

VOC Portal User's Guide

Volatile Organic Compounds (VOCs) are an important part of many commercial products available at retail locations. In some cases, such as a hand sanitizer using isopropyl alcohol, they are the product's key ingredient. In other cases, such as paints and coatings, they provide an important part of the formulation that makes the product more effective. Lastly, in some cases (such as when added as fragrances) they impart an aesthetic appeal to a product.

VOCs are tightly regulated in a number of products at the federal, state, and local level. When used by consumers they volatilize (or evaporate), entering the atmosphere where they react with sunlight to form smog (ground-level ozone). As localities have more tightly controlled industrial and automotive sources of VOCs and other ozone precursors without achieving the desired reduction in smog, they have sought to remove additional VOC emissions through the regulation of consumer and commercial products.

The current information being sought through the WERC Smart Retail Portal involves all currently regulated VOC-containing materials – paints, coatings, adhesives and consumer products. If you sell a product which could be considered for any of these uses, you are subject to these regulatory requirements. The regulations affect the manufacturer, distributor, retailer, and – in some cases – the end user of the products.

The aim of this guide is to provide some additional background on these specific regulations addressed in the Portal questions (section I), to provide definitions for these materials (section II) and to review some of the technical questions and data requested in the Portal (section III).

Section I: Regulatory Background

This data request covers the requirements of five regulatory schemes:

1. South Coast Air Quality Management District (SCAQMD), which covers a significant portion of Southern California which is out of compliance (known as non-attainment) for the pollutant ozone, which is a major component of smog. SCAQMD issued four regulations addressing VOC containing materials: four SCAQMD Rules (1113 – Architectural Coatings, 1168 – Adhesives & Sealants, 1143 – Thinners & Solvents, 1106.1 – Pleasure Craft Coatings). Each of these regulations imposes specific restrictions on manufacturers, distributors, and retailers. Copies of each regulation may be accessed by clicking the appropriate link during Portal data entry.
2. California Air Resources Board (CARB) regulations (Title 17, Subchapter 8.5 [Consumer Products]) cover a range of consumer products. The five Articles cover the following:
 - a. Article 1: Antiperspirants and Deodorants

- b. Article 2: Consumer Products [Broad Categories]
- c. Article 3: Aerosol Coating Products
- d. Article 4: Alternative Control Plan Regulations
- e. Article 5: Hairspray Credit Regulations

As with the SCAQMD, the regulations impose restrictions on manufacturers, distributors, and retailers. The regulations include specific prohibitions on ingredients and provide specific definitions for formulations. Copies of each of the articles may be accessed by clicking on the appropriate link during Portal data entry.

3. Ozone Transport Commission (OTC) and Lake Michigan Air Directors Consortium (LADCO) model regulations as implemented by their subject states. OTC develops model rules which are implemented in 15 states and the District of Columbia. While each state has its own implementation, the model rules provide a common language of regulation across each of the states. The regulations are modeled after the CARB requirements and generally lag CARB implementations by a number of years. A copy of the current model rule can be accessed by clicking the appropriate link during Portal data entry. Model rules exist for Consumer Products, Architectural and Industrial Maintenance Coatings (AIM) and Adhesives.
4. US EPA National Volatile Organic Compound Emission Standards for Consumer Products. The EPA requirements, found at 40 CFR 59 Subpart C, are the oldest of the standards, having been promulgated in 1998. They also form the “default” or “ceiling” values for the regulated product categories – representing the highest concentration of VOC ingredients which can be contained on a nationwide basis. The EPA also sets the definition for consumer products: Consumer product means any household or institutional product (including paints, coatings, and solvents), or substance, or article (including any container or packaging) held by any person, the use, consumption, storage, disposal, destruction, or decomposition of which may result in the release of VOC.
5. US EPA National Volatile Organic Compound Emission Standards for Architectural Coatings. The EPA requirements, found at 40 CFR 59 Subpart D, were also promulgated in 1998. As with consumer products, the so-called AIM regulations set the “default” or “ceiling” values for their regulated product categories.

The WERC Smart Portal questions will assist in evaluating your product against the formulation requirements. It is anticipated that manufacturers are aware of those compounds which are prohibited from sale or formulation.

Section II: Definitions

As with any regulatory requirements, these VOC rules have *precise* definitions of the materials to which they apply. Each of the regulations noted above has a number of categories for materials – each of which has a separate formulation limit. These *precise* definitions are included in the Appendix to this document.

