

# Attachment A

## 15 DAY MODIFICATIONS TO THE ORIGINAL PROPOSED REGULATION FOR REDUCING EMISSIONS FROM CONSUMER PRODUCTS

Note: Shown below are staff's modifications to the originally proposed regulatory text set forth in Appendix A of the Staff Report: Initial Statement of Reasons, released on September 29, 2010. Only those portions containing the modifications are included. This document is printed in a style to indicate changes from the originally proposed regulatory language. All originally proposed regulatory language is shown in underline to indicate additions and ~~strikeout~~ to indicate deletions. Staff's modifications to the original proposal are shown in double underline to indicate additions and ~~double strikeout~~ to indicate deletions. The symbol "\*\*\*\*\*" indicates that regulatory language not being amended is not shown.

Amend sections 94508, 94509, 94512, and 94515, title 17, California Code of Regulation to read as follows:

### § 94508. Definitions.

\*\*\*\*\*

- (2) "Adhesive Remover" means a product designed to remove adhesive from either a specific substrate or a variety of substrates. "Adhesive Remover" does not include products that remove adhesives intended for use on humans or animals.

For the purpose of this definition and "Adhesive Remover" subcategories (A-D), the term "adhesive" shall mean a substance used to bond one or more materials.

Adhesive includes, but is not limited to: caulks; sealants; glues; or similar substances used for the purpose of forming a bond.

- (A) "Floor or Wall Covering Adhesive Remover" means a product designed or labeled to remove floor or wall coverings and associated adhesive from the underlying substrate.
- (B) "Gasket or Thread Locking Adhesive Remover" means a product designed or labeled to remove gaskets or thread locking adhesives. Products labeled for dual use as a paint stripper and gasket remover and/or thread locking adhesive remover are considered "Gasket or Thread Locking Adhesive Remover."
- (C) "General Purpose Adhesive Remover" means a product designed or labeled to remove cyanoacrylate adhesives as well as ~~non-reactive~~ nonreactive adhesives or residue from a variety of substrates. "General

Purpose Adhesive Remover” includes, but is not limited to, products that remove thermoplastic adhesives; pressure sensitive adhesives; dextrine or starch-based adhesives; casein glues; rubber or latex-based adhesives; as well as products that remove stickers; decals; stencils; or similar materials. “General Purpose Adhesive Remover” does not include “Floor or Wall Covering Adhesive Remover.”

- (D) “Specialty Adhesive Remover” means a product designed to remove reactive adhesives from a variety of substrates. Reactive adhesives include adhesives that require a hardener or catalyst in order for the bond to occur. Examples of reactive adhesives include, but are not limited to: epoxies; urethanes; silicones. “Specialty Adhesive Remover” does not include “Gasket or Thread Locking Adhesive Remover.”

\*\*\*\*\*

- (20 19) “Automotive Wax, Polish, Sealant or Glaze” means a product designed to seal out moisture, increase gloss, or otherwise enhance a motor vehicle’s painted surfaces. “Automotive Wax, Polish, Sealant or Glaze” includes, but is not limited to, products designed for use in autobody repair shops and “drive-through” car washes, as well as products designed for the general public. “Automotive Wax, Polish, Sealant or Glaze” does not include “Automotive Rubbing or Polishing Compound,” automotive wash and wax products, surfactant-containing car wash products, and products designed for use on unpainted surfaces such as bare metal, chrome, glass, or plastic. “Automotive Wax, Polish, Sealant or Glaze” products are subcategorized into “All Other Forms,” “Hard Paste Wax,” and “Instant Detailer.”

(4 A) “All Other Forms” subcategory consists of all automotive wax, polish, sealant or glaze products that are not either a “Hard Paste Wax” or “Instant Detailer.”

(2 B) “Hard Paste Wax” means a product which (A) is designed to protect and improve the appearance of automotive painted surfaces; (B) is a solid at room temperature; and (C) contains zero percent water by formulation.

(3 C) “Instant Detailer” means a product designed for use in a pump spray that is applied to the painted surface of automobiles and wiped off prior to the product being allowed to dry.

\*\*\*\*\*

- (34 30) “Construction, Panel, and Floor Covering Adhesive” means any ~~non-aerosol~~ nonaerosol, one-component adhesive that is designed or labeled for the installation, remodeling, maintenance, or repair of: (A) structural and building components that include, but are not limited to, beams, trusses, studs, paneling (drywall or drywall laminates, fiberglass reinforced plastic (FRP), plywood, particle board, insulation board, pre-decorated hardboard or tileboard, etc.),

ceiling and acoustical tile, molding, fixtures, countertops or countertop laminates, cove or wall bases, and flooring or subflooring; or (B) floor or wall coverings that include, but are not limited to, wood or simulated wood covering, carpet, carpet pad or cushion, vinyl-backed carpet, flexible flooring material, nonresilient flooring material, mirror tiles and other types of tiles, and artificial grass. "Construction, Panel, and Floor Covering Adhesive" does not include "Floor Seam Sealer."

\*\*\*\*\*

(34 ~~33~~) "Contact Adhesive" means a ~~non-aerosol~~ nonaerosol adhesive that: (A) is designed for application to both surfaces to be bonded together, and (B) is allowed to dry before the two surfaces are placed in contact with each other, and (C) forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces are placed in contact with each other, and (D) does not need sustained pressure or clamping of surfaces after the adhesive-coated surfaces have been brought together using sufficient momentary pressure to establish full contact between both surfaces. "Contact Adhesive" does not include rubber cements that are primarily intended for use on paper substrates. "Contact Adhesive" also does not include vulcanizing fluids that are designed and labeled for tire repair only.

\*\*\*\*\*

~~(41~~ 40) "Disinfectant" means a product that is labeled as a "disinfectant", or is labeled to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects and whose label is registered as a "disinfectant" under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. 136, et seq.). Products that are labeled as both a "sanitizer" and a "disinfectant" are considered disinfectants. "Disinfectant" does not include any of the following: (A) products labeled solely for use on humans or animals, (B) products labeled solely for agricultural use, (C) products labeled solely for use in swimming pools, therapeutic tubs, or hot tubs, (D) products which are labeled to be used on heat sensitive critical or semi-critical medical devices or medical equipment surfaces, (E) products which are pre-moistened wipes or towelettes sold exclusively to medical, convalescent, or veterinary establishments, (F) products which are labeled to be applied to food-contact surfaces and are not required to be rinsed prior to contact with food, or (G) products which are labeled as "Bathroom and Tile Cleaner," "Glass Cleaner," "General Purpose Cleaner," "Toilet/Urinal Care Product," "Metal Polish or Cleanser," "Carpet Cleaner," or "Fabric Refresher" that may also make disinfecting or ~~anti-microbial~~ antimicrobial claims on the label.

\*\*\*\*\*

(52 51) "Existing Product" means any formulation of the same product category and form sold, supplied, manufactured, or offered for sale in California prior to the following dates, or any subsequently introduced identical formulation:

- (A) October 21, 1991, for all products listed in section 94509(a) that have initial effective dates of January 1, 1993, or January 1, 1994;
- (B) January 6, 1993, for all products listed in section 94509(a) that have initial effective dates of January 1, 1995, or January 1, 1997, and charcoal lighter materials subject to section 94509(h);
- (C) August 16, 1998, for all products listed in section 94509(a) that have initial effective dates of January 1, 2001, January 1, 2002, January 1, 2003, or January 1, 2005;
- (D) November 19, 2000, for all products in the following product categories listed in section 94509(a): ~~“Non-aerosol”~~ “Nonaerosol” General Purpose Degreaser,” “Sealant and Caulking Compound,” and “Tire Sealant and Inflator.”
- (E) July 20, 2005, for all products listed in section 94509(a) that have an effective date of December 31, 2006, December 31, 2008, or December 31, 2009; and
- (F) December 8, 2007, for all products listed in section 94509(a) that have an initial effective date of December 31, 2008, or December 31, 2010 for Brake Cleaner, Carburetor or Fuel-Injection Air Intake Cleaner, Aerosol Engine Degreaser, Resilient Flooring Material, Nonresilient Flooring Material, Aerosol General Purpose Degreaser, and Aerosol Temporary Hair Color.
- (G) July 18, 2009, for all products listed in section 94509(a) that have an initial effective date of December 31, 2010, or December 31, 2012, December 31, 2013, or December 31, 2014.
- (H) October 20, 2010, for “Multi-purpose Solvent” and “Paint Thinner.”
- (I) [Effective Date] for ~~“Special-purpose Lubricant,”~~ “Anti-Seize Lubricant;”  
“Cutting or Tapping Oil;” “Gear, Chain, or Wire Lubricant;” and “Rust Preventative or Rust Control Lubricant.”

\*\*\*\*\*

- (54 53) “Fabric Refresher” means a product labeled to neutralize or eliminate odors on ~~non-laundered~~ nonlaundered fabric including, but not limited to, soft household surfaces, rugs, carpeting, draperies, bedding, automotive interiors, footwear, athletic equipment, clothing and/or on household furniture or objects upholstered or covered with fabrics such as, but not limited to, wool, cotton, or nylon. “Fabric Refresher” does not include “Anti-static Product,” “Carpet/Upholstery Cleaner,” “Footwear or Leather Care Product,” “Spot

Remover,” or “Disinfectant,” or products labeled for application to both fabric and human skin.

\*\*\*\*\*

(65 ~~64~~) “Footwear or Leather Care Product” means any product designed or labeled to be applied to footwear or to other leather articles/components, to maintain, enhance, clean, protect, or modify the appearance, durability, fit, or flexibility of the footwear or leather article/component. Footwear includes both leather and ~~non-leather~~ nonleather foot apparel. “Footwear or Leather Care Product” does not include “Fabric Protectant,” “General Purpose Adhesive,” “Contact Adhesive,” “Vinyl/Fabric/Leather/Polycarbonate Coating,” as defined in section 94521(a), “Rubber/Vinyl Protectant,” “Fabric Refresher,” products solely for deodorizing, or sealant products with adhesive properties used to create external protective layers greater than 2 millimeters thick.

