

PART V:
Attachments for Reference

ATTACHMENT A: LIST OF SURVEY CATEGORIES AND CODES

	Survey Code	Category Name (ARB Defined Categories in BOLD)
10000 ADHESIVES, SEALANTS, AND RELATED PRODUCTS *		
<i>*see notes on page III -3, for size reporting exclusions (under "Types of Products to Report...and Not to Report")</i>		
10100 Adhesives		
	10101	Arts and crafts adhesive
	10102	Automobile headliner adhesive
	10103	Automotive engine compartment adhesive
	10104	Carpet and tile adhesive
	10105	Construction, panel, and floor covering adhesive
	***	Contact adhesive-general purpose
	***	Contact adhesive-special purpose
	10108	Fabric/textiles adhesive
	10109	Flexible vinyl adhesive
	10110	General purpose adhesive
	10111	Household glues and paste
	10112	Laminate repair/edgebanding adhesive
	10113	Mist spray adhesive
	10114	Mounting adhesive
	10115	Plastic pipe cement and primer
	10116	Polyolefin adhesive
	10117	Polystyrene foam adhesive
	10118	Rubber cement
	10119	Specialty automotive adhesive
	10120	Tackifying agent (semi-permanent)
	10121	Temporary/removable adhesive
	10122	Thread locking compound
	10123	Wallpaper adhesive
	10124	Web spray adhesive
	10125	Woodworking glue
	10199	Other adhesives
10200 Sealants and Caulks		
	10201	Caulking compound
	10202	Cold process roof cement (aerosol only)
	10203	Driveway patching compound
	10204	Floor seam sealer
	10205	Insulating and sealing foam
	10206	Painter's putty
	10207	Pipe thread sealant
	10208	Plumber's putty
	10209	Sealant and caulking compound
	10210	Spackling compound
	10211	Tile and grout sealer
	10212	Window glazing compound
	10213	Wood filler
	10299	Other sealants and caulks

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
20000 HOUSEHOLD AND INSTITUTIONAL PRODUCTS		
20100 Air Fresheners		
	***	Air freshener, double phase aerosol
	20102	Air freshener, liquid or pump spray
	20103	Air freshener, single phase aerosol
	20104	Air freshener, solid or semisolid
	20105	Aromatherapy product
	20106	Dual purpose air freshener/disinfectant (aerosol)
	***	Incense product
	20108	Liquid candle, aromatherapy, and potpourri oil
	20109	Odor remover/eliminator
	20110	Plug-ins
	20111	Potpourri air freshener
	***	Scented candles
	20113	Scented oil
	20199	Other air fresheners
20200 Arts and Crafts Supplies		
	***	Artist solvent and thinner
	***	Ceramic finishing product
	***	Specialty cleaning product
	***	Other arts and crafts supplies; see also 10000 Adhesives, Sealants, and Related Products
20300 Cleaners and Degreasers		20300 Cleaners and Degreasers con't next page...
	20301	Bathroom and tile cleaner
	20302	Bug and tar remover (non-automotive)
	20303	Cooktop cleaner
	20304	Disinfectant
	20305	Dusting aid
	20306	Garbage disposal cleaner
	20307	General purpose cleaner
	20308	General purpose degreaser
	20309	Glass cleaner (aerosol)
	***	Glass cleaner (non-aerosol)
	20311	Grout cleaner
	20312	Gum or candle wax remover
	20313	Hard surface rust stain remover
	***	Jewelry cleaner, polish, and soap
	***	Metal polish/cleanser
	20316	Mildew remover
	20317	Multi-purpose remover
	20318	Oven cleaner
	20319	Plastic cleaner
	20320	Sanitizer (includes air sanitizer)
	***	Septic tank cleaner
	***	Soap impregnated scouring pad
	***	Toilet/urinal care product