For the regulations, the following are the general definitions of the items which comprise the regulated category:

- **Consumer Products:** Consumer product means any household or institutional product (including paints, coatings, and solvents), or substance, or article (including any container or packaging) held by any person, the use, consumption, storage, disposal, destruction, or decomposition of which may result in the release of VOC.
- **Architectural and Industrial Maintenance (AIM) Coating:** AIM coatings are coatings (paints, primers, and specialty coatings) designed to be applied in the field (as opposed to in a manufacturing setting) to buildings and their “appurtenances.” Appurtenances refers to any accessory also coated in the field – this can include such things as: bathroom and kitchen fixtures; cabinets; concrete forms; doors; elevators; fences; hand railings; heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools; lampposts; partitions pipes and piping systems; rain gutters and downspouts; stairways; fixed ladders; catwalks and fire escapes; and window screens.
- **Adhesives and Sealants:** Adhesives are products meant to stick two surfaces together. The adhesive category includes adhesive primers, which are used on surfaces to “promote adhesion,” or to make two surfaces stick together better. Sealants are materials with adhesive properties that are made to fill, seal, or waterproof gaps or joints between two surfaces. The category of sealants includes sealant primers and caulks.
- **Pleasure Craft Coating:** Pleasure craft coatings are coatings designed for the marine environment that are applied to boats and other vessels specifically for recreational purposes. This category includes varnishes, sealers, anti-foulant coatings, and gloss topcoats typically applied to boats. The category does not include polyester resins or coatings used on commercial vessels.
- **Consumer Paint Thinners and Multi-Purpose Solvents:** These products are generally used in thinning of coating materials (other paints), cleaning of coating application equipment (such as brushes, rollers, and nozzles), and other solvent cleaning operations. Items in this category do not have specific uses identified and are used for a broad range of applications.

Section III: Step-by-Step Review of Portal Questions

The portal logic is meant to allow vendors to determine their product category, select a *precise* definition for each product and enter specific data regarding product VOC content. The following is a summary discussion of each Portal question:

Product Type Screen

The first challenge screen in WERCSmart data entry is *Product Type*. The product type will determine the ultimate screening level for your product. The screen consists of two sets of questions – one regarding the high level product category (which applies to many more categories than are VOC regulated) and the second which provides the precise use as outlined in the definitions in the appendix to this guide.

Accurately addressing the product type will allow the WERCSmart system to properly categorize your product and accurately transmit your compliance status to the retailers using the product portal.

Formulation Review

Once you have entered a formulation for a VOC regulated product, you will have the chance to enter in a positive response to a dashboard containing the product formulation. Remember, it is this formulation that the WERCSmart algorithms will evaluate for product VOC compliance.

Declared VOC Content

You will have the opportunity to declare the VOC content of the product you are entering. For products covered under the AIM regulations, this will be in grams per liter (g/l). For all other consumer products, this will be in % VOC. The Consumer Products screen requests two declarations: CARB and EPA VOC content. There are several ingredients which are allowed as exempt VOCs by the EPA, but not allowed under the CARB scheme.

The VOC content screen has a drop down menu which will allow users to enter the methodology used to determine the VOC content [formulation, CARB Method 310, EPA Method 24].

Exemptions

The final question asks about exemptions for the product. If the product is part of an Alternative Control Plan/Program (ACP) scheme, then this option should be chosen. A request box will open up, asking for a copy of the authorizing document. The desire is to obtain simply the authorization, no confidential business information (CBI) is intended here.

APPENDIX

Use Definitions

ADHESIVES AND GLUES

AEROSOL ADHESIVE means an aerosol product in which the spray mechanism is permanently housed in a non-refillable can designed for hand-held application without the need for ancillary hoses or spray equipment. "Aerosol Adhesives" include special purpose spray adhesives, mist spray adhesives and web spray adhesives.

MIST SPRAY ADHESIVE means any aerosol which is not a special purpose spray adhesive and which delivers a particle or mist spray, resulting in the formation of fine, discrete particles that yield a generally uniform and smooth application of adhesive to the substrate.

WEB SPRAY ADHESIVE means any aerosol adhesive which is not a mist spray or special purpose spray adhesive.

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.

FLEXIBLE VINYL ADHESIVE means an aerosol adhesive designed to bond flexible vinyl to substrates. Flexible vinyl means a non-rigid 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 plastic to increase its flexibility, workability, or distensibility, and may be determined using ASTM Method E260-91, including any subsequent amendments or from product formulation data.

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.

POLYSTYRENE FOAM ADHESIVE means an aerosol adhesive designed to bond polystyrene foam to substrates.

AUTOMOBILE HEADLINER ADHESIVE means an aerosol adhesive designed to bond together layers in motor vehicle headliners.

POLYOLEFIN ADHESIVE means an aerosol adhesive designed to bond polyolefins to substrates.