\*\*\*\*\*

(70 ~~69~~) “General Purpose Adhesive” means any ~~non-aerosol~~ nonaerosol adhesive designed for use on a variety of substrates. “General Purpose Adhesive” does not include (A) contact adhesives, (B) construction, panel, and floor covering adhesives, (C) adhesives designed exclusively for application on one specific category of substrates (i.e., substrates that are composed of similar materials, such as different types of metals, paper products, ceramics, plastics, rubbers, or vinyls), or (D) adhesives designed exclusively for use on one specific category of articles (i.e., articles that may be composed of different materials but perform a specific function, such as gaskets, automotive trim, weather-stripping, or carpets).

\*\*\*\*\*

(77 ~~76~~) “Graffiti Remover” means a product labeled to remove spray paint, ink, marker, crayon, lipstick, nail polish, or shoe polish, from a variety of ~~non-cloth~~ noncloth or ~~non-fabric~~ nonfabric substrates. “Graffiti Remover” does not include “Paint Remover or Stripper,” “Nail Polish Remover,” or “Spot Remover.” Products labeled for dual use as both a paint stripper and graffiti remover are considered “Graffiti Removers.”

\*\*\*\*\*

(87) “Industrial Maintenance Coating” means a high performance architectural coating, including primers, sealers, undercoaters, intermediate coats, and topcoats formulated for application to substrates, including floors, exposed to one or more of the following extreme environmental conditions listed below and labeled “For industrial use only;” “For professional use only;” “Not for residential use;” or “Not intended for residential use.”

(A) Immersion in water, wastewater, or chemical solutions (aqueous and ~~non-aqueous~~ nonaqueous solutions), or chronic exposure of interior surfaces to moisture condensation; or

- (B) Acute or chronic exposure to corrosive, caustic or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions; or
- (C) Frequent exposure to temperatures above 121°C (250°F); or
- (D) Frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial solvents, cleansers, or scouring agents; or
- (E) Exterior exposure of metal structures and structural components.

\*\*\*\*\*

(97) "Lubricant" means:

(A) for products manufactured before December 31, 2012: a product that reduces friction, heat, noise, or wear between moving parts, or loosens rusted or immovable parts or mechanisms. "Lubricant" does not include automotive power steering fluids; products designed and labeled exclusively to release manufactured products from molds; products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes; two cycle oils or other products designed to be added to fuels; products for use on the human body or animals; or products that are (1) sold exclusively to establishments which manufacture or construct goods or commodities, and (2) labeled "not for retail sale."

(B) for products manufactured on or after December 31, 2012: a product that reduces friction, heat, noise, or wear between moving parts, or loosens rusted or immovable parts or mechanisms. "Lubricant" does not include automotive power steering fluids; products designed and labeled exclusively to release manufactured products from molds; products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes; two cycle oils or other products designed to be added to fuels; products for use on the human body or animals; or products that are (1) exclusively sold directly or through distributors to establishments which manufacture or construct goods or commodities, and (2) labeled exclusively for "use in the manufacturing process only." "Lubricant" includes products labeled for use in food-servicing environments that include, but are not limited to, restaurants and food stores.

(C) "Lubricant" includes the following subcategories (1-9):

(1) "Anti-seize Lubricant" means any lubricant designed or labeled exclusively for use in high temperature or high pressure conditions to prevent moving metal parts from seizing or galling, and/or to facilitate disassembly of metal parts. A lubricant that meets the definition for "Dry Lubricant" or "Firearm Lubricant" is not an "Anti-seize Lubricant."

- (2) “Cutting or Tapping Oil” means any lubricant designed or labeled exclusively for drilling, cutting, or tapping metals.
- (3) “Dry Lubricant” means any lubricant which provides lubricity solely by depositing a thin film of solid material including, but not limited to, graphite, molybdenum disulfide (“moly”), polytetrafluoroethylene or closely related fluoropolymer (“teflon”), or boron nitride on surfaces.
- (4) “Firearm Lubricant” means any lubricant designed or labeled exclusively for use on firearms or their parts to lubricate and/or to provide corrosion or rust prevention.
- (5) “Gear, Chain, or Wire Lubricant” means any lubricant designed or labeled exclusively for use on gears, chains, or wire ropes.
- (6) “Multi-purpose Lubricant” means any lubricant designed or labeled for general purpose lubrication, or a lubricant labeled for use in a wide variety of applications. Products that meet the definition for “Anti-seize Lubricant,” “Cutting or Tapping Oil,” “Dry Lubricant,” “Firearm Lubricant,” “Gear, Chain, or Wire Lubricant,” “Penetrant,” “Rust Preventative or Rust Control Lubricant,” or “Silicone-based Multi-purpose Lubricant” are not “Multi-purpose Lubricants.”
- (7) “Penetrant” means a lubricant designed or labeled primarily to loosen metal parts that have bonded together due to rusting, oxidation, or other causes. Lubricants that claim to have penetrating qualities, but are not labeled primarily to loosen bonded parts are not “Penetrant” products.
- (8) “Rust Preventative or Rust Control Lubricant” means any lubricant designed or labeled primarily for the prevention or control of rust. A Lubricant that meets the definition for “Firearm Lubricant” is not a “Rust Preventative or Rust Control Lubricant.”
- (9) “Silicone-based Multi-purpose Lubricant” means any lubricant which is designed or labeled for general lubrication or for use in a wide variety of applications, in which lubricity is primarily provided through the use of silicone compounds including, but not limited to, polydimethylsiloxane.

\*\*\*\*\*

~~(104) “Multi-purpose Dry Lubricant” means any lubricant which is: (A) designed or labeled to provide lubricity solely by depositing a thin film of graphite, molybdenum disulfide (“moly”), or polytetrafluoroethylene or closely related fluoropolymer (“teflon”) on surfaces, and (B) designed or labeled for general purpose lubrication, or for use in a wide variety of applications.~~

~~(105) “Multi-purpose Lubricant” means any lubricant designed or labeled for general purpose lubrication, or a lubricant labeled for use in a wide variety of applications. “Multi-purpose Lubricant” does not include “Multi-purpose Dry Lubricant,” “Penetrant,” or “Silicone-based Multi-Purpose Lubricant.”~~

~~(106~~ 104) “Multi-purpose Solvent” means:

- (A) for products manufactured before January 1, 2008: any organic liquid designed to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing or dissolving other organic materials. “Multi-purpose Solvent” includes solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories. “Multi-purpose Solvent” does not include solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment.
- (B) for products manufactured on or after January 1, 2008: any liquid product designed or labeled to be used for dispersing, dissolving, or removing contaminants or other organic materials. “Multi-purpose Solvent” also includes: 1. products that do not display specific use instructions on the product container or packaging; 2. products that do not specify an end-use function or application on the product container or packaging; 3. solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories; 4. “Paint clean-up” products; and ~~{5.}~~ products labeled to prepare surfaces for painting. For the purposes of this definition only, “Paint clean-up” means any liquid product labeled for cleaning oil-based or water-based paint, lacquer, varnish, or related coatings from, but not limited to, painting equipment or tools, plastics, or metals. “Multi-purpose Solvent” does not include 1. solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines; 2. solvents labeled exclusively for the clean-up of application equipment used for polyaspartic and polyurea coatings; ~~or~~ 3. solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment; 4. Products that are labeled exclusively to clean a specific contaminant, on a single substrate, in specific situations; ~~“Multi-purpose Solvent” also does not include~~ or 5. any product making any representation that the product may be used as, or is suitable for use as a consumer product which ~~qualifies under~~ meets another definition in section 94508(a); such products are not “Multi-purpose Solvents” and are subject to the “Most Restrictive Limit” provisions of section 94512(a).



- ~~(407)~~ 105) “Nail Polish” means any clear or colored coating designed for application to the fingernails or toenails and including but not limited to, lacquers, enamels, acrylics, base coats and top coats.
- ~~(408)~~ 106) “Nail Polish Remover” means a product designed to remove nail polish and coatings from fingernails or toenails.
- ~~(409)~~ 107) “~~Non-Carbon~~ Noncarbon Containing Compound” means any compound which does not contain any carbon atoms.
- ~~(410)~~ 108) “~~Non-Selective~~ Nonselective Terrestrial Herbicide” means a terrestrial herbicide product that is toxic to plants without regard to species.
- ~~(411)~~ 109) “Odor Remover/Eliminator” means a product that is designed or labeled to be applied exclusively to hard surfaces to inhibit the ability of soils to create malodors, or functions to entrap, encapsulate, neutralize, convert or eliminate malodor molecules. “Odor Remover/Eliminator” does not include products designed or labeled for use in cleaning soils from hard surfaces, laundering, softening, de-wrinkling or cleaning fabrics, or dishwashing, or products that are defined as “Air Freshener,” “Bathroom and Tile Cleaner,” “Carpet/Upholstery Cleaner,” “Fabric Refresher,” “General Purpose Cleaner,” “Toilet/Urinal Care Product,” “Disinfectant,” or “Sanitizer.”
- ~~(412)~~ 110) “Oven or Grill Cleaner” means ~~any cleaning a product designed or labeled exclusively to clean and to remove dried or baked on greases and/or food deposits from oven walls~~ food preparation and/or food cooking surfaces. A product that is labeled as an “Oven or Grill Cleaner” that makes claims that it is suitable for degreasing other hard surfaces is a “General Purpose Degreaser.” A product that is labeled as an “Oven or Grill Cleaner” that makes claims that it is suitable for cleaning other hard surfaces is a “General Purpose Cleaner.”
- ~~(413)~~ 111) “Paint” means any pigmented liquid, liquefiable, or mastic composition designed for application to a substrate in a thin layer which is converted to an opaque solid film after application and is used for protection, decoration or identification, or to serve some functional purpose such as the filling or concealing of surface irregularities or the modification of light and heat radiation characteristics.
- ~~(414)~~ 112) “Paint Remover or Stripper” means any product designed to strip or remove paints or other related coatings, by chemical action, from a substrate without markedly affecting the substrate. “Paint Remover or Stripper” does not include “Multi-purpose Solvent,” paint brush cleaners, products designed and labeled exclusively as “Graffiti Remover,” and hand cleaner products that claim to remove paints and other related coatings from skin.
- ~~(415)~~ 113) “Paint Thinner” means any liquid product used for reducing the viscosity of coating compositions or components, that prominently displays the term “Paint

Thinner," "Lacquer Thinner," "Thinner," or "Reducer" on the front panel of its packaging. "Paint Thinner" does not include any of the following products:

- (A) "Artist's Solvent/Thinner;"
- (B) products that are sold in containers with a capacity of 5 gallons or more and labeled exclusively for the thinning of Industrial Maintenance Coatings, Zinc-Rich Primers, or High Temperature Coatings;
- (C) products labeled and used exclusively as an ingredient in a specific coating or coating brand line, whereby the coating would not be complete or useable without the specific ingredient;
- (D) products that meet both of the following criteria:
  - 1. the Principle Display Panel of the product displays, in a font size as large as, or larger than, the font size of all other words on the panel, language that the product is used exclusively for the thinning of Industrial Maintenance Coatings, Zinc-Rich Primers, or High Temperature Coatings, and
  - 2. no representation is made anywhere on the product container or packaging, or any label or sticker attached thereto, that the product is suitable for use or may be used for any other purpose except the thinning of Industrial Maintenance Coatings, Zinc-Rich Primers, or High Temperature Coatings.