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
	***	Wood cleaner
	20399	Other cleaners and degreasers; see also 60000, Solvent and Thinning-related Products
20400 Dishwashing Products		
	***	Dish detergent/soap (manual)
	***	Dish detergent/soap (machine)
	***	Dishwasher sanitizer
	***	Film and spot remover
	***	Grill cleaner
	***	Pretreatment/presoak
	***	Rinse aid
	***	Other dishwashing products
20500 Fabric, Carpet, and Upholstery Care Products (Non-Laundry Products)		
	***	Anti-static product
	20502	Carpet and upholstery cleaner
	***	Carpet deodorizer and freshener
	20504	Fabric and carpet dye
	20505	Fabric protectant
	20506	Waterproofer
	***	Fabric refresher
	20508	Spot remover
	20509	Waste and urine deodorizer
	20510	Water repellant
	20599	Other fabric, carpet, and upholstery care products
20600 Food-Related Sprays and Aerosol Products		
	20601	Aerosol cooking spray
	***	Aerosol cheese topping
	***	Aerosol dessert topping
	***	Non-aerosol cooking spray
	***	Vegetable wash spray
	***	Other food-related sprays and aerosol products
20700 Fuels and Lighter Materials		
	20701	Charcoal lighter material
	20702	Fire log and related products
	20703	Lighter fluid (non-charcoal)
	20704	Portable cooking/heater/stove fuel
	20705	Self-starting briquet
	20706	Wick lamp fuel, scented and nonscented
	20707	Wood fire starter
	20799	Other fuels and lighter materials

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
20800 Garden and Lawn Care Products		
	***	Anti-desiccant/anti-transpirant products
	***	Blossom set products
	***	Foliar sprays without pesticide claims
	***	Leaf shine products
	***	Pesticide adjuvants
	***	Plant growth regulators
	***	Pruning/grafting sealers or paints
	***	Soil Penetrants
	***	Other garden and lawn care products
20900 Laundry Products		
	20901	Bluing agent
	20902	Detergent booster
	***	Detergent
	20904	Dryer sheets
	20905	Fabric softener
	20906	Fabric wash
	20907	In-dryer fabric care
	20908	Laundry prewash
	20909	Laundry starch product
	20910	Presoak
	20911	Spot remover
	***	Soap
	20913	Sizing and fabric finish
	***	Washing soda
	20915	Water softener and conditioner
	20916	Whitener/brightener
	20917	Wrinkle releasing spray/reducer/remover
	20999	Other laundry products
21000 Miscellaneous Household Products		
	***	Drain opener
	21002	Driveway cleaner
	21003	Household mold and mildew retardant
	21004	Multi-purpose dry lubricant
	21005	Multi-purpose lubricant
	21006	Penetrant
	21007	Plant leaf cleaner and wax
	***	Rubber and vinyl protectant (aerosol)
	21009	Rubber and vinyl protectant (non-aerosol)
	***	Silicone-based multi-purpose lubricant
	21011	Stone maintenance product (includes counter and floor products)
	21012	Other lubricants and penetrants
	21099	Other miscellaneous household products

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
21100 Office Supply Products		
	***	Chalkboard or whiteboard cleaner
	***	Correction fluid
	***	Dry erase markers
	***	Highlighters
	***	Inks, toners, ribbons, and cartridges for office equipment
	***	Permanent markers
	***	Wet erase markers
	***	Other office supply products
21200 Pool/Spa/Whirlpool/Jacuzzi/Pond Products		
	***	Algae control
	***	Balancer
	***	Clarifier
	***	Cleaner
	***	Fragrance
	***	pH balancer
	***	Pool/spa/whirlpool/jacuzzi/pond disinfectant
	***	Sanitizer
	***	Shock treatment
	***	Stain remover
	***	Water balancer
	***	Other pool/spa/whirlpool/jacuzzi maintenance products
21300 Shoe and Leather Care Products		
	***	Footwear or leather care product
	***	Leather preservative treatments (including waterproofers)
	***	Other shoe and leather care products
21400 Waxes and Polishes		
	21401	Floor polish or wax (for flexible flooring material)
	21402	Floor polish or wax (for nonresilient flooring)
	21403	Floor polish or wax (for wood floors)
	21404	Floor wax stripper
	***	Furniture maintenance product (aerosol)
	21406	Furniture maintenance product (non-aerosol)
	21407	Spray buff product
	21499	Other household waxes and polishes
30000 PERSONAL CARE PRODUCTS		
30100 Antiperspirants and Deodorants		
	30101	Antiperspirant
	30102	Deodorant
	30103	Foot deodorant
	30104	Feminine hygiene deodorant
	30199	Other antiperspirant and deodorant products

