

111TH CONGRESS  
1ST SESSION

# S. 389

To establish a conditional stay of the ban on lead in children's products,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2009

Mr. BENNETT introduced the following bill; which was read twice and referred  
to the Committee on Commerce, Science, and Transportation

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## A BILL

To establish a conditional stay of the ban on lead in  
children's products, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONDITIONAL STAY OF BAN ON LEAD IN CHIL-**

4 **DREN'S PRODUCTS.**

5 Section 101(a)(2) of the Consumer Product Safety  
6 Improvement Act of 2008 (15 U.S.C. 1278a(a)(2)) is  
7 amended—

8 (1) in subparagraph (A), by striking “(B), (C),  
9 (D), and (E)” and inserting “(B), (C), (D), (E), and  
10 (F)”;

1 (2) in subparagraph (B), by striking “(C), (D),  
2 and (E)” and inserting “(C), (D), (E), and (F)”;  
3 and

4 (3) by adding at the end the following:

5 “(F) CONDITIONAL STAY OF LEAD LIM-  
6 ITS.—If, before the beginning date described in  
7 subparagraph (A), the Commission has not pro-  
8 mulgated final regulations with respect to para-  
9 graphs (2) and (3) of section 14(a) of the Con-  
10 sumer Product Safety Act (15 U.S.C. 2063(a))  
11 or has stayed the enforcement of the require-  
12 ments of such paragraph (2), the Commission  
13 may—

14 “(i) substitute the beginning date de-  
15 scribed in subparagraph (A) with the ear-  
16 lier of—

17 “(I)(aa) in the case that the  
18 Commission did not promulgate the  
19 regulations before the beginning date  
20 described in subparagraph (A), the  
21 date that the Commission promul-  
22 gates such regulations; or

23 “(bb) in the case of a stay of en-  
24 forcement, the date that the Commis-  
25 sion lifts such stay; and

1                   “(II) the date that is 540 days  
2                   after the date of the enactment of this  
3                   Act; and

4                   “(ii) substitute the beginning date de-  
5                   scribed in subparagraph (B) with the date  
6                   that is 180 days after the date substituted  
7                   under clause (i).”.

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