~~(116) "Penetrant" means a lubricant designed or labeled primarily to loosen metal parts that have bonded together due to rusting, oxidation, or other causes. "Penetrant" does not include "Multi-purpose Lubricant" that claim to have penetrating qualities, but are not labeled primarily to loosen bonded parts.~~

~~(117)~~ 114 "Person" shall have the same meaning as defined in Health and Safety Code Section 39047.

~~(118)~~ 115 "Personal Fragrance Product" means any product which is applied to the human body or clothing for the primary purpose of adding a scent or masking a malodor, including, but not limited to, cologne, perfume, aftershave, toilet water, lotion, powder, body mist, and body spray. "Personal Fragrance Product" does not include: (A) Deodorant, as defined in section 94501(d); (B) medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body; (C) mouthwashes, breath fresheners and deodorizers; (D) lotions, moisturizers, powders or other skin care products designed or labeled to be used primarily to alleviate skin conditions such as dryness and irritations; (E) products designed exclusively to be applied to human genitalia areas, undergarments, and any paper products, napkins or other products that are

affixed to undergarments, such as sanitary pads; (F) soaps, shampoos, and products primarily used to clean the human body; and (G) fragrance products designed to be used exclusively on ~~non-human~~ nonhuman animals.

~~(419~~ 116) "Pesticide" means and includes any substance or mixture of substances labeled, designed, or intended for use in preventing, destroying, repelling or mitigating any pest, or any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator, provided that the term "pesticide" will not include any substance, mixture of substances, or device which the United States Environmental Protection Agency does not consider to be a pesticide.

~~(420~~ 117) "Pressurized Gas Duster" means a pressurized product labeled to remove dust from a surface solely by means of mass air or gas flow, including surfaces such as photographs, photographic film negatives, computer keyboards, and other types of surfaces that cannot be cleaned with solvents. "Pressurized Gas Duster" does not include "Dusting Aid," "General Purpose Cleaner," "Electrical Cleaner," "Electronic Cleaner," "Energized Electrical Cleaner," or "Anti-Static Product." "Pressurized Gas Duster" does not include products labeled exclusively to remove dust from equipment where dust removal is accomplished when: electric current exists; residual electrical potential from a component such as a capacitor exists; or an open flame exists, as long as the "Principal Display Panel" clearly displays the statement: "Energized Equipment use only."

~~(424~~ 118) "Principal Display Panel or Panels" means that part, or those parts of a label that are so designed as to most likely be displayed, presented, shown or examined under normal and customary conditions of display or purchase. Whenever a principal display panel appears more than once, all requirements pertaining to the "principal display panel" shall pertain to all such "principal display panels."

~~(422~~ 119) "Product Brand Name" means the name of the product exactly as it appears on the principal display panel of the product.

~~(423~~ 120) "Product Category" means the applicable category which best describes the product as listed in this Section 94508.

~~(424~~ 121) "Product Form," for the purpose of complying with Section 94513 only, means the applicable form which most accurately describes the product's dispensing form as follows:

- A = Aerosol Product
- S = Solid
- P = Pump Spray
- L = Liquid
- SS = Semisolid
- O = Other

~~(425)~~ 122) "Propellant" means a liquefied or compressed gas that is used in whole or in part, such as a cosolvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.

~~(426)~~ 123) "Pump Spray" means a packaging system in which the product ingredients within the container are not under pressure and in which the product is expelled only while a pumping action is applied to a button, trigger or other actuator.

~~(427)~~ 124) "Responsible Party" means the company, firm or establishment which is listed on the product's label. If the label lists two companies, firms or establishments, the responsible party is the party which the product was "manufactured for" or "distributed by," as noted on the label.

~~(428)~~ 125) "Restricted Materials" means pesticides established as restricted materials under Title 3, California Code of Regulations, section 6400.

~~(429)~~ 126) "Retailer" means any person who sells, supplies, or offers consumer products for sale directly to consumers.

~~(430)~~ 127) "Retail Outlet" means any establishment at which consumer products are sold, supplied, or offered for sale directly to consumers.

~~(431)~~ 128) "Rubber/Vinyl Protectant" means:

- (A) for products manufactured before December 31, 2008: any product designed to protect, preserve or renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, and household products such as vinyl covers, clothing, and accessories. "Rubber/Vinyl Protectant" does not include products primarily designed to clean the wheel rim, such as aluminum or magnesium wheel cleaners, and tire cleaners that do not leave an appearance-enhancing or protective substance on the tire.
- (B) for products manufactured on or after December 31, 2008: any product labeled to protect, preserve or renew vinyl, or rubber on vehicles, tires, luggage, furniture, and/or household products such as vinyl covers, clothing, or accessories. "Rubber/Vinyl Protectant" does not include: products labeled to clean the wheel rim, such as aluminum or magnesium wheel cleaners; tire cleaners that do not leave an appearance-enhancing or protective substance on the tire; pigmented products designed or labeled to be used primarily for coloring; products used for construction, reconstruction, modification, structural maintenance or repair of rubber or vinyl substrates; or products, other than those labeled to be used on vehicle tires, qualifying as either "Clear Coating" or "Vinyl/Fabric/Leather/Polycarbonate Coating" under section 94521(a).

~~(132)~~ 129 “Rubbing Alcohol” means any product containing isopropyl alcohol (also called isopropanol) or denatured ethanol and labeled for topical use, usually to decrease germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient, and for massage.

~~(133)~~ 130 “Sanitizer” means a product that is labeled as a “sanitizer,” or is labeled to reduce, but not necessarily eliminate, microorganisms in the air, on surfaces, or on inanimate objects, and whose label is registered as a “sanitizer” under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 U.S.C. section 136 et seq.). Products that are labeled as both a “sanitizer” and a “disinfectant” are considered disinfectants. “Sanitizer” does not include (A) “Disinfectant,” (B) products labeled solely for use on humans or animals, (C) products labeled solely for agricultural use, (D) products labeled solely for use in swimming pools, therapeutic tubs, or hot tubs, (E) products which are labeled to be used on heat sensitive critical or semi-critical medical devices or medical equipment surfaces, (F) products which are pre-moistened wipes or towelettes sold exclusively to medical, convalescent or veterinary establishments (G) products which are labeled to be applied to food-contact surfaces and are not required to be rinsed prior to contact with food, or (H) products which are labeled as “Bathroom and Tile Cleaner,” “Glass Cleaner,” “General Purpose Cleaner,” “Toilet/Urinal Care Product,” “Metal Polish or Cleanser,” “Carpet Cleaner,” or “Fabric Refresher” that may also make sanitizing or ~~anti-microbial~~ antimicrobial claims on the label.

~~(134)~~ 131 “Sealant or Caulking Compound” means any product with adhesive properties that is designed to fill, seal, waterproof, or weatherproof gaps or joints between two surfaces. “Sealant or Caulking Compound” does not include pipe thread sealants or pipe joint compounds; roof cements and roof sealants; insulating foams; removable caulking compounds; clear/paintable/water resistant caulking compounds; floor seam sealers; products designed exclusively for automotive uses; or sealers that are applied as continuous coatings. “Sealant or Caulking Compound” also does not include units of product, less packaging, which weigh more than one pound and consist of more than 16 fluid ounces. For the purposes of this definition only:

“Removable caulking compounds” means a compound which temporarily seals windows or doors for three to six month time intervals.

“Clear/paintable/water resistant caulking compounds” means a compound which contains no appreciable level of opaque fillers or pigments; transmits most or all visible light through the caulk when cured; is paintable; and is immediately resistant to precipitation upon application.

“Sealant or Caulking Compound” is divided into two subcategories:

(A) “Chemically Curing Sealant or Caulking Compound” means any “Sealant or Caulking Compound” which achieves its final composition and physical form through a chemical curing process, where product ingredients participate in a chemical reaction in the presence of a catalyst that causes a change in

chemical structure and leads to the release of chemical byproducts.

“Chemically Curing Sealant or Caulking Compound” includes, but is not limited to, products that utilize silicone, polyurethane, silyl-terminated polyether, or silyl-terminated polyurethane reactive chemistries. “Chemically Curing Sealant or Caulking Compound” does not include products which are not solely dependent on a chemically curing process to achieve the cured state.

(B) ~~“Non-Chemically Nonchemically~~ Nonchemically Curing Sealant or Caulking Compound” means any “Sealant or Caulking Compound” not defined under “Chemically Curing Sealant or Caulking Compound.”

~~(435~~ 132) “Semisolid” means a product that, at room temperature, will not pour, but will spread or deform easily, including but not limited to gels, pastes, and greases.

~~(436~~ 133) “Shaving Cream” means an aerosol product which dispenses a foam lather intended to be used with a blade or cartridge razor, or other wet-shaving system, in the removal of facial or other bodily hair. “Shaving Cream” does not include “Shaving Gel.”

~~(437~~ 134) “Shaving Gel” means an aerosol product which dispenses a post-foaming semi-solid designed to be used with a blade, cartridge razor, or other shaving system in the removal of facial or other bodily hair. “Shaving Gel” does not include “Shaving Cream.”

