



## U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY  
BETHESDA, MARYLAND 20814-4408

Record of Commission Action  
Commissioners Voting by Ballot\*

This is a DRAFT RCA.  
It will be replaced by a Final RCA.

Commissioners Voting:      Chairman Inez M. Tenenbaum  
   Commissioner Nancy A. Nord  
   Commissioner Anne M. Northup  
   Commissioner Robert S. Adler

### ITEM:

Petition HP 10-2; Request for Regulations on Cadmium  
(Briefing package dated June 29, 2012)

### DECISION:

The Commission voted (4-0) to terminate the proceeding, and direct staff to prepare a letter to the petitioners, notifying them of the termination of the petition docketed as HP 10-2. The Empire State Consumer Project, Sierra Club, Center for Environmental Health, and Rochesterians Against the Misuse of Pesticides petitioned the Commission to promulgate regulations declaring any metal “toy jewelry” containing more than trace amounts of cadmium by weight, which could be ingested by children, a banned hazardous substance under the Federal Hazardous Substances Act (“FHSA”), 15 U.S.C. § 1262. Chairman Tenenbaum and Commissioner Adler voted to terminate the proceeding and direct staff to prepare a letter to the petitioners, notifying them of the termination of the petition. Commissioners Nord and Northup voted to terminate the proceeding, and direct staff to prepare a letter to the petitioners, notifying them of the termination and also direct to staff to publish a *Federal Register* notice explaining the reasons for the termination.

For the Commission:

Todd A. Stevenson  
Secretary

\* Ballot vote due July 11, 2012  
(The vote due date was extended from July 6, 2012 by Commissioner Northup.)  
(Commissioner Adler’s vote was received on July 16, 2012.)