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
30200 Body, Hand, and Face Cleaners		
	30201	Anti-microbial dry hand wash
	30202	Anti-microbial hand or body cleaner or soap
	30203	Aromatherapy bath or shower product
	30204	Astringent and toner (Medicated; FDA regulated)
	30205	Astringent and toner (Non-FDA regulated)
	***	Bath oils/beads/capsules
	30207	Body wash/mousse/gel/soap/foam/scrub
	30208	Body wipes/towelettes
	30209	Chemical peels
	30210	Exfoliant/peel/polish
	30211	Eye makeup remover
	30212	Face wipes/towelettes
	***	Facial cleaner and soap
	***	Facial masque/mask
	30215	General use hand or body cleaner or soap
	30216	Hand wipes/towelettes
	***	Heavy-duty hand cleaner or soap
	30218	Other face soaps/cleaners/scrubs
	30299	Other hand cleaners, sanitizers, and soaps
30300 Eyeglass and Contact Lens Care Products		
	***	Contact lens cleaners
	***	Eyeglass cleaners
	***	Other eyeglass and contact lens care products
30400 Facial and Body Treatments		
	30401	Aromatherapy/mist product
	***	Body or baby powder
	30403	Depilatory
	***	Hand and body conditioner, cream, and lotion
	***	Moisturizer
	30406	Self-tanning preparation
	30407	Skin colorant (including body paint)
	30408	Skin lightener
	30409	Skin protectant/lubricant/humectant
	30410	Spray-on stocking
	***	Sunscreen (hair or body)
	***	Suntan oil and lotion
	30499	Other facial and body treatments
30500 Fragrance Products		
	30501	Deodorant body spray
≤ 20%, pre 1/1/1994	30502	Personal fragrance product with <u>20% or less</u> fragrance and first sold in CA prior to 1/1/1994
<20%, 1/1/1994 - 1/1/1999	30503	Personal fragrance product with <u>20% or less</u> fragrance and first sold in CA from 1/1/1994 to 1/1/1999

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
<20%, post 1/1/1999	30504	Personal fragrance product with 20% or less fragrance and first sold after 1/1/1999
> 20%, pre 1/1/1994	30505	Personal fragrance product with more than 20% fragrance and first sold in CA prior to 1/1/1994
>20%, 1/1/1994 - 1/1/1999	30506	Personal fragrance product with more than 20% fragrance and first sold in CA from 1/1/1994 to 1/1/1999
>20%, post 1/1/1999	30507	Personal fragrance product with more than 20% fragrance and first sold after 1/1/1999
	30599	Other fragrance products
30600 Hair Care Products		
	***	Bleach and lightener
	***	Conditioner without styling claims
	***	Dye, permanent
	***	Dye, semi-permanent
	***	Dye, temporary
	***	Hair shine
	***	Hair styling gel
	***	Hair styling product
	30609	Hair mousse
	30610	Hair spray
	***	Hair tonic/hair restorer
	***	Permanent wave treatment
	***	Shampoo
	30614	Temporary hair color or glitter, aerosol
	***	Other hair care products
30700 Health Use Products (External Use Only)		
	***	Allergen control product
	***	Corn and callus removal product
	***	Ear drops
	***	Ear wipes
	***	External analgesic product
	***	Feminine hygiene cleanser
	***	Lice treatment/shampoo
	***	Liquid bandage product
	***	Personal lubricant
	30710	Rubbing alcohol
	***	Topical acne product
	30712	Topical anti-fungal product
	***	Wart removal product
	30714	Witch Hazel
	***	Other external health use products (including other external-use-only OTC drugs)
30800 Make-up Cosmetics (Select "Nail Care Products" to be reported in 30900)		
	***	Eyebrow pencil/powder
	***	Eyeliner

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
	***	Eye shadow
	***	Lipstick/lip gloss
	***	Makeup base, foundation, or fixative
	30806	Mascara
	***	Rouge or blush
	***	Other make-up cosmetics
30900 Nail Care Products		
	***	Artificial nail extension/elongation product
	***	Artificial nail, wrap, or nail glue remover
	30903	Base coat/undercoat
	***	Cuticle treatment product
	***	Nail glue or adhesive
	30906	Nail polish/lacquer/paint (reporting note: refer to definition of <i>product group</i> for grouping allowances)
	***	Nail polish remover
	***	Nail polish thinner
	***	Nail product drying enhancer
	30910	Nail treatment product
	30911	Top coat
	***	Other nail care products
31000 Oral Care Products		
	***	Canker sore/oral irritation products
	***	Denture adhesive
	***	Fluoride rinse
	***	Gum rejuvenator
	***	Liquid breath freshener/spray
	***	Mouthwash/rinse
	***	Plaque and tartar removal products
	***	Toothpaste, gel, polish, and powder
	***	Tooth sensitivity product
	***	Tooth whitening product
	***	Other oral care products
31100 Shaving Products		
	31101	Aftershave products
	31102	Electric shaver cleaning or lubricating product
	***	Preshave products
	31104	Shaving cream (Aerosol)
	31105	Shaving cream (Non-Aerosol)
	***	Shaving gel (Aerosol)
	31107	Shaving gel (Non-Aerosol)
	31108	Shaving soap
	31199	Other shaving products