~~(438) “Silicone based Multi purpose Lubricant” means any lubricant which is:~~

~~(A) designed and or labeled to provide lubricity primarily through the use of silicone compounds including, but not limited to, polydimethylsiloxane, and~~

~~(B) designed and or labeled for general purpose lubrication, or for use in a wide variety of applications. “Silicone based Multi purpose Lubricant” does not include products designed and labeled exclusively to release manufactured products from molds.~~

~~(439~~ 135) “Single Phase Aerosol Air Freshener” means an aerosol air freshener with the liquid contents in a single homogeneous phase and which does not require that the product container be shaken before use.

~~(440~~ 136) “Solid” means a substance or mixture of substances which, either whole or subdivided (such as the particles comprising a powder), is not capable of visually detectable flow as determined under ASTM D-4359-90 (May 25, 1990) Standard Test Method for Determining Whether a Material Is a Liquid or a Solid, which is incorporated by reference herein.

~~(141) “Special purpose Lubricant” means any lubricant that is designed or labeled as: a cutting or tapping oil; an anti-soize product; an open gear, chain or wire lubricant; or a rust preventative and/or rust control product that makes a lubricating claim. “Special purpose Lubricant” does not include products that: (A) contain silicone compounds as the sole lubricating agent; (B) products labeled to provide lubricity solely by depositing a thin film of graphite, molybdenum disulfide, or polytetrafluoroethylene or closely related fluoropolymer (“teflon”); or (C) products designed and labeled exclusively to release manufactured products from molds. “Special purpose Lubricant” also does not include “Multi purpose Lubricant,” “Silicone based Multi purpose Lubricant,” or “Penetrant.” A “Lubricant” product that makes claims that it is suitable for multiple applications that are different than those of a “Special purpose Lubricant” is a “Multi purpose Lubricant.”~~

(141 ~~142~~ 137) “Special Purpose Spray Adhesive” means an aerosol adhesive that meets any of the following definitions:

- (A) “Mounting Adhesive” means an aerosol adhesive designed to permanently mount photographs, artwork, and any other drawn or printed media to a backing (paper, board, cloth, etc.) without causing discoloration to the artwork.
- (B) “Flexible Vinyl Adhesive” means an aerosol adhesive designed to bond flexible vinyl to substrates. Flexible vinyl means a nonrigid polyvinyl chloride plastic with at least five percent, by weight, of plasticizer content. A plasticizer is a material, such as a high boiling point organic solvent, that is incorporated into a vinyl to increase its flexibility, workability, or distensibility, and may be determined using ASTM Method E260-91 (Jan. 25, 1991) Standard Practice for Packed Column Gas Chromatography, which is incorporated by reference herein, or from product formulation data.
- (C) “Polystyrene Foam Adhesive” means an aerosol adhesive designed to bond polystyrene foam (e.g. Styrofoam®, expanded polystyrene foam, etc.) to substrates.
- (D) “Automobile Headliner Adhesive” means an aerosol adhesive designed to bond together layers in motor vehicle headliners.
- (E) “Polyolefin Adhesive” means an aerosol adhesive designed to bond polyolefins (e.g. polyethylene, polypropylene, etc.) to substrates.
- (F) “Laminate Repair/Edgebanding Adhesive” means an aerosol adhesive designed for:
  - 1. the touch-up or repair of items laminated with high pressure laminates (e.g. lifted edges, delaminations, etc.), or for

2. the touch-up, repair, or attachment of edgebanding materials, including, but not limited to, other laminates, synthetic marble, veneers, wood moulding, and decorative metals.

For the purposes of this definition “high pressure laminate” means sheet materials which consist of paper, fabric, or other core material that have been laminated at temperatures exceeding 265 degrees F, and at pressures between 1,000 and 1,400 psi.

- (G) “Automotive Engine Compartment Adhesive” means an aerosol adhesive designed for use in motor vehicle under-the-hood applications which require oil and plasticizer resistance, as well as high shear strength, at temperatures of 200-275° ~~F~~ degrees Fahrenheit.
- (~~142~~ ~~143~~ 138) “Spot Remover” means any product labeled to clean localized areas, or remove localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, or clothing, that ~~does~~ may or may not require subsequent laundering to achieve stain removal. “Spot Remover” includes spotting agents used by commercial dry cleaning and “laundering” operations. “Spot Remover” does not include “~~Dry-Cleaning Fluid,~~” “~~Laundry Prewash,~~” or aerosol products labeled solely for gum removal.
- (~~143~~ ~~144~~ 139) “Spray Buff Product” means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.
- (~~144~~ ~~145~~ 140) “Table B Compound” means any carbon-containing compound listed as an exception to the definition of VOC in Section 94508.
- (~~145~~ ~~146~~ 141) “Temporary Hair Color” means any product that applies color, glitter, or UV-active pigments to hair, wigs, or fur and is removable when washed. “Temporary Hair Color” includes hair color mousses and products labeled to add texture or thickness to cover thinning/balding areas. “Temporary Hair Color” does not include “Hair Spray,” “Hair Styling Product,” or “Hair Mousse.”
- (~~146~~ ~~147~~ 142) “Terrestrial” means to live on or grow from land.
- (~~147~~ ~~148~~ 143) “Tire or Wheel Cleaner” means a product designed or labeled exclusively to clean either tires, wheels, or both. “Tire or Wheel Cleaner” includes, but is not limited to, products for use in commercial, fleet, hand, and “drive-through” car washes; commercial truck washing or large vehicle washing stations; vehicle dealers and repair shops, as well as household consumer products. “Tire or Wheel Cleaner” does not include products labeled for use exclusively on locomotives or aircraft.



- (~~148~~ ~~149~~ 144) "Tire Sealant and Inflator" means any pressurized product that is designed to temporarily inflate and seal a leaking tire.
- (~~149~~ ~~150~~ 145) "Toilet/Urinal Care Product" means any product designed or labeled to clean and/or to deodorize toilet bowls, toilet tanks, or urinals. Toilet bowls, toilet tanks, or urinals includes, but is not limited to, toilets or urinals connected to permanent plumbing in buildings and other structures, portable toilets or urinals placed at temporary or remote locations, and toilet or urinals in vehicles such as buses, recreational motor homes, boats, ships, and aircraft. "Toilet/Urinal Care Product" does not include "Bathroom and Tile Cleaner" or "General Purpose Cleaner."
- (~~150~~ ~~151~~ 146) "Type A Propellant" means a compressed gas such as CO<sub>2</sub>, N<sub>2</sub>, N<sub>2</sub>O, or compressed air which is used as a propellant, and is either incorporated with the product or contained in a separate chamber within the product's packaging.
- (~~151~~ ~~152~~ 147) "Type B Propellant" means any halocarbon which is used as a propellant including chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and hydrofluorocarbons (HFCs).
- (~~152~~ ~~153~~ 148) "Type C Propellant" means any propellant which is not a Type A or Type B propellant, including propane, isobutane, n-butane, and dimethyl ether (also known as dimethyl oxide).
- (~~153~~ ~~154~~ 149) "Undercoating" means any aerosol product designed to impart a protective, ~~non-paint~~ nonpaint layer to the undercarriage, trunk interior, and/or firewall of motor vehicles to prevent the formation of rust or to deaden sound. "Undercoating" includes, but is not limited to, rubberized, mastic, or asphaltic products.
- (~~154~~ ~~155~~ 150) "Usage Directions" means the text or graphics on the product's principal display panel, label, or accompanying literature which describes to the end user how and in what quantity the product is to be used.
- (~~155~~ ~~156~~ 151) "Volatile Organic Compound (VOC)" means any compound containing at least one atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and excluding the following:
- (A) methane,  
methylene chloride (dichloromethane),  
1,1,1-trichloroethane (methyl chloroform),  
trichlorofluoromethane (CFC-11),  
dichlorodifluoromethane (CFC-12),  
1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113),

1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114),  
chloropentafluoroethane (CFC-115),  
chlorodifluoromethane (HCFC-22),  
1,1,1-trifluoro-2,2-dichloroethane (HCFC-123),  
1,1-dichloro-1-fluoroethane (HCFC-141b),  
1-chloro-1,1-difluoroethane (HCFC-142b),  
2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124),  
trifluoromethane (HFC-23),  
1,1,2,2-tetrafluoroethane (HFC-134),  
1,1,1,2-tetrafluoroethane (HFC-134a),  
pentafluoroethane (HFC-125),  
1,1,1-trifluoroethane (HFC-143a),  
1,1-difluoroethane (HFC-152a),  
ethoxy-nonafluorobutane (HFE 7200),  
cyclic, branched, or linear completely methylated siloxanes,  
the following classes of perfluorocarbons:

1. cyclic, branched, or linear, completely fluorinated alkanes;
2. cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
3. cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations; and
4. sulfur-containing perfluorocarbons with no unsaturations and with the sulfur bonds to carbon and fluorine, and

(B) the following low-reactive organic compounds which have been exempted by the U.S. EPA:

acetone,  
ethane,  
methyl acetate,  
parachlorobenzotrifluoride (1-chloro-4-trifluoromethyl benzene),  
perchloroethylene (tetrachloroethylene).

(~~156~~ ~~157~~ 152) "VOC Content" means the total weight of VOC in a product expressed as a percentage of the product weight (exclusive of the container or packaging), as determined pursuant to sections 94515(a) and (b).

(~~157~~ ~~158~~ 153) "Wasp ~~and~~ or Hornet Insecticide" means any insecticide product that is designed for use against wasps, hornets, yellow jackets or bees by allowing the user to spray from a distance a directed stream or burst at the intended insects, or their hiding place.

(~~158~~ ~~159~~ 154) "Waterproof" means a product designed and labeled exclusively to repel water from fabric or leather substrates. "Waterproof" does not include "Fabric Protectant."

(~~159~~ ~~160~~ 155) "Wax" means a material or synthetic thermoplastic substance generally of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol and high polymers (plastics). "Wax" includes, but is not limited to, substances derived from the secretions of plants and animals such as ~~carnauba~~ carnauba wax and beeswax, substances of a mineral origin such as ozocerite and paraffin, and synthetic polymers such as polyethylene.

