

dise in Bureau of Customs of Department of the Treasury to which appointments were required to be made by President with advice and consent of Senate ordered abolished with such offices to be terminated not later than Dec. 31, 1966, by Reorg. Plan No. 1 of 1965, eff. May 25, 1965, 30 F.R. 7035, 79 Stat. 1317, set out in the Appendix to Title 5, Government Organization and Employees. Functions of offices eliminated were already vested in Secretary of the Treasury by Reorg. Plan No. 26 of 1950, eff. July 31, 1950, 15 F.R. 4935, 64 Stat. 1280, set out in the Appendix to Title 5.

§ 1178. Nonapplicability of chapter to certain machines and devices

None of the provisions of this chapter shall be construed to apply—

(1) to any machine or mechanical device designed and manufactured primarily for use at a racetrack in connection with parimutuel betting,

(2) to any machine or mechanical device, such as a coin-operated bowling alley, shuffleboard, marble machine (a so-called pinball machine), or mechanical gun, which is not designed and manufactured primarily for use in connection with gambling, and (A) which when operated does not deliver, as a result of the application of an element of chance, any money or property, or (B) by the operation of which a person may not become entitled to receive, as the result of the application of an element of chance, any money or property, or

(3) to any so-called claw, crane, or digger machine and similar devices which are not operated by coin, are actuated by a crank, and are designed and manufactured primarily for use at carnivals or county or State fairs.

(Jan. 2, 1951, ch. 1194, § 9, as added Pub. L. 87-840, § 6, Oct. 18, 1962, 76 Stat. 1077.)

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on sixtieth day after Oct. 18, 1962, see section 7 of Pub. L. 87-840, set out as an Effective Date of 1962 Amendment note under section 1171 of this title.

CHAPTER 25—FLAMMABLE FABRICS

Sec.	
1191.	Definitions.
1192.	Prohibited transactions.
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1195.	Injunction and condemnation proceedings.
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1199.	Chapter as additional legislation.
1200.	Persons excluded from operation of chapter.
1201.	Study and investigation; research, development and training.
1202.	Exemptions.
1203.	Preemption of Federal standards.
1204.	Congressional veto of flammability regulations.

§ 1191. Definitions

As used in this chapter—

(a) The term “person” means an individual, partnership, corporation, association, or any other form of business enterprise.

(b) The term “commerce” means commerce among the several States or with foreign nations or in any territory of the United States or in the District of Columbia or between any such territory and another, or between any such territory and any State or foreign nation, or between the District of Columbia or the Commonwealth of Puerto Rico and any State or territory or foreign nation, or between the Commonwealth of Puerto Rico and any State or territory or foreign nation or the District of Columbia.

(c) The term “territory” includes the insular possessions of the United States and also any territory of the United States.

(d) The term “article of wearing apparel” means any costume or article of clothing worn or intended to be worn by individuals.

(e) The term “interior furnishing” means any type of furnishing made in whole or in part of fabric or related material and intended for use or which may reasonably be expected to be used, in homes, offices, or other places of assembly or accommodation.

(f) The term “fabric” means any material (except fiber, filament, or yarn for other than retail sale) woven, knitted, felted, or otherwise produced from or in combination with any natural or synthetic fiber, film, or substitute therefor which is intended for use or which may reasonably be expected to be used, in any product as defined in subsection (h).

(g) The term “related material” means paper, plastic, rubber, synthetic film, or synthetic foam which is intended for use or which may reasonably be expected to be used in any product as defined in subsection (h).

(h) The term “product” means any article of wearing apparel or interior furnishing.

(i) The term “Commission” means the Consumer Product Safety Commission.

(j) The term “Federal Trade Commission Act” means the Act of Congress entitled “An Act to create a Federal Trade Commission, to define its powers and duties, and for other purposes”, approved September 26, 1914, as amended [15 U.S.C. 41 et seq.].

(June 30, 1953, ch. 164, § 2, 67 Stat. 111; Pub. L. 90-189, § 1, Dec. 14, 1967, 81 Stat. 568; Pub. L. 110-314, title II, § 204(c)(2)(A), Aug. 14, 2008, 122 Stat. 3042.)

Editorial Notes

REFERENCES IN TEXT

The Federal Trade Commission Act, referred to in par. (j), is act Sept. 26, 1914, ch. 311, 38 Stat. 717, which is classified generally to subchapter I (§ 41 et seq.) of chapter 2 of this title. For complete classification of this Act to the Code, see section 58 of this title and Tables.

AMENDMENTS

2008—Par. (i). Pub. L. 110-314 added par. (i) and struck out former par. (i) which read as follows: “The term ‘Commission’ means the Federal Trade Commission.”

1967—Par. (b). Pub. L. 90-189, § 1(1), reduced from capital to lower-case the first letter of “territory” wherever appearing and redefined “commerce” to include commerce between the Commonwealth of Puerto Rico and any State or territory or foreign nation or the District of Columbia.

Par. (c). Pub. L. 90-189, § 1(2), reduced from capital to lower-case the first letter of “territory” wherever appearing.