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
40000 PESTICIDE PRODUCTS		
40100 Anti-microbial Agents		
	***	Sterilants
	***	Other antimicrobial agents; see also 20000 Household Products
40200 Fungicides and Nematicides		
	40201	Lawn and garden fungicide
	40202	Lawn and garden nematicide
	40203	Mold and mildew retardant
	40299	Other fungicides and nematicides
40300 Herbicides		
	40301	Algae control (non-aquatic)
	40302	Aquatic herbicide
	40303	Defoliant
	40304	Desiccant
	40305	Moss control products
	40306	Non-selective terrestrial herbicide
	40399	Other herbicides
40400 Insecticides and Repellents		
	40401	Animal repellent
	40402	Botanical insecticide
	***	Crawling bug insecticide (aerosol)
	40404	Crawling bug insecticide (non-aerosol)
	40405	Dust mite and allergen preventative
	40406	Dusting agent
	40407	Flea and tick insecticide
	***	Flying bug insecticide (aerosol)
	40409	Flying bug insecticide (non-aerosol)
	40410	Fumigants
	40411	Horticultural oil
	40412	Insecticidal soap
	40413	Insecticide fogger
	***	Insect repellent
	40415	Lawn and garden insecticide (aerosol)
	***	Lawn and garden insecticide (non-aerosol)
	40417	Mothballs
	40418	Pest baits and traps (not including exempted bait station insecticides)
	40419	Pest repellent candles
	40420	Pest strips or tape
	40421	Residual insecticides
	40422	Rodent poison or bait
	40423	Synergists
	***	Wasp and hornet insecticide
	40499	Other insecticides and repellents

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
60000 SOLVENT AND THINNING-RELATED PRODUCTS		
60100 Electronic-Related		
	***	Anti-static product
	***	Electrical cleaner
	***	Electronic cleaner
	***	Energized electrical cleaner
	60105	Pressurized gas duster
	60199	Other electronic-related cleaning products
60200 Miscellaneous Solvent and Thinning Products		
	60201	Brush cleaner and reconditioner
	60202	Clean up solvent
	60203	Specialty degreasers (specific use)
	60204	Denatured alcohol
	***	Floor or wall covering adhesive remover
	***	Gasket or thread locking adhesive remover
	60207	General purpose adhesive remover
	60208	Graffiti remover
	60209	Lacquer thinner
	60210	Multi-purpose solvent and remover
	***	Paint remover or stripper
	60212	Paint thinners and reducers
	60213	Specialty adhesive remover
	60214	Spray gun cleaner and solvent
	60215	Surface preparation solvent and cleaner (marine vessel and watercraft surfaces)
	60216	Surface preparation solvent and cleaner (motor vehicle surfaces)
	60217	Thinner/reducer/retardant (furniture coating systems)
	60218	Thinner/reducer/retardant (marine vessel and watercraft coating systems)
	60219	Thinner/reducer/retardant (motor vehicle coating systems)
	60220	Other adhesive remover
	60299	Other solvent and thinning products; see also 20000 Household Products
70000 VEHICLE AND MARINE VESSEL AFTERMARKET PRODUCTS		
70100 Detailing Products		
	***	All other forms of Automotive wax/polish/sealant/glaze
	***	Automotive rubbing or polishing compound
	***	Automotive hard paste wax
	70104	Automotive instant detailer (pump sprays)
	70105	Automotive wash or cleaner
	70106	Bug and tar remover
	70107	Paint and surface cleaner
	70108	Paint and surface protectants including antifouling products
	70109	Rubbing and polishing compound other than automotive
	70110	Scratch and swirl remover
	70111	Tire cleaner