(~~160~~ ~~161~~ 156) "Web Spray Adhesive" means any aerosol adhesive which is not a "Mist Spray Adhesive" or "Special Purpose Spray Adhesive."

(~~161~~ ~~162~~ 157) "Windshield Water Repellent" means a product designed or labeled exclusively to repel water from motor vehicle exterior automotive glass surfaces. "Windshield Water Repellent" does not include "Automotive Windshield Washer Fluid."

(~~162~~ ~~163~~ 158) "Wood Cleaner" means a product labeled to clean wooden materials including but not limited to decking, fences, flooring, logs, cabinetry, and furniture. "Wood Cleaner" does not include "Dusting Aid," "General Purpose Cleaner," "Furniture Maintenance Product," "Floor Wax Stripper," "Floor Polish or Wax," or products designed and labeled exclusively to preserve or color wood.

(~~163~~ ~~164~~ 159) "Zinc-Rich Primer" means a coating that meets all the following specifications: (A) coating contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids; and (B) coating is formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of coatings; and (C) coating is intended for professional use only and labeled "For Professional Use Only," "For Industrial Use Only," "Not for residential use;" or "Not intended for residential use."

NOTE: Authority cited: Sections 38501, 38510, 38560, 38560.5, 38562, 38580, 39600, 39601 and 41712, Health and Safety Code. Reference: Sections 38501, 38510, 38560, 38560.5, 38562, 38580, 39002, 39600, 40000 and 41712, Health and Safety Code.

## **§ 94509. Standards for Consumer Products.**

*Modify title 17, CCR § 94509 to read as follows:*

- (a) Except as provided in Sections 94510 (Exemptions), 94511 (Innovative Products), 94514 (Variances), 94540 through 94555 (Alternative Control Plan), and 94567(a)(1) (Hairspray Credit Program), Title 17, California Code of Regulations, no person shall sell, supply, offer for sale, or manufacture for sale in California any consumer product which, at the time of sale or manufacture, contains volatile organic compounds in excess of the limits specified in the following Table of Standards after the specified effective dates.

**Table of Standards  
Percent Volatile Organic Compound by Weight**

<b>Product Category</b>	<b>Effective Date <sup>1</sup></b>	<b>VOC Standard <sup>2</sup></b>
Adhesive *: =====	=====	=====
<u>[*See section 94510(i) for an exemption that applies to adhesives.]</u>		
----- Aerosol**	1/1/95	75
----- Mist Spray Adhesive**	1/1/2002	65
----- Web Spray Adhesive**	1/1/2002	55
----- Special Purpose Spray Adhesive** Mounting, Automotive Engine Compartment, and Flexible Vinyl Adhesive	1/1/2002	70
Polystyrene Foam and Automobile Headliner Adhesive	1/1/2002	65
Polyolefin and Laminate Repair/Edgebanding Adhesive	1/1/2002	60
=====	=====	=====
<u>[**See subsections 94509(i) and 94509(m)(1), and sections 94512(d), and 94513(d) for additional requirements that apply to aerosol adhesive.]</u>		
----- Construction, Panel, and Floor Covering#	1/1/95 12/31/2002 12/31/2008	40 15 7
=====	=====	=====
<u>[#See section 94509(k) for the effective date of the VOC limit for certain types of “Construction, Panel, and Floor Covering Adhesive, and subsection 94509(p)(m)(1) for additional requirements that apply to Construction, Panel, and Floor Covering Adhesive.]</u>		
----- Contact### Contact Adhesive – General Purpose	1/1/95 12/31/2006	80 55
Contact Adhesive – Special Purpose	12/31/2006	80
=====	=====	=====
<u>[###See subsections 94509(m)(1) and section 94512(d) for additional requirements that apply to Contact Adhesive.]</u>		

<p>=====</p> <p>General Purpose</p> <p>=====</p> <p><del>*See section 94510(i) for an exemption that applies to adhesives sold in containers of one fluid ounce or less.</del></p>	<p>=====</p> <p>1/1/95</p> <p>=====</p>	<p>=====</p> <p>10</p> <p>=====</p>
<p>Adhesive Remover*:</p> <p>Floor or Wall Covering Adhesive Remover</p> <p>-----</p> <p>Gasket or Thread Locking Adhesive Remover</p> <p>-----</p> <p>General Purpose Adhesive Remover</p> <p>-----</p> <p>Specialty Adhesive Remover</p> <p>=====</p> <p>[*See <del>subsections 94509(n)(m)(1)</del> and <u>section 94512(d)</u> for additional requirements that apply to Adhesive Remover.]</p>	<p>12/31/2006</p> <p>-----</p> <p>12/31/2006</p> <p>-----</p> <p>12/31/2006</p> <p>-----</p> <p>12/31/2006</p> <p>=====</p>	<p>5</p> <p>-----</p> <p>50</p> <p>-----</p> <p>20</p> <p>-----</p> <p>70</p> <p>=====</p>
<p>Aerosol Cooking Spray</p>	<p>1/1/95</p>	<p>18</p>
<p>Air Freshener*:</p> <p>Double Phase Aerosol**</p> <p>[*See <del>section 94509(t)</del> for additional requirements that apply to Double Phase Aerosol Air Freshener.]</p> <p>-----</p> <p>Single Phase Aerosol</p> <p>-----</p> <p>Dual Purpose Air Freshener/Disinfectant aerosol</p> <p>-----</p> <p>liquid/pump spray</p> <p>-----</p> <p>solid/semisolid<sup>#</sup></p> <p>=====</p> <p>[*See <del>sections 94510(f) and 94510(g)(2)</del> for an exemption that applies to <del>certain Air Fresheners</del>, and <del>subsection 94509(o)(m)(2)</del> for additional requirements that apply to <del>Air Freshener (solid)</del>.]</p> <p>[**See section 94509(n) for additional requirements that apply to Double Phase Aerosol Air Freshener.]</p> <p>[<sup>#</sup>See <u>subsections 94509(m)(2) and 94510(g)(2)</u> for additional provisions that apply to Air Freshener (solid).]</p>	<p>1/1/93</p> <p>12/31/2004</p> <p>12/31/2012</p> <p>-----</p> <p>1/1/93</p> <p>1/1/96</p> <p>-----</p> <p>1/1/94</p> <p>-----</p> <p>1/1/93</p> <p>-----</p> <p>1/1/93</p> <p>=====</p>	<p>30</p> <p>25</p> <p>20</p> <p>-----</p> <p>70</p> <p>30</p> <p>-----</p> <p>60</p> <p>-----</p> <p>18</p> <p>-----</p> <p>3</p> <p>=====</p>
<p>Anti-static Product:</p> <p>aerosol</p>	<p>12/31/2008</p>	<p>80</p>

<del>non-aerosol</del> <u>nonaerosol</u>	12/31/2006	11
Astringent/Toner (Non-FDA regulated)	12/31/2010	35
Automotive Rubbing or Polishing Compound <u>all forms</u>	1/1/2005	17
Automotive Wax/Polish/Sealant/Glaze: all other forms	1/1/2005	15
<del>hard paste wax</del>	1/1/2005	45
<del>instant detailer</del>	1/1/2001	3
Automotive Windshield Washer Fluid: Type "A" areas*	1/1/93 12/31/2008	35 25
=====	=====	=====
* <u>Type "A" areas include only the following: Del Norte, Shasta and Trinity Counties; the Great Basin Valley, Lake Tahoe, Mountain Counties, and Northeast Plateau Air Basins, as defined in Title 17, California Code of Regulations, Sections 60105, 60108, 60111, and 60113.</u>		
<del>All other areas**</del>	1/1/93 12/31/2002	10 1
=====	=====	=====
**See section 94508(a)(19 <del>20</del> ), section 94508(a)( <del>20</del> 21), and section 94509(l) for provisions that apply to Automotive Windshield Washer Fluid.		
=====	=====	=====
<del>* Type "A" areas include only the following: Del Norte, Shasta and Trinity Counties; the Great Basin Valley, Lake Tahoe, Mountain Counties, and Northeast Plateau Air Basins, as defined in Title 17, California Code of Regulations, Sections 60105, 60108, 60111, and 60113.</del>		
Bathroom and Tile Cleaner*: aerosol	1/1/94	7
<del>all other forms</del>	1/1/94	5
<del>non-aerosol</del> <u>nonaerosol</u>	12/31/2008	1
=====	=====	=====
[*See <u>subsection 94509(p)(m)(1)</u> for additional requirements that apply to Bathroom and Tile Cleaner.]		

Brake Cleaner*	1/1/97 12/31/2002 12/31/2008 12/31/2010	50 45 20 10
=====	=====	=====
[*See subsection 94509(m)(1) for additional requirements that apply to Brake Cleaner]		
Bug and Tar Remover	1/1/2002	40
Carburetor or Fuel-injection Air Intake Cleaner **	1/1/95 12/31/2002 12/31/2008 12/31/2010	75 45 20 10
=====	=====	=====
[**See section 94509(k) for the effective date of the VOC limit for <del>Carburetor or Fuel-injection Air Intake Cleaner</del> and see subsection 94509(m)(1) for additional requirements that apply to Carburetor or Fuel-injection Air Intake Cleaner.]		
Carpet/Upholstery Cleaner*: aerosol	1/1/2001 12/31/2010	7 5
-----	-----	-----
<del>non-aerosol</del> <u>nonaerosol</u> (dilutable)	1/1/2001	0.1
-----	-----	-----
<del>non-aerosol</del> <u>nonaerosol</u> (ready-to-use)	1/1/2001 12/31/2010	3 1
=====	=====	=====
[*See <del>subsection 94509(e)</del> <u>subsection 94509(m)(1)</u> for additional requirements that apply to Carpet/Upholstery Cleaner]		
Charcoal Lighter Material	See Section 94509(h)	
Disinfectant: aerosol	12/31/2008	70
-----	-----	-----
<del>non-aerosol</del> <u>nonaerosol</u>	12/31/2008	1
Dusting Aid: aerosol	1/1/95 1/1/97 12/31/2010	35 25 17
-----	-----	-----
<del>non-aerosol</del> <u>nonaerosol</u>	1/1/95 12/31/2010	7 3

