

size, or capacity. Differences in cosmetic or other nonfunctional features do not require the submission of additional information.

(2) The written notice, directions, and rationale shall be provided to the Assistant Executive Director for Compliance, Consumer Product Safety Commission, Washington, DC 20207, by December 6, 1983. If there is a subsequent change in the component materials or design features of a model for which this information was previously submitted that could cause the model to require different clearances from combustibles or a different type of chimney, or if a new product is introduced into United States commerce, the required information shall be submitted within 30 days after the change or introduction.

(Approved by Office of Management and Budget under control number 3041-0040)

[48 FR 50706, Nov. 3, 1983, as amended at 62 FR 46667, Sept. 4, 1997]

## PART 1407—PORTABLE GENERATORS: REQUIREMENTS TO PROVIDE PERFORMANCE AND TECHNICAL DATA BY LABELING

Sec.

1407.1 Purpose, scope, and effective date.

1407.2 Definitions.

1407.3 Providing performance and technical data to purchasers by labeling.

FIGURE 1 TO PART 1407—ON-PRODUCT CARBON MONOXIDE POISONING HAZARD LABEL

FIGURE 2 TO PART 1407—SAFETY ALERT SYMBOL

FIGURE 3 TO PART 1407—CARBON MONOXIDE POISONING HAZARD LABEL FOR PACKAGE

AUTHORITY: 15 U.S.C. 2076(e).

SOURCE: 72 FR 1450, Jan. 12, 2007, unless otherwise noted.

### § 1407.1 Purpose, scope, and effective date.

This part 1407 establishes requirements under section 27(e) of the Consumer Product Safety Act (15 U.S.C. 2076(e)) for manufacturers to provide consumers with a specified notification concerning the carbon monoxide poisoning hazard associated with the use of portable generators. The notification is intended to provide consumers with technical and performance information related to the safety of port-

able generators. This part applies to any generator manufactured or imported on or after May 14, 2007.

### § 1407.2 Definitions.

(a) The definitions in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) apply to this part 1407.

(b) A portable generator is an internal combustion engine-driven electric generator rated no higher than 15 kilowatts and 250 volts that is intended to be moved for temporary use at a location where utility-supplied electric power is not available. It has receptacle outlets for the alternating-current (AC) output circuits, and may have alternating- or direct-current (DC) sections for supplying energy to battery charging circuits.

### § 1407.3 Providing performance and technical data to purchasers by labeling.

(a) *Notice to purchasers.* Manufacturers of portable generators shall give notification of performance and technical data related to performance and safety to prospective purchasers of such products at the time of original purchase and to the first purchaser of such product for purposes other than resale, in the manner set forth below.

(1) *On-product label.* The CO poisoning hazard label shown in fig. 1 shall be used on the product. A different representation of the generator may be substituted for accuracy if consumers are more likely to recognize the substituted representation as the generator to which this label is affixed. Alternate-language versions of this label may appear on the product in addition to the label specified in figure 1. If the product label is also provided by the manufacturer in additional language(s), it shall appear adjacent to or below the English-language version of the product label, and shall be no larger than the English-language version of the label. Versions of the product label that are in a language other than English may appear without the pictograms that appear in the English-language versions.

(i) The signal word “DANGER” shall be in letters not less than 0.15 inch (3.8 mm) high. The remaining text shall be

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in type whose uppercase letters are not less than 0.1 inch (2.5 mm) high.

(ii) The signal word “DANGER” shall appear in white letters on a safety red background. The safety alert symbol shown in fig. 2 shall appear immediately before and next to the signal word and be no smaller than the height of the signal word with the base of the triangle on the same horizontal line as the base of the signal word. The solid portion of the triangle (within the lines of the triangle, around the exclamation mark) shall be white and the exclamation mark shall be safety red. The prohibition circle-slash symbols shall be opaque.

(iii) The on-product hazard label shown in fig. 1 shall be located:

(A) On a part of the portable generator that cannot be removed without the use of tools, and

(B) On a location that is prominent and conspicuous to an operator while performing at least two of the following actions: Filling the fuel tank, accessing the receptacle panel, and starting the engine.

(iv) The on-product hazard label shown in fig. 1 shall be designed to remain permanently affixed, intact, legible, and largely unfaded in the environment in which the product is expected to be operated and stored over the life of the product.

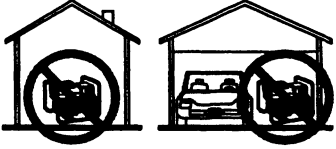

(2) *Carbon monoxide poisoning hazard label for package.* The CO poisoning hazard label shown in fig. 3 shall be affixed to the principal display panel(s) of the package, as well as the surface containing the top flaps of the package.

The principal display panel(s) of the package is the portion(s) of the outer packaging that is designed to be most prominently displayed, shown, presented, or examined under conditions of retail sale. Any panel of the package that includes text in a language other than English shall also include a CO poisoning hazard label in that language. Alternate-language versions of the label, in addition to the label specified in figure 3, may also appear on the top flaps of the package as long as they are physically separate from one another. A different representation of the generator may be substituted for accuracy if consumers are more likely to recognize the substituted representation as the generator contained within the packaging.