*** Do not report products falling under this category; category is proposed for the 2005 survey.

	Survey Code	Category Name (ARB Defined Categories in BOLD)
	70112	Undercoating (Report Aerosols only)
	70113	Wax/polish/sealant/glaze other than automotive
	70114	Wheel cleaner
	70199	Other vehicle and marine vessel detailing products
70200 Maintenance and Repair Products		
	***	Additives for antifreeze
	n/a	Adhesives: <i>Report under 10000 Adhesives, Sealants and Related Products</i>
	***	Antifreeze
	70203	Automotive brake cleaner
	70204	Automotive windshield washer fluid (Type "A" Areas)
	70205	Automotive windshield washer fluid (Non Type "A" Areas)
	70206	Belt dressing
	70207	Body repair products (other than coatings)
	70208	Brake anti-squeal compound
	70209	Brake cleaner
	70210	Carburetor or fuel-injection air intake cleaner
	70211	Engine degreaser
	***	Engine starting fluid
	70213	General purpose degreaser
	70214	Home-use metal parts immersion wash
	70215	Mold and mildew retardant
	***	Oil additive
	70217	Tire sealants and inflator
	70218	Windshield deicer
	70219	Windshield washer fluid additive
	70220	Windshield water repellent
	70299	Other vehicle and marine vessel maintenance and repair products

*** Do not report products falling under this category; category is proposed for the 2005 survey.

ATTACHMENT B: STATUTE: DISCLOSURE OF PUBLIC RECORDS**Title 17 Air Resources Board
Subchapter 4. Disclosure of Public Records****Article 1. General****§ 91000. Scope and Purpose.**

This subchapter shall apply to all requests to the state board under the California Public Records Act (Government Code Section 6250 et seq.) for the disclosure of public records or for maintaining the confidentiality of data received by the state board. Written guidelines shall govern the internal review of such requests.

Note: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: California Public Records Act, Chapter 3.5 (commencing with Section 6250), Division 7, Government Code.

History

1. New Subchapter 4 (Sections 91000 through 91022, not consecutive) filed 1-26-73; effective thirtieth day thereafter (Register 73, No. 4).
2. Amendment filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
3. Amendment of NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
4. Repealer and new section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§ 91001. Disclosure Policy.

It is the policy of the state board that all records not exempted from disclosure by state law shall be open for public inspection with the least possible delay and expense to the requesting party.

Note: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: Section 6253, Government Code; *Black Panther Party v. Kehoe* (1974) 42 Cal.App.3d 645.

History

1. Amendment filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
3. Repealer and new section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

Article 2. Board's Request for Information**§ 91010. Request Procedure.**

The state board shall give notice to any person from whom it requests information that the information provided may be released (1) to the public upon request, except trade secrets which are not emission data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, and (2) to the federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulations.

Note: Authority cited: Sections 39600, 39601, and 39602 Health and Safety Code, Reference: Sections 39701, 41510, 41511, 41512 and 42705, Health and Safety Code; and Section 6253, Government Code.

History

1. Amendment of subsections (a) and (b) filed 9-28-73; effective thirtieth day hereafter (Register 73, No. 39).
2. Amendment of subsection (a), (b) and (c), and new NOTE, filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
3. Amendment filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).
4. Editorial correction filed 5-7-84; effective thirtieth day thereafter (Register 84, No. 19).

§ 91011. Submissions of Confidential Data.

Any person submitting to the state board any records containing data claimed to be "trade secret" or otherwise exempt from disclosure under Government Code Section 6254 or 6254.7 or under other applicable provisions of law shall, at the time of submission, identify in writing the portions of the records containing such data as "confidential" and shall provide the name, address and telephone number of the individual to be contacted if the state board receives a request for disclosure of or seeks to disclose the data claimed to be confidential. Emission data shall not be identified as confidential. The state board shall not disclose data identified as confidential, except in accordance with the requirements of this subchapter or Section 39660(e) of the Health and Safety Code.

Note: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Sections 39660, 39701, 41500, 41511, 41512 and 42705, Health and Safety Code; Sections 6253, 6254 and 6254.7, Government Code; *Natural Resources Defense Council v. EPA*, 489 F.2d 390 (5th Cir. 1974) (6 ERC 1248); *Northern California Police Practices Project v. Craig* (1979) 90 Cal.App.3d 116; *Uribe v. Howie* (1971) 19 Cal.App.3d 194.