Electrical Cleaner* =====	12/31/2006 =====	45 =====
[*See <u>subsections 94509(n)(m)(1)</u> and <u>section 94512(d)</u> for additional requirements that apply to Electrical Cleaner.]		
Electronic Cleaner* =====	12/31/2007 =====	75 =====
[*See <u>subsections 94509(m)(1)</u> and <u>section 94512(d)</u> for additional requirements that apply to Electronic Cleaner.]		
Engine Degreaser*: -----	1/1/93 1/1/96 -----	75 50 -----
aerosol -----	12/31/2004 12/31/2010 -----	35 10 -----
<del>non-aerosol</del> <u>nonaerosol</u> =====	12/31/2004 =====	5 =====
[*See <u>subsection 94509(m)(1)</u> for additional requirements that apply to Engine Degreaser]		
Fabric Protectant* aerosol -----	1/1/95 1/1/97 -----	75 60 -----
<del>non-aerosol</del> <u>nonaerosol</u> =====	1/1/95 1/1/97 12/31/2010 =====	75 60 1 =====
[*See <u>subsection 94509(e)(m)(1)</u> for additional requirements that apply to Fabric Protectant]		
Fabric - Refresher: aerosol -----	12/31/2006 -----	15 -----
<del>non-aerosol</del> <u>nonaerosol</u> -----	12/31/2006 -----	6 -----
Fabric Softener – Single Use Dryer Product	See Section <u>94509(s)(o)</u>	
Floor Maintenance Product	12/31/2010	1
Floor Polish or Wax: Resilient Flooring Material -----	1/1/94 12/31/2010 -----	7 1 -----
Nonresilient Flooring Material -----	1/1/94 12/31/2010 -----	10 1 -----
Wood Floor Wax	1/1/94 12/31/2010	90 70



Floor Wax Stripper: <del>non-aerosol</del> <u>nonaerosol</u>	See Section 94509(j)	
Footwear or Leather Care Product*: aerosol	12/31/2006	75
----- solid	12/31/2006	55
----- all other forms	12/31/2006	15
=====	=====	=====
[*See <u>subsection 94509(m)(1)</u> for additional requirements that apply to Footwear or Leather Care Product.]		
Furniture Maintenance Product*: aerosol	1/1/94 12/31/2004 <u>12/31/2013</u>	25 17 <u>12</u>
----- all other forms (except solid/paste forms)	1/1/94	7
----- <del>non-aerosol</del> <u>nonaerosol</u> (except solid/paste forms)	12/31/2008	3
=====	=====	=====
[*See <u>section 94509(n)</u> for additional requirements that apply to Furniture Maintenance Product.]		
General Purpose Cleaner*: aerosol and <del>non-aerosol</del> <u>nonaerosol</u>	1/1/94	10
----- aerosol	12/31/2008	8
----- <del>non-aerosol</del> <u>nonaerosol</u>	12/31/2004 <u>12/31/2012</u>	4 <u>0.5</u>
=====	=====	=====
[*See <u>subsections 94509(p)(m)(1) and (m)(3)</u> for additional requirements that apply to General Purpose Cleaner.]		
General Purpose Degreaser*: aerosol	1/1/2002 12/31/2008 12/31/2010	50 20 10
----- <del>non-aerosol</del> <u>nonaerosol</u>	12/31/2004 <u>12/31/2012</u>	4 <u>0.5</u>
=====	=====	=====
[*See <u>subsections 94509(m)(1) and (m)(3)</u> for additional requirements that apply to General Purpose Degreaser.]		

Glass Cleaner*: aerosol	1/1/93 12/31/2012	12 10
----- <del>non-aerosol</del> <u>nonaerosol</u>	----- 1/1/93 1/1/96 12/31/2004 <u>12/31/2012</u>	----- 8 6 4 <u>3</u>
=====	=====	=====
[*See subsection 94509(m)(3) for additional requirements that apply to nonaerosol Glass Cleaner]		
Graffiti Remover*: aerosol	12/31/2006	50
----- <del>non-aerosol</del> <u>nonaerosol</u>	----- 12/31/2006	----- 30
=====	=====	=====
[*See subsection 94509(n)(m)(1) for additional requirements that apply to Graffiti Remover.]		
Hair Mousse	1/1/94 12/31/2002	16 6
Hair Shine	1/1/2005	55
Hair Spray	1/1/93 6/1/99	80 55
Hair Styling Gel	1/1/94	6
Hair Styling Product: aerosol and pump spray	12/31/2006	6
----- all other forms	----- 12/31/2006	----- 2
Heavy-duty Hand Cleaner or Soap* <u>all forms</u> <u>nonaerosol</u>	1/1/2005 <u>12/31/2013</u>	8 <u>1</u>
=====	=====	=====
[*See subsection 94509(m)(3) for additional requirements that apply to nonaerosol Heavy-duty Hand Cleaner or Soap]		
Insect Repellent: Aerosol	1/1/94	65
Insecticide*: Crawling Bug Insecticide (all forms):	1/1/95 1/1/98	40 20
----- aerosol	----- 12/31/2004	----- 15
----- Flea and Tick Insecticide	----- 1/1/95	----- 25
----- Flying Bug Insecticide (all forms)**:	----- 1/1/95	----- 35

aerosol	12/31/2003 <u>12/31/2013</u>	25 <u>20</u>
Fogger	1/1/95	45
Lawn and or Garden Insecticide (all forms)	1/1/95	20
<del>non-aerosol</del> <u>nonaerosol</u>	12/31/2003	3
Wasp and or Hornet Insecticide**	1/1/2005 <u>12/31/2013</u>	40 <u>10</u>
<p>[*See sections 94510(g)(1) and 94510(k) for exemptions that apply to certain insecticides.]</p> <p>[**See subsection 94509(n) for additional requirements that apply to Flying Bug and Wasp or Hornet Insecticide]</p>		
Laundry Prewash: aerosol/solid	1/1/94	22
all other forms	1/1/94	5
Laundry Starch/Sizing/Fabric Finish Product:	1/1/95 1/31/2008	5 4.5
<u>Lubricant*</u>		
<p>[*See subsection 94509(m)(1), for additional requirements that apply to Lubricant products.]</p>		
<u>Anti-Seize Lubricant**</u>		
<u>aerosol</u>	<u>12/31/2013</u>	<u>40</u>
<u>nonaerosol</u>	<u>12/31/2013</u>	<u>3</u>
<u>Cutting or Tapping Oil**</u>		
<u>aerosol</u>	<u>12/31/2013</u>	<u>25</u>
<u>nonaerosol</u>	<u>12/31/2013</u>	<u>3</u>
<u>Gear, Chain, or Wire Lubricant**</u>		
<u>aerosol</u>	<u>12/31/2013</u>	<u>25</u>
<u>nonaerosol</u>	<u>12/31/2013</u>	<u>3</u>
<u>Multi-purpose Lubricant (excluding solid or</u>	<u>1/1/2003</u>	<u>50</u>

<u>semisolid products)</u> #	<u>12/31/2013</u> <u>12/31/2015</u>	<u>25</u> <u>10</u>
<u>Penetrant</u> #+	<u>1/1/2003</u> <u>12/31/2013</u>	<u>50</u> <u>25</u>
<u>Rust Preventative or Rust Control Lubricant</u> ** <u>aerosol</u>	<u>12/31/2013</u>	<u>25</u>
<u>nonaerosol</u>	<u>12/31/2013</u>	<u>3</u>
<u>Silicone-based Multi-purpose Lubricant (excluding solid or semisolid products)</u>	<u>1/1/2005</u>	<u>60</u>
=====		
[**See subsection 94509(n) for additional requirements that apply to Anti-Seize Lubricant; Cutting or Tapping Oil; Gear, Chain, or Wire Lubricant; or Rust Preventative or Rust Control Lubricant products.]		
[#See subsection 94513(f) for additional requirements that apply to Multi-purpose Lubricant and Penetrant.]		
[+See subsection 94509(m)(7) for an exclusion that applies to certain Penetrant products.]		
<u>Metal Polish/ or Cleanser</u> *:	<u>1/1/2005</u>	<u>30</u>
<u>aerosol</u>	<u>12/31/2012</u>	<u>15</u>
<u>non-aerosol nonaerosol</u>	<u>12/31/2012</u>	<u>3</u>
=====		
[*See sections subsection 94509(m)(1) and subsection 94509(n) for additional requirements that apply to Metal Polish or Cleanser.]		
<u>Motor Vehicle Wash</u> <u>non-aerosol nonaerosol</u>	<u>12/31/2010</u>	<u>0.2</u>
<u>Multi-purpose Lubricant:</u> <u>(excluding solid or semisolid products)</u>	<u>1/1/2003</u> <u>12/31/2013</u> <u>12/31/2015</u>	<u>50</u> <u>25</u> <u>40</u>
=====		
[*See subsections 94509(q)(m)(1) and section 94513(f) for additional requirements that apply to Multi-purpose Lubricant.]		
<u>Multi-purpose Solvent</u> *	<u>12/31/2010</u> <u>12/31/2013</u>	<u>30</u> <u>3</u>
=====		
[*See subsections 94509(u)(m)(1), (n), and (p);		

94512(e); <sub>i</sub> and 94513(g) for additional requirements that apply to Multi-purpose Solvent.]		
Nail Polish Remover	1/1/94 1/1/96 12/31/2004 12/31/2007	85 75 0 1
<del>Non-Selective</del> <u>Nonselective</u> Terrestrial Herbicide: <del>non-aerosol</del> <u>nonaerosol</u>	1/1/2002	3
Odor Remover/Eliminator aerosol	12/31/2010	25
----- <del>non-aerosol</del> <u>nonaerosol</u>	12/31/2010	6
Oven or Grill Cleaner*: aerosol/pump spray <u>aerosol</u>	1/1/93 <u>1/1/93</u>	8 <u>8</u>
----- liquid	1/1/93	5
----- <del>non-aerosol</del> <u>nonaerosol</u> (including pump spray and liquid)	12/31/2008 <u>[effective date]</u>	1 <u>4</u>
=====	=====	=====
[*See subsection 94509(q) for the effective date of the VOC limit for certain types of Oven or Grill Cleaner products and [*See subsections 94509(p)(m)(1) and (m)(3) for additional requirements that apply to Oven or Grill Cleaner.]		
Paint Remover or Stripper	1/1/2005	50
Paint Thinner*	12/31/2010 12/31/2013	30 3
=====	=====	=====
[*See subsections 94509(u)(m)(1), (n), and (p); 94510(m), 94512(e); <sub>i</sub> and 94513(g) for additional requirements that apply to Paint Thinner. See subsection 94510(m) for an exemption that applies to Paint Thinner.]		
<del>Penetrant*</del>	<del>1/1/2003</del> <del>12/31/2013</del>	<del>50</del> <del>25</del>
-----	-----	-----
[*See subsection 94509(q)(m)(1) and subsection 94513(f) for additional requirements that apply to Penetrant]		
Personal Fragrance Product*: products with 20% or less fragrance	1/1/95 1/1/99	80 75