LAMINATE REPAIR / EDGE BANDING ADHESIVE means an aerosol adhesive designed for:

- (A) The touch-up or repair of items laminated with high pressure laminates (e.g., lifted edges, delaminates, etc.) or for;

(B) The touch-up, repair, or attachment of edge banding materials, including but not limited to, other laminates, synthetic marble, veneers, wood molding, 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 °F, and at pressures between 1,000 and 1,400 psi.

CONSTRUCTION, PANEL, AND FLOOR COVERING ADHESIVE means any one-component adhesive that is designed exclusively 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”.

CONTACT ADHESIVE means an 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.

CONTACT ADHESIVE - GENERAL PURPOSE means any contact adhesive that is not a *CONTACT ADHESIVE - SPECIAL PURPOSE*.

CONTACT ADHESIVE - SPECIAL PURPOSE means a contact adhesive that:

(A) is used to bond melamine-covered board, unprimed metal, unsupported vinyl, Teflon, ultra-high molecular weight polyethylene, rubber, high pressure laminate or wood veneer 1/16 inch or less in thickness to any porous or nonporous surface, and is sold in units of product, less packaging, that contain more than eight fluid ounces, or

(B) is used in automotive applications that are (1.) automotive under-the-hood applications requiring heat, oil or gasoline resistance, or (2.) body-side molding, automotive weatherstrip or decorative trim.

GENERAL PURPOSE ADHESIVE means any non-aerosol 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 (iv) 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).

STRUCTURAL WATERPROOF ADHESIVE means an adhesive whose bond lines are resistant to conditions of continuous immersion in fresh or salt water, and that conforms with Federal Specification MMM-A-181D (Type 1, Grade A). (This definition is as per the Federal Consumer Products Regulation 40 CFR 59 Subpart C).

CONSUMER PRODUCTS

AUTOMOTIVE

AUTOMOTIVE BRAKE CLEANER means a cleaning product designed to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms.

AUTOMOTIVE RUBBING OR POLISHING COMPOUND means a product designed primarily to remove oxidation, old paint, scratches or “swirl marks”, and other defects from the painted surfaces of motor vehicles without leaving a protective barrier.

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 Compounds", 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 HARD PASTE WAX means an automotive wax or polish which is:

- (A) designed to protect and improve the appearance of automotive paint surfaces; and
- (B) a solid at room temperature; and
- (C) contains 0% water by formulation.

AUTOMOTIVE 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.

BUG AND TAR REMOVER means a product labeled to remove either or both of the following from painted motor vehicle surfaces without causing damage to the finish:

- (A) biological-type residues such as insect carcasses and tree sap and,
- (B) road grime, such as road tar, roadway paint markings, and asphalt.

CARBURETOR OR FUEL-INJECTION AIR INTAKE CLEANER means a product designed to remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle body of a fuel-injection system, or associated linkages. *CARBURETOR OR FUEL-INJECTION AIR INTAKE CLEANER* does not include products designed exclusively to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor or fuel injectors.

ENGINE DEGREASER means a cleaning product designed to remove grease, grime, oil and other contaminants from the external surfaces of engines and other mechanical parts.

RUBBER AND VINYL PROTECTANT means 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 AND 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.

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 "drivethrough" 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. **(California only)**

TIRE SEALANT AND INFLATOR means any pressurized product that is designed to temporarily inflate and seal a leaking tire.

UNDERCOATING means any aerosol product designed to impart a protective, non-paint 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.

AUTOMOTIVE WINDSHIELD WASHER FLUID means any liquid designed for use in a motor vehicle windshield washer system either as an antifreeze or for the purpose of cleaning, washing, or wetting the windshield. *AUTOMOTIVE WINDSHIELD WASHER FLUID* does not include fluids placed by the manufacturer in a new vehicle.

AUTOMOTIVE WINDSHIELD WASHER FLUID (DILUTABLE) means any liquid which meets the following criteria:

(A) the product is sold either in a container with a capacity of 10 gallons or more, or a container with a capacity of one quart or less; and

(B) the product is designed or labeled for use in a motor vehicle windshield washer fluid system either as an anti-freeze or for the purpose of cleaning, washing, bug removal, or wetting the windshield(s).