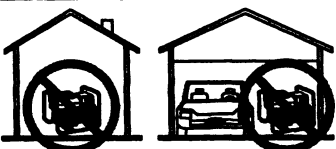

(i) The signal word “DANGER” shall be in letters not less than 0.15 inch (3.8 mm) high. The remaining text shall be in type whose uppercase letters are not less than 0.1 inch (2.5 mm) high.

(ii) The signal word “DANGER” shall appear in white letters on a safety red background. The safety alert symbol shown in fig. 2 shall appear immediately before and next to the signal word and be no smaller than the height of the signal word with the base of the triangle on the same horizontal line as the base of the signal word. The solid portion of the triangle (within the lines of the triangle, around the exclamation mark) shall be white and the exclamation mark shall be safety red. The prohibition circle-slash symbols shall be opaque.

(b) [Reserved]

<b>⚠ DANGER</b>	
<p><b>Using a generator indoors CAN KILL YOU IN MINUTES.</b></p> <p><b>Generator exhaust contains carbon monoxide. This is a poison you cannot see or smell.</b></p>	
 <p><b>NEVER use inside a home or garage, EVEN IF doors and windows are open.</b></p>	 <p><b>Only use OUTSIDE and far away from windows, doors, and vents.</b></p>



<b>⚠ DANGER</b>	
<p><b>Using a generator indoors CAN KILL YOU IN MINUTES.</b></p> <p><b>Generator exhaust contains carbon monoxide. This is a poison you cannot see or smell.</b></p>	
 <p><b>NEVER use inside a home or garage, EVEN IF doors and windows are open.</b></p>	 <p><b>Only use OUTSIDE and far away from windows, doors, and vents.</b></p>
<p><b>Avoid other generator hazards.</b></p> <p><b>READ MANUAL BEFORE USE.</b></p>	

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## § 1420.4

[72 FR 1450, Jan. 12, 2007, as amended at 72 FR 2184, Jan. 18, 2007]

### PART 1420—REQUIREMENTS FOR ALL TERRAIN VEHICLES

Sec.

- 1420.1 Scope, application and effective date.
- 1420.2 Definitions.
- 1420.3 Requirements for four-wheel ATVs.
- 1420.4 Restrictions on three-wheel ATVs.

AUTHORITY: The Consumer Product Safety Improvement Act of 2008, Pub. Law 110-314, § 232, 122 Stat. 3016 (August 14, 2008).

SOURCE: 73 FR 67386, Nov. 14, 2008, unless otherwise noted.

#### § 1420.1 Scope, application and effective date.

This part 1420, a consumer product safety standard, prescribes requirements for all terrain vehicles. The requirements for four-wheel ATVs in § 1420.3 take effect on April 30, 2012, and apply to new assembled or unassembled ATVs manufactured or imported on or after that date. The restrictions on three-wheel ATVs stated in § 1420.4 take effect September 13, 2008.

[73 FR 67386, Nov. 14, 2008, as amended at 77 FR 12200, Feb. 29, 2012]

#### § 1420.2 Definitions.

In addition to the definitions in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052), the following definitions apply for purposes of this Part 1420.

(a) *All terrain vehicle or ATV* means:

(1) Any motorized, off-highway vehicle designed to travel on 3 or 4 wheels, having a seat designed to be straddled by the operator and handlebars for steering control; but

(2) Does not include a prototype of a motorized, off-highway, all-terrain vehicle that is intended exclusively for research and development purposes unless the vehicle is offered for sale.

(b) *ATV action plan* means a written plan or letter of undertaking that describes actions the manufacturer or distributor agrees to take to promote ATV safety, including rider training, dissemination of safety information, age recommendations, other policies governing marketing and sale of the ATVs, the monitoring of such sales, and other safety related measures, and

that is substantially similar to the plans described under the heading “The Undertakings of the Companies” in the Commission Notice published in the FEDERAL REGISTER on September 9, 1998 (63 FR 48199–48204).

#### § 1420.3 Requirements for four-wheel ATVs.

(a) Each ATV shall comply with all applicable provisions of the American National Standard for Four-Wheel All-Terrain Vehicles (American National Standards Institute, Inc. ANSI/SVIA 1–2010), approved December 23, 2010. The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. You may obtain a copy from the Specialty Vehicle Institute of America, 2 Jenner, Suite 150, Irvine, CA 92618-3806; telephone 949-727-3727 ext.3023; [www.svia.org](http://www.svia.org). You may inspect a copy at the Office of the Secretary, U.S. Consumer Product Safety Commission, Room 820, 4330 East West Highway, Bethesda, MD 20814, telephone 301-504-7923, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

(b) Each ATV must be subject to an ATV action plan filed with the Commission before August 14, 2008 or subsequently filed with and approved by the Commission, and shall bear a label certifying such compliance and identifying the manufacturer, importer or private labeler and the ATV action plan to which it is subject.

(c) The ATV manufacturer or distributor shall be in compliance with all provisions of the applicable ATV action plan.

[73 FR 67386, Nov. 14, 2008, as amended at 77 FR 12200, Feb. 29, 2012]

#### § 1420.4 Restrictions on three-wheel ATVs.

Until a mandatory consumer product safety standard applicable to three-wheel ATVs promulgated pursuant to the Consumer Product Safety Act is in effect, new three wheel ATVs may not