

California Environmental Protection Agency

Air Resources Board



Compliance Division

# Advisory

---

## Non-Traditional Distributed Products

Number 139

October, 1996

### Non-Traditional Distributed Products

Many manufacturers make products that do not comply with California's volatile organic compound (VOC) standards. These products are not intended to be sold in this state. Knowing their potential liability, these manufacturers go to great lengths to keep non-complying products from entering California markets.

Some distributors—not authorized by the respective manufacturers—have been bringing these high-VOC products into California. In this process these distributors have been removing the required manufacturers' date codes from containers.

This practice seems to be particularly widespread in the category of Hair Care products. Most manufacturers of "salon formula" or "professional" beauty products intend that their products be sold to the public only by salons. This limited distribution system has created a niche for unauthorized distributors and retailers to provide the consumer with professional beauty products in the drug and grocery stores that do not comply with California's VOC standards.

Retailers and distributors of consumer products should pay close attention to any product on which the manufacturer's label or container has been altered or defaced. Noncomplying products with batch codes/date codes removed from the container bottom are most common.

The California Code of Regulations (CCR), Title 17, Section 94509 states that "...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 ...Table of Standards..." To do so is a violation of this regulation.

If you have any questions or comments regarding this advisory, please contact the Manager of the Field Enforcement Section at (916) 322-6033.

Written inquiries may be addressed to:

**James J. Morgester, Chief  
Compliance Division  
Air Resources Board  
P.O. Box 2815  
Sacramento, California 95812**

[jmorgest@arb.ca.gov](mailto:jmorgest@arb.ca.gov)