AUTOMOTIVE WINDSHIELD WASHER FLUID (DILUTABLE) does not include any fluid which is placed in a new motor vehicle at the time the vehicle is manufactured. **(California only)**

MOTOR VEHICLE WASH means a product designed or labeled to wash, wash and wax, wash and shine, or wash and/or clean the exterior surface of motor vehicles. *MOTOR VEHICLE WASH* 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 products intended for household consumer use. *MOTOR VEHICLE WASH* does not include *BUG AND TAR REMOVER*, *GLASS CLEANER*, *TIRE OR WHEEL CLEANER*, and products labeled for use exclusively on locomotives or aircraft. **(California only)**

WINDSHIELD WATER REPELLENT means a product designed or labeled exclusively to repel water from motor vehicle exterior automotive glass surfaces. *WINDSHEILD WATER REPELLENT* does not include *AUTOMOTIVE WINDSHIELD WASHER FLUID*. **(California only)**

CLEANING SUPPLIES

DOUBLE PHASE AEROSOL AIR FRESHENER means an aerosol air freshener with the liquid contents in two or more distinct phases that requires the product container be shaken before use to mix the phases, producing an emulsion.

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.

ANTI-STATIC PRODUCT means a product that is labeled to eliminate, prevent, or inhibit the accumulation of static electricity. *ANTI-STATIC PRODUCT* does not include *ELECTRONIC CLEANER, FLOOR POLISH OR WAX, FLOOR COATING*, and products that meet the definition of *AEROSOL COATING PRODUCT* or *ARCHITECTURAL COATING*.

DUAL PURPOSE AIR FRESHENER/DISINFECTANT means an aerosol product that is represented on the product container for use as both a disinfectant and an air freshener, or is so represented on any sticker, label, packaging, or literature attached to the product container. **(California only)**

BATHROOM AND TILE CLEANER means a product designed to clean tile or surfaces in bathrooms. *BATHROOM AND TILE CLEANER* does not include products designed primarily to clean toilet bowls, toilet tanks or urinals.

CARPET AND UPHOLSTERY CLEANER means a cleaning product designed for the purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor vehicles and/or on household furniture or objects upholstered or covered with fabrics such as wool, cotton, nylon or other synthetic fabrics. *CARPET AND UPHOLSTERY CLEANER* includes, but is not limited to, products that make fabric protectant claims. *CARPET AND UPHOLSTERY CLEANER* does not include *GENERAL PURPOSE CLEANERS, SPOT REMOVERS*, vinyl or leather cleaners, dry cleaning fluids, or products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.

DUSTING AID means a product designed to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone based coating. *DUSTING AID* does not include *PRESSURIZED GAS DUSTER*.

ELECTRICAL CLEANER means a product labeled to remove heavy soils such as grease, grime, or oil from electrical equipment, including, but not limited to, electric motors, armatures, relays, electric panels, or generators. *ELECTRICAL CLEANER* does not include *GENERAL PURPOSE CLEANER, GENERAL PURPOSE DEGREASER, DUSTING AID, ELECTRONIC CLEANER, ENERGIZED*

ELECTRICAL CLEANER, PRESSURIZED GAS DUSTER, ENGINE DEGREASER, ANTI-STATIC PRODUCT, or products designed to clean the casings or housings of electrical equipment.

ELECTRONIC CLEANER means a product labeled for the removal of dirt, moisture, dust, flux or oxides from the internal components of electronic or precision equipment such as circuit boards and the internal components of electronic devices, including but not limited to, radios, compact disc (CD) players, digital video disc (DVD) players, and computers. *ELECTRONIC CLEANER* does not include *GENERAL PURPOSE CLEANER, GENERAL PURPOSE DEGREASER, DUSTING AID, PRESSURIZED GAS DUSTER, ENGINE DEGREASER, ELECTRICAL CLEANER, ENERGIZED ELECTRICAL CLEANER, ANTI-STATIC PRODUCT,* or products designed to clean the casings or housings of electronic equipment.

FABRIC PROTECTANT means a product designed to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of liquid into the fabric's fibers. *FABRIC PROTECTANT* does not include water-proofers, products designed for use solely on leather, or products designed for use solely on fabrics which are labeled "for dry clean only" and sold in containers of 10 fluid ounces or less.

FABRIC REFRESHER means a product labeled to neutralize or eliminate odors on non-laundered 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 AND UPHOLSTERY CLEANER,* soft household surface sanitizers, *FOOTWEAR OR LEATHER CARE PRODUCT, SPOT REMOVER,* or *DISINFECTANT* or products labeled for application to both fabric and human skin. For the purposes of this definition only, *SOFT HOUSEHOLD SURFACE SANITIZER* means a product labeled to neutralize or eliminate odors on surfaces listed above whose label is registered as a sanitizer under the Federal Insecticide, Fungicide, and Rodenticide Act, (FIFRA, 7 U.S.C. 136 et seq.).