<p>-----</p> <p>products with more than 20% fragrance</p> <p>=====</p> <p>[*See sections 94510(h), 94510(j), and 94510(l) for exemptions and requirements that apply to Personal Fragrance Product.]</p>	<p>-----</p> <p>1/1/95 1/1/99</p> <p>=====</p>	<p>-----</p> <p>70 65</p> <p>=====</p>
<p>Pressurized Gas Duster*</p> <p>=====</p> <p>[*See <u>subsections 94509(r)(m)(1), 94509(n)</u> and 94510(c) for additional provisions that apply to Pressurized Gas Duster]</p>	<p>-----</p> <p>12/31/2010</p> <p>=====</p>	<p>-----</p> <p>1</p> <p>=====</p>
<p>Rubber /Vinyl Protectant:</p> <p>aerosol</p> <p>-----</p> <p><del>non-aerosol</del> <u>nonaerosol</u></p>	<p>-----</p> <p>1/1/2005</p> <p>-----</p> <p>1/1/2003</p>	<p>-----</p> <p>10</p> <p>-----</p> <p>3</p>
<p>Sanitizer:</p> <p>aerosol</p> <p>-----</p> <p><del>non-aerosol</del> <u>nonaerosol</u></p>	<p>-----</p> <p>12/31/2008</p> <p>-----</p> <p>12/31/2008</p>	<p>-----</p> <p>70</p> <p>-----</p> <p>1</p>
<p>Sealant or Caulking Compound*</p> <p>all forms</p> <p>-----</p> <p>Chemically Curing <del>non-aerosol</del> <u>nonaerosol</u></p> <p>-----</p> <p><del>Non-chemically</del> <u>Nonchemically</u> Curing <del>non-aerosol</del> <u>nonaerosol</u></p> <p>=====</p> <p>[*See <u>subsections 94509(q)(m)(1)</u> and <u>section 94512(d)</u> for additional requirements that apply to Sealant or Caulking Compound.]</p>	<p>-----</p> <p>12/31/2002</p> <p>-----</p> <p>12/31/2012</p> <p>-----</p> <p>12/31/2010</p> <p>=====</p>	<p>-----</p> <p>4</p> <p>-----</p> <p>3</p> <p>-----</p> <p>1.5</p> <p>=====</p>
<p>Shaving Cream</p>	<p>-----</p> <p>1/1/94</p>	<p>-----</p> <p>5</p>
<p>Shaving Gel</p>	<p>-----</p> <p>12/31/2006 12/31/2009</p>	<p>-----</p> <p>7 4</p>
<p><del>Silicone-based Multi-purpose Lubricant* (excluding solid or semisolid products)</del></p> <p>=====</p> <p><del>[*See subsection 94509(m)(1) for additional requirements that apply to Silicone-based Multi-purpose Lubricant.]</del></p>	<p>-----</p> <p><del>1/1/2005</del></p> <p>=====</p>	<p>-----</p> <p><del>60</del></p> <p>=====</p>

<del>Special purpose Lubricant*: aerosol</del>	<del>12/31/2012</del>	<del>25</del>
<del>nonaerosol</del>	<del>12/31/2012</del>	<del>3</del>
<del>[*See sections 94509(m) and 94509(n) for additional requirements that apply to Special purpose Lubricant.]</del>		
Spot Remover*: aerosol	1/1/2001 12/31/2010 <sup>2</sup>	25 15
non-aerosol nonaerosol	1/1/2001 12/31/2010 <sup>2</sup>	8 3
[*See subsections 94509(a)(m)(1) and 94509(n) for additional requirements that apply to Spot Remover.]		
Temporary Hair Color: Aerosol	12/31/2010	55
Tire or Wheel Cleaner aerosol	12/31/2010	8
non-aerosol nonaerosol	12/31/2010	2
Tire Sealant and Inflator	12/31/2002	20
Toilet/Urinal Care Product*: aerosol	12/31/2006	10
non-aerosol nonaerosol	12/31/2006	3
[*See subsection 94509(a)(m)(2) for additional requirements that apply to Toilet/Urinal Care Product]		
Undercoating: Aerosol	1/1/2002	40
Windshield Water Repellent	12/31/2010	75
Wood Cleaner: aerosol	12/31/2006	17
non-aerosol nonaerosol	12/31/2006	4

<sup>1</sup> See section 94509(d) for the effective date of the VOC standards for products registered under FIFRA, and section 94509(c) and (d) for the “sell-through” allowed for products manufactured prior to the effective date of standards.

<sup>2</sup> See section 94510(c) for an exemption that applies to fragrances in consumer products, and section 94510(d) for an exemption that applies to LVP-VOCs.

\*\*\*\*\*

- (j) *Requirements for Floor Wax Strippers.* After an effective date of January 1, 2002, no person shall sell, supply, offer for sale, or manufacture for use in California any floor wax stripper unless the following requirements are met:
- (1) The label of each ~~non-aerosol~~ nonaerosol floor wax stripper must specify a dilution ratio for light or medium build-up of polish that results in an as-used VOC concentration of 3 percent by weight or less.
  - (2) If a ~~non-aerosol~~ nonaerosol floor wax stripper is also intended to be used for removal of heavy build-up of polish, the label of that floor wax stripper must specify a dilution ratio for heavy build-up of polish that results in an as-used VOC concentration of 12 percent by weight or less.
  - (3) The terms “light build-up,” “medium build-up” or “heavy build-up” are not specifically required, as long as comparable terminology is used.

\*\*\*\*\*

(m) *Requirements limiting the use of specific toxic compounds in specific consumer products categories.*

(1) *Requirements for products listed in Table (m)(1).*

Except as provided below in sections 94509(m)(4), ~~and (m)(6), and (m)(7),~~ after the applicable effective date specified in Table 94509(m)(1) for each product category, no person shall sell, supply, offer for sale, or manufacture for use in California any consumer product listed in Table 94509(m)(1) that contains any of the following compounds: methylene chloride, perchloroethylene, or trichloroethylene.

**[Note: Table 94509(m)(1) is a new table. For clarity, the table and categories where the specified toxics have already been prohibited, along with the effective date and sell-through date, are not shown in an underline format. Only those categories where toxic compound prohibitions are being proposed in this rulemaking are shown in underline format with their respective effective date and sell-through date. Staff’s suggested modifications to the originally proposed language are shown in double underline to indicate additions and ~~double strikeout~~ to indicate deletions.]**



**Table 94509(m)(1)  
Product Categories in which Use of Methylene Chloride, Perchloroethylene, and  
Trichloroethylene is Prohibited**

Product Category	Effective Date	Sell-through Date
<b>Adhesive:</b> Aerosol <ul style="list-style-type: none"> <li>• Mist Spray Adhesive</li> <li>• Web Spray Adhesive</li> <li>• Special Purpose Spray Adhesive               <ul style="list-style-type: none"> <li>• Mounting, Automotive Engine Compartment, and Flexible Vinyl Adhesive</li> <li>• Polystyrene Foam and Automobile Headliner Adhesive</li> <li>• Polyolefin and Laminate Repair/Edgebanding Adhesive</li> </ul> </li> </ul> Construction, Panel and Floor Covering Contact	1/1/2002        12/31/2008 12/31/2005	1/1/2005        12/31/2011 12/31/2008
<b>Adhesive Remover</b> <ul style="list-style-type: none"> <li>• Floor or Wall Covering Adhesive Remover</li> <li>• Gasket or Thread Locking Adhesive Remover</li> <li>• General Purpose Adhesive Remover</li> <li>• Specialty Adhesive Remover</li> </ul>	12/31/2006	12/31/2009
<u>Automotive Consumer Products:</u> <u>See the Airborne Toxic Control Measure For Emissions Of Chlorinated Toxic Air Contaminants From Automotive Maintenance And Repair Activities, section 93111, title 17, California Code of Regulations for additional requirements that apply to the Automotive Consumer Products: Brake Cleaner, Carburetor or Fuel Injection Air Intake Cleaner, Engine Degreaser, and General Purpose Degreaser - intended for use in automotive maintenance or repair activities.</u>		
Bathroom and Tile Cleaner	12/31/2008	12/31/2011
Carpet/Upholstery Cleaner	12/31/2010	12/31/2013
Electrical Cleaner	12/31/2006	12/31/2009
Electronic Cleaner	12/31/2005	12/31/2008
Electronic Cleaner labeled as energized electronic equipment use only	12/31/2008	12/31/2011
Fabric Protectant	12/31/2010	12/31/2013
Footwear or Leather Care Product	12/31/2005	12/31/2008
General Purpose Cleaner	12/31/2008	12/31/2011
General Purpose Degreaser	12/31/2005	12/31/2008
Graffiti Remover	12/31/2006	12/31/2009
<u>Lubricant:</u> <ul style="list-style-type: none"> <li>• <u>Anti-Seize Lubricant</u></li> <li>• <u>Cutting or Tapping Oil</u></li> <li>• <u>Gear, Chain, or Wire Lubricant</u></li> <li>• <u>Multi-purpose Lubricant (excluding solid or semisolid products)</u></li> <li>• <u>Penetrant [See subsection 94509(m)(7) for an exclusion that applies to certain Penetrant products.]</u></li> <li>• <u>Rust Preventative or Rust Control Lubricant</u></li> <li>• <u>Silicone-based Multi-purpose Lubricant (excluding solid or semisolid products)</u></li> </ul>	<u>12/31/2013</u> <u>12/31/2013</u> <u>12/31/2013</u> <u>12/31/2010</u>  <u>12/31/2010</u> <u>12/31/2013</u>  <u>12/31/2012</u>	<u>12/31/2016</u> <u>12/31/2016</u> <u>12/31/2016</u> <u>12/31/2013</u>  <u>12/31/2013</u> <u>12/31/2016</u>  <u>12/31/2015</u>
Metal Polish or Cleanser	12/31/2012	12/31/2015

