



U.S. CONSUMER PRODUCT SAFETY COMMISSION

WASHINGTON, D.C. 20207

NOV 05 1993

OFFICE OF COMPLIANCE
AND ENFORCEMENT

Office of the Director
Tel: 301-504-0621
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Gary C. Rosenfield
President, AeroTech, Inc.
1955 South Palm Street, Suite 15
Las Vegas, Nevada 89104

RECEIVED
11/12/93

Dear Mr. Rosenfield:

This is to inform you that as a result of the Commission's denial on August 25, 1993 of AeroTech, Inc.'s petition (HP 92-1), the temporary stays of enforcement of 16 CFR § 1500.85(a)(8)(iii) and 16 CFR § 1500.85(a)(8)(ii) against AeroTech Inc.'s metallic model rocket motors and "G" class model rocket motors exceeding 80 newton-seconds total impulse, respectively, are withdrawn as of the date of your receipt of this letter. This action is taken as indicated by the December 4, 1991 and October 23, 1992 letters from this office granting the temporary stays of enforcement pending the Commission's decision on Petition HP 92-1.


Because the Commission has denied the petition for amendment of 16 CFR § 1500.85(a)(8), the Commission staff will resume enforcement of all requirements of that regulation with respect to any model rocket motor manufactured or packaged by your firm after the date of your receipt of this letter. The staff will not take action to prohibit the distribution of any noncomplying model rocket motors which have been manufactured and packaged and are in your firm's inventory on the date you receive this letter. Therefore, you are requested to provide this office within ten days a statement of the exact number by type, model or item number of the noncomplying model rocket motors which were manufactured, packaged, and in your firm's inventory on the date you received this letter. Also, please provide information on any coding system used which would distinguish between product in inventory upon receipt of this letter and product packaged after that date.

Aerotech has indicated that it intends to market these motors to individuals who are 18 years of age or older, thus removing them from the purview of the FHSA's banning provisions. However, you should be aware that it is your responsibility to assure that these motors are not distributed to children. Should the Commission staff obtain evidence that the measures you are taking are ineffective, the Commission will be asked to consider appropriate remedies under the FHSA to address the situation.

Gary C. Rosenfield
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If you have any questions, please contact Samuel B. Hall at
telephone number 301-504-0400.

Sincerely,



David Schmeltzer
Assistant Executive Director