the Interagency Committee or the Task Force, the Chairman of the Interagency Committee shall promptly notify the person provided the information of the request and shall not disclose the information until ten days have elapsed from such person's receipt of written notice that the information is to be disclosed.

(3) The Interagency Committee shall adopt, on a vote of a majority of its members, reasonable procedures to protect the confidentiality of trade secret and confidential information as defined in this subsection and shall be responsible for ensuring that the Task Force follows such procedures in its handling of trade secret and confidential information.

SECTION 4.

Definitions

As used in this Act, the terms "cigarettes" and "little cigars" shall have the meanings given such terms by section 3 of the Federal Cigarette Labeling and Advertising Act.

SECTION 5.

Reports, Termination

The Interagency Committee shall submit to the Congress 18 months after the date of enactment and funding of this Act a report prepared by the Task Force describing the Task Force's progress in carrying out the work described in section 3. The Interagency Committee shall submit to the Congress no later than 18 months thereafter a final study report prepared by the Task Force. The Interagency Committee shall provide to the Congress, within 60 days after the submission by the Interagency Committee of the Task Force's final report, any policy recommendations the Interagency Committee may deem appropriate. The Interagency Committee and Task Force shall terminate one month after the submission of such policy recommendations. ■

Call For Papers For The 1989 NFPA Annual Meeting And Firesafety Exhibit

The Program Committee of NFPA's Board of Directors has established a theme and papers deadline for the 1989 Annual Meeting and Firesafety Exhibit to take place May 15-18, 1989 in Washington, DC. The theme of the meeting will be "The Public/Private Sector Fire Problem Interface." The deadline for papers is October 1, 1988.

Authors wishing to address how the public and private sectors are working together to address the fire problem are encouraged to submit papers.

All papers of technical and professional merit which are non-commercial and aimed at advancing the cause of firesafety will be considered. Of particular interest will be papers addressing the theme of the meeting in addition to those addressing "topical areas of urgent concern" such as technological breakthroughs, code administration and enforcement, cost-benefit analysis of code enforcement, fire suppression policies and the role of public education.

Papers should be no more than 30 minutes in length. Authors(s) should include a brief biographical sketch, company or organizational affiliation, title, mailing address and membership status if any, with NFPA, NFPA sections and SFPE.

To apply, send abstract to Kenneth E. H. Backman, Director, External Affairs, NFPA, Batterymarch Park, Quincy, MA 02269. Please indicate for which meeting you are submitting your paper.

NFPA is a nonprofit, public safety organization of more than 44,000 members. For 92 years, NFPA has been the trusted world leader in firesafety education and the development of firesafety codes and standards. ■