<del>Multi-purpose Lubricant</del>	<del>12/31/2010</del>	<del>12/31/2013</del>
Multi-purpose Solvent	12/31/2010	12/31/2013
Oven or Grill Cleaner	12/31/2008	12/31/2011
Paint Thinner	12/31/2010	12/31/2013
<del>Penetrant</del>	<del>12/31/2010</del>	<del>12/31/2013</del>
Pressurized Gas Duster (Trichloroethylene is not prohibited)	12/31/2010	12/31/2011
Sealant or Caulking Compound	12/31/2010	12/31/2013
<del>Silicone-based Multi-purpose Lubricant</del>	<del>12/31/2012</del>	<del>12/31/2015</del>
<del>Special-purpose Lubricant</del>	<del>12/31/2012</del>	<del>12/31/2015</del>
Spot Remover	12/31/2012	12/31/2015

\*\*\*\*\*

(7) The requirements of section 94509(m)(1) shall not apply to “Penetrant” products used on equipment when electrical current exists; residual electrical potential from a component exists; or an open flame exists, as long as the “Principal Display Panel” clearly displays the statement: “Nonflammable: For use on energized equipment only.”

\*\*\*\*\*

(n) Requirements limiting the use of any chemical compound that has a Global Warming Potential (GWP) Value of 150 or greater.

(1) Requirements for products listed in Table (n)(1)

Except as provided below in sections 94509(n)(2) and (n)(3), after the applicable effective date specified in Table 94509(n)(1), no person shall sell, supply, offer for sale, or manufacture for use in California any consumer product listed in Table 94509(n)(1) that contains any chemical compound that has a GWP Value of 150 or greater.

[Note: Table 94509(n) is a new table. For clarity, the table and categories where the use of global warming compounds has previously been limited, along with the effective date and sell-through date, are not shown in an underline format. Only those categories where limitations on use of global warming compounds are being proposed in this rulemaking are shown in underline format along with their respective effective date and sell-through date. Staff’s suggested modifications to the originally proposed language are shown in double underline to indicate additions and ~~double-strikeout~~ to indicate deletions.]

**Table 94509(n)(1)**

**Product Categories in which Use of Any Chemical Compound that has a Global Warming Potential (GWP) Value of 150 or Greater is Prohibited**

<b>Product Category</b>	<b>Effective Date</b>	<b>Sell-through Date</b>
Double Phase Aerosol Air Freshener	12/31/2012	12/31/2015
Flying Bug Insecticide	<u>12/31/2012</u> <del>3</del>	<u>12/31/2015</u> <del>6</del>

Furniture Maintenance Product	<u>12/31/2012</u> <sup>3</sup>	<u>12/31/2015</u> <sup>6</sup>
<u>Lubricant:</u>		
• <u>Anti-Seize Lubricant</u>	<u>12/31/2013</u>	<u>12/31/2016</u>
• <u>Cutting or Tapping Oil</u>	<u>12/31/2013</u>	<u>12/31/2016</u>
• <u>Gear, Chain, or Wire Lubricant</u>	<u>12/31/2013</u>	<u>12/31/2016</u>
• <u>Rust Preventative or Rust Control Lubricant</u>	<u>12/31/2013</u>	<u>12/31/2016</u>
Metal Polish or Cleanser	<u>12/31/2012</u>	<u>12/31/2015</u>
Multi-purpose Solvents	<u>12/31/2010</u>	<u>12/31/2013</u>
Paint Thinners	<u>12/31/2010</u>	<u>12/31/2013</u>
Pressurized Gas Duster	<u>12/31/2010</u>	<u>12/31/2011</u>
<del>Special-purpose Lubricant</del>	<del><u>12/31/2012</u></del>	<del><u>12/31/2015</u></del>
Spot Remover	<u>12/31/2012</u>	<u>12/31/2015</u>
Wasp or Hornet Insecticide	<u>12/31/2013</u>	<u>12/31/2016</u>

(2) Sell-through of Products. Consumer products listed in Table 94509(n)(1) that were manufactured before the specified effective date listed in Table 94509(n)(1), may be sold, supplied, or offered for sale until the corresponding “sell-through” date listed in Table 94509(n)(1), so long as the product complies with the product dating requirements in section 94512(b).

(3) Notification for products sold during the sell-through period. Any person who sells or supplies a consumer product listed in section 94509(n)(1) must notify the purchaser of the product of the sell-through period dates, provided, however, that this notification must be given only if both of the following conditions are met:

(A) the product is sold or supplied to a distributor or retailer; and

(B) the product is sold or supplied within 6 months of the specified effective date.

(4) Impurities. The requirements of sections 94509(n)(1), (n)(2), and (n)(3) shall not apply to any consumer product listed in Table 94509(n)(1) containing any chemical compound that is present as an impurity in a combined amount equal to or less than 0.01% by weight.

\*\*\*\*\*

NOTE: Authority cited: Sections 38500, 38501, 38510, 38560, 38560.5, 38562, 38580, 39600, 39601, 39650, 39658, 39659, 39666 and 41712, Health and Safety Code. Reference: Sections 38505, 39002, 39600, 39650, 39655, 39656, 39658, 39659, 39666, 40000 and 41712, Health and Safety Code.

## § 94512. Administrative Requirements.

Modify title 17, CCR, § 94512(a) to read as follows:

\*\*\*\*\*

### (3) Rule that applies when Product Category definitions exclude each other.

When determining the applicable VOC ~~limit~~ standard for a product that meets the definitions for both “Regulated Category A” and “Regulated Category B” in circumstances where the definition of “Regulated Category A” states that it excludes “Regulated Category B”, and the definition of “Regulated Category B” states that it excludes “Regulated Category A,” the product is subject to the VOC ~~limit~~ standard for whichever regulated category, “A” or “B,” has the lower VOC ~~limit~~ standard.

For the purposes of this section, a “Regulated Category” means a category of consumer products that is both: (A) defined in section 94508(a), and (B) has a VOC standard specified in section 94509(a) for that product category.

### (4) Notwithstanding the provisions of section 94512(a)(2) and (3), a product that makes ancillary disinfecting, sanitizing, or anti-microbial claims on the label is not subject to the VOC standards for “Disinfectant” or “Sanitizer” if the product is designed and labeled on the Principal Display Panel as a “Bathroom and Tile Cleaner,” “Carpet/Upholstery Cleaner,” “Fabric Refresher,” “General Purpose Cleaner,” “Glass Cleaner,” “Metal Polish or Cleanser,” or “Toilet/Urinal Care Product.”

\*\*\*\*\*

### (d) Additional Labeling Requirements for Aerosol Adhesive, Adhesive Remover, Electronic Cleaner, Electrical Cleaner, Energized Electrical Cleaner, Contact Adhesive, and Sealant or Caulking Compound (~~non-aerosol~~ nonaerosol).

(1) In addition to the requirements specified in subsections (a), (b), and (c), both the manufacturer and responsible party for each aerosol adhesive, adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner, contact adhesive product, and sealant or caulking compound (~~non-aerosol~~ nonaerosol) subject to this article shall ensure that all products clearly display the following information on each product container which is manufactured on or after the effective date for the category specified in section 94509(a), except that for ~~non-chemically~~ nonchemically curing sealant or caulking compound (~~non-aerosol~~ nonaerosol), the effective date of this requirement is December 31, 2010, and for chemically curing sealant or caulking compound (~~non-aerosol~~ nonaerosol), the effective date of this requirement is December 31, 2012:

- (A) The product category as specified in section 94509(a) or an abbreviation of the category shall be displayed;
- (B)
  1. The applicable VOC standard for the product that is specified in section 94509(a), except for Energized Electrical Cleaner, expressed as a percentage by weight, shall be displayed unless the product is included in an alternative control plan approved by the Executive Officer, as provided in Article 4, Sections 94540-94555, Title 17, California Code of Regulations, and the product exceeds the applicable VOC standard;
  2. If the product is included in an alternative control plan approved by the Executive Officer, and the product exceeds the applicable VOC standard specified in section 94509(a), the product shall be labeled with the term “ACP” or “ACP product;”

\*\*\*\*\*

NOTE: Authority cited: Sections 39600, 39601 and 41712, Health and Safety Code. Reference: Sections 39002, 39600, 40000 and 41712, Health and Safety Code.

**§ 94515. Test Methods.**

*Modify title 17, CCR, § 94515(b) to read as follows:*

\*\*\*\*\*

- (b) VOC content determinations using product formulation and records. Testing to determine compliance with the requirements of this article may also be demonstrated through calculation of the VOC content from records of the amounts of constituents used to make the product, pursuant to the following criteria:
  - (1) Compliance determinations based on these records may not be used unless the manufacturer of a consumer product keeps accurate records for each day of production of the amount and chemical composition of the individual product constituents. These records must be kept for at least three years.
  - (2) For the purposes of this section 94515(b), the VOC content shall be ~~calculated~~ calculated according to the following equation:

$$\text{VOC Content} = \frac{B - C}{A} \times 100$$

where,

A = total net weight of unit (excluding container and packaging)

B = total weight of all VOCs, as defined in Section 94508(a), per unit

C = total weight of VOCs exempted under Section 94510, per unit

- (3) If product records appear to demonstrate compliance with the VOC limits, but these records are contradicted by product testing performed using ARB Method 310, the results of ARB Method 310 shall take precedence over the product records and may be used to establish a violation of the requirements of this article.

\*\*\*\*\*

NOTE: Authority cited: Sections 39600, 39601, 39607, 41511 and 41712, Health and Safety Code.  
Reference: Sections 39002, 39600, 39607, 40000, 41511 and 41712, Health and Safety Code.