FLOOR POLISH OR WAX (California only) means a product designed or labeled to polish, wax, condition, protect, temporarily seal, or otherwise enhance floor surfaces by leaving a protective finish that is designed or labeled to be periodically replenished. *FLOOR POLISH OR WAX* does not include *FLOOR MAINTENANCE PRODUCTS, FLOOR WAX STRIPPER,* or coatings subject to architectural coatings regulations. *FLOOR POLISH OR WAX* is divided into three subcategories: products for resilient flooring materials, products for nonresilient flooring materials and wood floor wax. For the purposes of this article:

(A) *RESILIENT FLOORING MATERIAL* means flexible flooring material including but is not limited to, asphalt, cork, linoleum, no-wax, rubber, seamless vinyl, and vinyl composite flooring.

(B) *NON-RESILIENT FLOORING MATERIAL* means flooring of a mineral content which is not flexible. *NON-RESILIENT FLOORING MATERIAL* includes but is not limited to terrazzo, marble, slate, granite, brick, stone, ceramic tile, and concrete.

(C) *WOOD FLOOR WAX* means any wax-based products designed or labeled for use solely on wood floors. *WOOD FLOOR WAX* does not include products that make the claim to “clean and wax” or “clean and polish.”

FLOOR WAX STRIPPER means a product designed to remove natural or synthetic floor polishes or waxes through breakdown of the polish or wax polymers, or by dissolving or emulsifying the polish or wax. *FLOOR WAX STRIPPER* does not include aerosol floor wax strippers or products designed to remove floor wax solely through abrasion.

FURNITURE MAINTENANCE PRODUCT means a wax, polish, conditioner, or any other product designed for the purpose of polishing, protecting or enhancing finished wood surfaces other than floors. *FURNITURE MAINTENANCE PRODUCT* does not include *DUSTING AIDS*, *WOOD CLEANERS*, and products designed solely for the purpose of cleaning, and products designed to leave a permanent finish such as stains, sanding sealers and lacquers.

GENERAL PURPOSE CLEANER means a product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations. *GENERAL PURPOSE CLEANER* includes products designed for general floor cleaning, kitchen or countertop cleaning, and cleaners designed to be used on a variety of hard surfaces and does not include general purpose degreasers and electronic cleaners.

GENERAL PURPOSE DEGREASER means any product labeled to remove or dissolve grease, grime, oil and other oil-based contaminants from a variety of substrates, including automotive or miscellaneous metallic parts. *GENERAL PURPOSE DEGREASER* does not include *ENGINE DEGREASER*, *GENERAL PURPOSE CLEANER*, *ADHESIVE REMOVER*, *ELECTRONIC CLEANER*, *ELECTRICAL CLEANER*, *ENERGIZED ELECTRICAL CLEANER*, *METAL POLISH / CLEANSER*, products used exclusively in *SOLVENT CLEANING TANKS OR RELATED EQUIPMENT*, or products that are:

(A) sold exclusively to establishments which manufacture or construct goods or commodities; and

(B) labeled “not for retail sale”. *SOLVENT CLEANING TANKS OR RELATED EQUIPMENT* includes, but is not limited to, cold cleaners, vapor degreasers, conveyORIZED degreasers,

film cleaning machines, or products designed to clean miscellaneous metallic parts by immersion in a container.

GLASS CLEANER means a cleaning product designed primarily for cleaning surfaces made of glass. *GLASS CLEANER* does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment and photocopying machines.

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 or 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*.

LAUNDRY PREWASH means a product that is designed for application to a fabric prior to laundering and that supplements and contributes to the effectiveness of laundry detergents and/or provides specialized performance.

LAUNDRY STARCH PRODUCT means a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric. *LAUNDRY STARCH PRODUCT* includes, but is not limited to, fabric finish, sizing, and starch.

METAL POLISH/CLEANSER means any product designed primarily to improve the appearance of finished metal, metallic, or metallized surfaces by physical or chemical action. To “improve the appearance” means to remove or reduce stains, impurities, or oxidation from surfaces or to make surfaces smooth and shiny. *METAL POLISH/CLEANSER* includes, but is not limited to, metal polishes used on brass, silver, chrome, copper, stainless steel and other ornamental metals. *METAL POLISH/CLEANSER* does not include *AUTOMOTIVE WAX, POLISH, SEALANT OR GLAZE*, wheel cleaner, *PAINT REMOVER OR STRIPPER*, products designed and labeled exclusively for automotive and marine detailing, or products designed for use in degreasing tanks.

OVEN CLEANER means any cleaning product designed to clean and to remove dried food deposits from oven walls.

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, and clothing, that does not require subsequent laundering to achieve stain removal. *SPOT REMOVER* does not include *DRY CLEANING FLUID, LAUNDRY PREWASH, or MULTI-PURPOSE SOLVENT*.

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*.

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.