History

1. New section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41. For history of former section, see Register 73, No. 39).
2. Amendment filed 7-10-84; effective thirtieth day thereafter (Register 84, No. 28).

Article 3. Inspection of Public Records**§ 91020. Disclosure Policy .**

History

Repealer filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§ 91021. Disclosure Procedure.

Note: Authority cited: Section 39601, Health and Safety Code. Reference: Sections 6253-6257, Government Code.

History

1. Amendment of subsections (c) and (d)(3) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
3. Repealer filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§ 91022. Disclosure of Confidential Data.

(a) This section shall apply to all data in the custody of the state board

- (1) designated "trade secret" prior to the adoption of this subchapter,
- (2) considered by the state board or identified by the person who submitted the data as confidential pursuant to this subchapter, or
- (3) received from a federal, state or local agency, including an air pollution control district, with a confidential designation, subject to the following exceptions:

(A) Except for the time limits specifically provided in subsection (b), only subsections (c) and (d) of this section shall apply to information submitted pursuant to Health and Safety Code Section 39660(e).

(B) Appropriate portions of an application for approval, accreditation, or certification of a motor vehicle emission control device or system shall be kept confidential until such time as the approval, accreditation, or certification is granted, at which time the application (except for trade secret data) shall become a public record, except that estimates of sales volume of new model vehicles contained in an application shall be kept confidential for the model year, and then shall become public records. If an application is denied, it shall continue to be confidential but shall be subject to the provisions of this section.

(C) If disclosure of the data obtained after August 9, 1984 from a state or local agency subject to the provisions of the Public Records Act is sought, the state board shall request that the agency which provided the data determine whether it is confidential. The state board shall request that it be notified of the agency's determination within ten days. The state board shall not release the data if the agency determines that it is confidential and so notifies that state board; provided, however, that the data may be released with the consent of the person who submitted it to the agency from which it was obtained by the state board.

(b) Upon receipt of a request from a member of the public that the state board disclose data claimed to be confidential if the state board itself seeks to disclose such data, the state board shall inform the individual designated pursuant to Section 91011 by telephone and by mail that disclosure of the data is sought. The person claiming confidentiality shall file with the state board documentation in support of the claim of confidentiality. The documentation must be received within five (5) days from the date of the telephone contact or of receipt of the mailed notice, whichever first occurs. In the case of information submitted pursuant to Health and Safety Code Section 39660(e), the documentation must be received within 30 days of the date notice was mailed pursuant to that section. The deadlines for filing the documentation may be extended by the state board upon a showing of good cause made within the deadline specified for receipt of the documentation.

(c) The documentation submitted in support of the claim of confidentiality shall include the following information:

- (1) the statutory provision(s) under which the claim of confidentiality is asserted;
- (2) a specific description of the data claimed to be entitled to confidential treatment;
- (3) the period of time for which confidential treatment is requested;
- (4) the extent to which the data has been disclosed to others and whether its confidentiality has been maintained or its release restricted;
- (5) confidentiality determinations, if any, made by other public agencies as to all or part of the data and a copy of any such determinations, if available; and
- (6) whether it is asserted that the data is used to fabricate, produce, or compound an article of trade or to provide a service and that the disclosure of the data would result in harmful effects on the person's competitive position, and, if so, the nature and extent of such anticipated harmful effects.

(d) Documentation, as specified in subsection (c), in support of a claim of confidentiality may be submitted to the state board prior to the time disclosure is sought.

(e) The state board shall, within ten (10) days of the date it sought to disclose the data or received the request for disclosure, or within 20 days of that date if the state board determines that there are unusual circumstances as defined in Government Code Section 6256.1, review the request, if any, and supporting documentation, if received within the time limits specified in subsection (b) above, including any extension granted, and determine whether the data is entitled to confidential treatment pursuant to Government Code Section 6254, 6255 or 6254.7 or other applicable provisions of law and shall either:

- (1) decline to disclose the data and, if a request was received, provide to the person making the request and to the person claiming the data is confidential a justification for the determination pursuant to Government Code Section 6255; or
- (2) provide written notice to the person claiming the data is confidential and, if a request was received, to the person requesting the data that it has determined that the data is subject to disclosure, that it proposes to disclose the data, and that the data shall be released 21 days after receipt of the notice by the person claiming confidentiality, unless the state board is restrained from so doing by a court of competent jurisdiction. The state board shall release the data in accordance with the terms of the notice unless so restrained.

