

(4) Requirements to reflect national performance standards and Commission guidelines

In establishing minimum State law requirements under paragraph (1), the Commission shall—

(A) consider current or revised national performance standards on pool and spa barrier protection and entrapment prevention; and

(B) ensure that any such requirements are consistent with the guidelines contained in the Commission's publication 362, entitled "Safety Barrier Guidelines for Home Pools", the Commission's publication entitled "Guidelines for Entrapment Hazards: Making Pools and Spas Safer", and any other pool safety guidelines established by the Commission.

(b) Standards

Nothing in this section prevents the Commission from promulgating standards regulating pool and spa safety or from relying on an applicable national performance standard.

(c) Basic access-related safety devices and equipment requirements to be considered

In establishing minimum State law requirements for swimming pools and spas under subsection (a)(1), the Commission shall consider the following requirements:

(1) Covers

A safety pool cover.

(2) Gates

A gate with direct access to the swimming pool or spa that is equipped with a self-closing, self-latching device.

(3) Doors

Any door with direct access to the swimming pool or spa that is equipped with an audible alert device or alarm which sounds when the door is opened.

(4) Pool alarm

A device designed to provide rapid detection of an entry into the water of a swimming pool or spa.

(d) Entrapment, entanglement, and evisceration prevention standards to be required**(1) In general**

In establishing additional minimum State law requirements for swimming pools and spas under subsection (a)(1), the Commission shall require, at a minimum, 1 or more of the following (except for pools constructed without a single main drain):

(A) Safety vacuum release system

A safety vacuum release system which ceases operation of the pump, reverses the circulation flow, or otherwise provides a vacuum release at a suction outlet when a blockage is detected, that has been tested by an independent third party and found to conform to ASME/ANSI standard A112.19.17 or ASTM standard F2387, or any successor standard.

(B) Suction-limiting vent system

A suction-limiting vent system with a tamper-resistant atmospheric opening.

(C) Gravity drainage system

A gravity drainage system that utilizes a collector tank.

(D) Automatic pump shut-off system

An automatic pump shut-off system.

(E) Drain disablement

A device or system that disables the drain.

(F) Other systems

Any other system determined by the Commission to be equally effective as, or better than, the systems described in subparagraphs (A) through (E) of this paragraph at preventing or eliminating the risk of injury or death associated with pool drainage systems.

(2) Applicable standards

Any device or system described in subparagraphs (B) through (E) of paragraph (1) shall meet the requirements of any ASME/ANSI or ASTM performance standard if there is such a standard for such a device or system, or any applicable consumer product safety standard.

(Pub. L. 110-140, title XIV, §1406, Dec. 19, 2007, 121 Stat. 1797.)

§ 8006. Education program**(a) In general**

The Commission shall establish and carry out an education program to inform the public of methods to prevent drowning and entrapment in swimming pools and spas. In carrying out the program, the Commission shall develop—

(1) educational materials designed for pool manufacturers, pool service companies, and pool supply retail outlets;

(2) educational materials designed for pool owners and operators; and

(3) a national media campaign to promote awareness of pool and spa safety.

(b) Authorization of appropriations

There are authorized to be appropriated to the Commission for each of the fiscal years 2008 through 2012 \$5,000,000 to carry out the education program authorized by subsection (a).

(Pub. L. 110-140, title XIV, §1407, Dec. 19, 2007, 121 Stat. 1799.)

§ 8007. CPSC report

Not later than 1 year after the last day of each fiscal year for which grants are made under section 8004 of this title, the Commission shall submit to Congress a report evaluating the implementation of the grant program authorized by that section.

(Pub. L. 110-140, title XIV, §1408, Dec. 19, 2007, 121 Stat. 1800.)

§ 8008. Applicability

This chapter¹ is applicable to the United States and its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mar-

¹ See References in Text note below.