ANTI-STATIC PRODUCT (California only) means a product that is labeled to eliminate, prevent, or inhibit the accumulation of static electricity. *ANTI-STATIC PRODUCT* does not include *ELECTRONIC CLEANER*, *FLOOR POLISH OR WAX*, *FLOOR COATING*, and products that meet the definition of *AEROSOL COATING PRODUCT* or *ARCHITECTURAL COATING*.

ANTI-STATIC SPRAY (California only) means a product used to prevent or inhibit the accumulation of static electricity.

BATHROOM AND TILE CLEANER (California only) means a product designed or labeled to clean tile or surfaces in bathrooms. *BATHROOM AND TILE CLEANER* does not include *TOILET/URINAL CARE PRODUCT*.

DISINFECTANT (California only) 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 premoistened 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, CARPET CLEANER, or FABRIC REFRESHER* that may also make disinfecting or anti-microbial claims on the label.

FABRIC PROTECTANT (California only) means:

(A) for products manufactured before December 31, 2008: a product designed or labeled to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of liquid into the fabric's fibers. *FABRIC PROTECTANT* does not include *WATERPROOFERS*, products designed for use solely on leather, or products designed for use solely on fabrics which are labeled "for dry clean only" and sold in containers of 10 fluid ounces or less.

(B) for products manufactured on or after December 31, 2008: a product designed or labeled to be applied to fabric substrates to protect the surface from soiling from dirt or other impurities or to reduce absorption of liquid into the fabric's fibers. *FABRIC PROTECTANT* does not include *WATERPROOFERS*, or products labeled for use solely on leather. *FABRIC PROTECTANT* does not include pigmented products that are designed or labeled to be used primarily for coloring, products used for construction, reconstruction, modification, structural maintenance or repair of fabric substrates, or products that renew or restore fabric and qualifying as either *CLEAR COATING* or *VINYL/FABRIC/LEATHER/POLYCARBONATE COATING* under section 94521(a).

FABRIC SOFTENER - SINGLE USE DRYER PRODUCT (California only) means a laundry care product designed or labeled for single use in the clothes dryer to impart softness to, or control static cling of, a load of washable fabrics; and may impart a fragrance or scent. For the purpose of this definition only, "single use" means a product that is intended for one time use during a single drying cycle and is removed after completion of the drying cycle. A "load" is the amount of washable fabrics in a single drying cycle. *FABRIC SOFTENER - SINGLE USE DRYER PRODUCT* includes treated nonwoven sheets which are typically packaged in boxes with a multiple number of sheets. *FABRIC SOFTENER - SINGLE USE DRYER PRODUCT* does not include products applied to washable fabrics prior to placing the washable fabrics in the clothes dryer.

FLOOR MAINTENANCE PRODUCT (California only) means any product designed or labeled to restore, maintain, or enhance a previously applied floor finish. *FLOOR MAINTENANCE PRODUCT* includes, but is not limited to, products that are labeled as *SPRAY BUFF PRODUCTS* or *FLOOR MAINTAINERS OR RESTORERS*. Floor Maintainers or Restorers. *FLOOR MAINTENANCE PRODUCT* does not include floor polish products, products designed solely for the purpose of cleaning, products designed or labeled exclusively for use on marble floors, or coatings subject to architectural coatings regulations.

FURNITURE MAINTENANCE PRODUCT (California only) means a wax, polish, conditioner, or any other product labeled for the purpose of polishing, protecting or enhancing finished wood surfaces other than floors, and other furniture surfaces including but not limited to acrylics, ceramic, plastics, stone surfaces, metal surfaces, and fiberglass. *FURNITURE MAINTENANCE PRODUCT* does not include *DUSTING AID*, *WOOD CLEANER*, and products designed solely for the purpose of cleaning, or products designed to leave a permanent finish such as stains, sanding sealers and lacquers.

ODOR REMOVER/ELIMINATOR (California only) 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*.

SANITIZER (California only) 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, CARPET CLEANER, or FABRIC REFRESHER* that may also make sanitizing or anti-microbial claims on the label.

GROCERY

AEROSOL COOKING SPRAY means any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food, or both.

HEALTH & BEAUTY - ANTIPERSPIRANTS AND DEODORANTS

ANTIPERSPIRANT means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to be used to reduce perspiration in the human axilla by at least 20 percent in at least 50 percent of a target population.

DEODORANT means any product including, but not limited to, aerosol, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that the product can be used on or applied to the human axilla to provide a scent and/or minimize odor. A *DEODORANT BODY SPRAY* product that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that it can be used on or applied to the human axilla, is a *DEODORANT*.

ROLL-ON PRODUCT means any antiperspirant or deodorant that dispenses active ingredients by rolling a wetted ball or wetted cylinder on the affected area.

STICK PRODUCT means any antiperspirant or deodorant that contains active ingredients in a solid matrix form, and that dispenses the active ingredients by frictional action on the affected area.

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*. (California only)

HEALTH & BEAUTY - PERSONAL CARE

ASTRINGENT / TONER means any product not regulated as a drug by the United States Food and Drug Administration (FDA) which is applied to the skin for the purpose of cleaning or tightening pores. This category also includes clarifiers and substrate-impregnated products. This category does not include any hand, face, or body cleaner or soap product, "Medicated Astringent/Medicated Toner", cold cream, lotion, or antiperspirant.

HAIR MOUSSE means a hairstyling foam designed to facilitate styling of a coiffure and provide limited holding power.

HAIR SHINE means any product designed for the primary purpose of creating a shine when applied to the hair. *HAIR SHINE* includes, but is not limited to, dual-use products designed primarily to impart a sheen to the hair. *HAIR SHINE* does not include *HAIR SPRAY*, *HAIR MOUSSE*, *HAIR STYLING PRODUCT*, *HAIR STYLING GEL*, or products whose primary purpose is to condition or hold the hair.

HAIR SPRAY means:

(A) for products manufactured before January 1, 2009: a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure which will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time, and

(B) for products manufactured on or after January 1, 2009: a consumer product that is applied to styled hair, and is designed or labeled to provide sufficient rigidity, to hold, retain and/or (finish) the style of the hair for a period of time. *HAIR SPRAY* includes aerosol hair sprays, pump hair sprays, spray waxes; color, glitter, or sparkle hairsprays that make finishing claims; and products that are both a styling and finishing product. *HAIR SPRAY* does not include spray products that are intended to aid in styling but does not provide finishing of a hairstyle. For the purposes of this subchapter, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this subchapter, "styling" means the forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

HAIR STYLING GEL means a consumer product manufactured before January 1, 2009, that is a high viscosity, often gelatinous, product that contains a resin and is designed for the application to hair to aid in styling and sculpting of the hair coiffure.

HAIR STYLING PRODUCT means a consumer product manufactured on or after January 1, 2009, that is designed or labeled for the application to wet, damp or dry hair to aid in defining, shaping, lifting, styling and/or sculpting of the hair. *HAIR STYLING PRODUCT* includes, but is not limited to hair balm, clay, cream, creme, curl straightener, gel, liquid, lotion, paste, pomade, putty, root lifter, serum, spray gel, stick, temporary hair straightener, wax, spray products that aid in styling but do not provide finishing of a hairstyle, and leave-in volumizers, detanglers and/or conditioners that make styling claims. *HAIR STYLING PRODUCT* does not include *HAIR MOUSSE*, *HAIR SHINE*, *HAIR SPRAY* or shampoos and/or conditioners that are rinsed from the hair prior to styling. For the purposes of this subchapter, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this subchapter, "styling" means the forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

HEAVY-DUTY HAND CLEANER OR SOAP means a product designed to clean or remove difficult dirt and soils such as oil, grease, grime, tar, shellac, putty, printer's ink, paint, graphite, cement, carbon, asphalt, or adhesives from the hand with or without the use of water. *HEAVY-DUTY HAND CLEANER OR SOAP* does not include prescription drug products, *ANTIMICROBIAL HAND OR BODY CLEANER OR SOAP*, *ASTRINGENT/TONER*, *FACIAL CLEANER OR SOAP*, *GENERAL-USE HAND OR BODY CLEANER OR SOAP*, *MEDICATED ASTRINGENT/MEDICATED TONER OR RUBBING ALCOHOL*.

NAIL POLISH REMOVER means a product designed to remove nail polish and coatings from fingernails or toenails.

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*.

SHAVING GEL means an aerosol product which dispenses a post-foaming semisolid 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*.

DEODORANT BODY SPRAY means a *PERSONAL FRAGRANCE PRODUCT* with 20 percent or less fragrance, that is designed for application all over the human body to provide a scent. A *DEODORANT BODY SPRAY* product that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that it can be used on or applied to the human axilla, is a *DEODORANT*.

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 cologne, perfume, aftershave, and toilet water. *PERSONAL FRAGRANCE PRODUCT* does not include:

- (A) Deodorant;
- (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 used primarily to alleviate skin conditions such as dryness and irritations;
- (E) products designed exclusively for use on human genitalia;
- (F) soaps, shampoos, and products primarily used to clean the human body; and
- (G) fragrance products designed to be used exclusively on non-human animals.

HOME IMPROVEMENT

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 exclusively 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 AND 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 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 starchbased 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 AND 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*.

MULTI-PURPOSE LUBRICANT means any lubricant designed for general purpose lubrication, or for use in a wide variety of applications. *MULTI-PURPOSE LUBRICANT* does not include *MULTI-PURPOSE DRY LUBRICANTS*, *PENETRANTS*, or *SILICONE-BASED MULTI-PURPOSE LUBRICANTS*.

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 SOLVENTS*, paint brush cleaners, products designed and labeled exclusively as *GRAFFITI REMOVERS*, and hand cleaner products that claim to remove paints and other related coatings from skin.

PENETRANT means a lubricant designed and labeled primarily to loosen metal parts that have bonded together due to rusting, oxidation, or other causes. *PENETRANT* does not include *MULTI-PURPOSE LUBRICANTS* that claim to have penetrating qualities, but are not labeled primarily to loosen bonded parts.

SEALANT AND CAULKING COMPOUND means any product with adhesive properties that is designed to fill, seal, waterproof, or weatherproof gaps or joints between two surfaces. *SEALANT AND CAULKING COMPOUND* does not include 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 AND 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, and *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.

SILICONE-BASED MULTI-PURPOSE LUBRICANT means any lubricant which is:

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

(B) designed and 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.

SEALANT OR CAULKING COMPOUND (California only) 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 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. (**California** only)

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. (**California** only)

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. **(California only)**

(B) *NON-CHEMICALLY CURING SEALANT OR CAULKING COMPOUND* means any *SEALANT OR CAULKING COMPOUND* not defined under *CHEMICALLY CURING SEALANT OR CAULKING COMPOUND*. **(California only)**

LAWN AND GARDEN - INSECTICIDES

CRAWLING BUG INSECTICIDE means any insecticide product that is designed for use against ants, cockroaches, or other household crawling arthropods, including, but not limited to, mites, silverfish or spiders. *CRAWLING BUG INSECTICIDE* does not include products designed to be used exclusively on humans or animals, or any house dust mite product. For the purposes of this definition only:

(A) *HOUSE DUST MITE PRODUCT* means a product whose label, packaging, or accompanying literature states that the product is suitable for use against house dust mites, but does not indicate that the product is suitable for use against ants, cockroaches, or other household crawling arthropods.

(ii) *HOUSE DUST MITE* means mites which feed primarily on skin cells shed in the home by humans and pets and which belong to the phylum Arthropoda, the subphylum Chelicerata, the class Arachnida, the subclass Acari, the order Astigmata, and the family Pyroglyphidae.

FLEA AND TICK INSECTICIDE means any insecticide product that is designed for use against fleas, ticks, their larvae, or their eggs. *FLEA AND TICK INSECTICIDE* does not include products that are designed to be used exclusively on humans or animals and their bedding.

FLYING BUG INSECTICIDE means any insecticide product that is designed for use against flying insects or other flying arthropods, including but not limited to flies, mosquitoes, moths, or gnats. *FLYING BUG INSECTICIDE* does not include *WASP AND HORNET INSECTICIDE*, products that are designed to be used exclusively on humans or animals, or any moth-proofing product. For the purposes of this definition only, *MOTH-PROOFING PRODUCT* means a product whose label, packaging, or accompanying literature indicates that the product is designed to protect fabrics from damage by moths, but does not indicate that the product is suitable for use against flying insects or other flying arthropods.

INSECTICIDE FOGGER means any insecticide product designed to release all or most of its content, as a fog or mist, into indoor areas during a single application.

LAWN AND GARDEN INSECTICIDE means an insecticide product labeled primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods. Notwithstanding the requirements of section 6(c) aerosol *LAWN AND GARDEN INSECTICIDE* may claim to kill insects or other arthropods.

WASP AND 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.

NON-SELECTIVE TERRESTRIAL HERBICIDE means a terrestrial herbicide product that is toxic to plants without regard to species.

MISCELLANEOUS

CHARCOAL LIGHTER MATERIAL means any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition. *CHARCOAL LIGHTER MATERIAL* does not include any of the following:

- (A) electrical starters and probes,
- (B) metallic cylinders using paper tinder,
- (C) natural gas,
- (D) propane, and
- (E) fat wood.

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 Consumer Products Regulation 31 the footwear or leather article/component. Footwear includes both leather and non-leather foot apparel. *FOOTWEAR OR LEATHER CARE PRODUCT* does not include *FABRIC PROTECTANT*, *GENERAL PURPOSE ADHESIVE*, *CONTACT ADHESIVE*, *VINYL/FABRIC/LEATHER/POLYCARBONATE COATING*, *RUBBER AND 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.

INSECT REPELLENT (California only) means a pesticide product that is designed to be applied on human skin, hair or attire worn on humans in order to prevent contact with or repel biting insects or arthropods.