(f) Should judicial review be sought of a determination issued in accordance with subsection (e), either the person requesting data or the person claiming confidentiality, as appropriate, may be made a party to the litigation to justify the determination.

NOTE: Authority cited: Section 39601, Health and Safety Code. Reference: Sections 6253, 6254, 6254.7, 6255, 6256, 6256.1, 6258 and 6259, Government Code.

HISTORY

1. Amendment of subsections (a) and (b) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
3. Amendment filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).
4. Editorial correction of subsection (a) filed 5-7-84; effective thirtieth day thereafter (Register 84, No. 19).
5. Amendment filed 7-10-84; effective thirtieth day thereafter (Register 84, No. 28).

ATTACHMENT C: 2002 NAICS CODES

This list provides some of the more common North American Industry Classification System (NAICS) codes for the consumer products industry. This list is meant to be a guide to facilitate the survey process, however it is not all-inclusive. The most appropriate 2002 NAICS code(s) may not be listed here for your particular product, service, or business. You are encouraged to identify and respond with the most appropriate 2002 NAICS code(s) as provided by the U.S. Office of Management and Budget. For more information on the codes, visit the U.S. Census Bureau website: <http://www.census.gov/epcd/www/naics.html>

NAICS Code	North American Industry Classification System Title
MANUFACTURING	
311999	All Other Miscellaneous Food Manufacturing
324110	Petroleum Refineries
325110	Petrochemical Manufacturing
325132	Synthetic Organic Dye and Pigment Manufacturing
325181	Alkalies & Chlorine Manufacturing
325191	Gum and Wood Chemical Manufacturing
325199	All Other Basic Organic Chemical Manufacturing
325320	Pesticide and Other Agricultural Chemical Manufacturing
325412	Pharmaceutical Preparation Manufacturing
325520	Adhesive Manufacturing
325611	Soap & Other Detergent Manufacturing
325612	Polish & Other Sanitation Good Manufacturing
325620	Toilet Preparation Manufacturing
325998	All Other Miscellaneous Chemical Product & Preparation Manufacturing
326211	Tire Manufacturing (Except Retreading)
WHOLESALE	
423120	Motor Vehicle Supplies and New Parts Merchant Wholesalers
423130	Tire and Tube Merchant Wholesalers
423210	Furniture Merchant Wholesalers
423220	Home Furnishing Merchant Wholesalers
423420	Office Equipment Merchant Wholesalers
423430	Computer and Computer Peripheral Equipment and Software Merchant Wholesalers
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers
423620	Electrical and Electronic Appliance, Television, and Radio Set Merchant Wholesalers
423690	Other Electronic Parts and Equipment Merchant Wholesalers
423710	Hardware Merchant Wholesalers
423720	Plumbing and Heating Equipment and Supplies (Hydronics) Merchant Wholesalers
423840	Industrial Supplies Merchant Wholesalers
423850	Service Establishment Equipment and Supplies Merchant Wholesalers
423910	Sporting and Recreation Goods and Supplies Merchant Wholesalers
423920	Toy and Hobby Goods and Supplies Merchant Wholesalers
424120	Stationery and Office Supplies Merchant Wholesalers
424210	Drug and Druggists' Sundries Merchant Wholesalers
424320	Men's and Boys' Clothing and Furnishings Merchant Wholesalers

424330	Women's, Children's, and Infants' Clothing and Accessories Merchant Wholesalers
424340	Footwear Merchant Wholesalers
424410	General Line Grocery Merchant Wholesalers
424490	Other Grocery and Related Products Merchant Wholesalers
424610	Plastics Materials and Basic Forms and Shapes Merchant Wholesalers
424690	Other Chemical and Allied Products Merchant Wholesalers
424720	Petroleum and Petroleum Products Merchant Wholesalers
424910	Farm Supplies Merchant Wholesalers
424950	Paint, Varnish, and Supplies Merchant Wholesalers

RETAIL

441110	New Car Dealers
441210	Recreation Vehicle Dealers
441221	Motorcycle Dealers
441222	Boat Dealers
441310	Automotive Parts and Accessories Stores
442110	Furniture Stores
442210	Floor Covering Stores
442291	Window Treatment Stores
443111	Household Appliance Stores
443112	Radio, Television, and Other Electronics Stores
443120	Computer and Software Stores
444110	Home Centers
444120	Paint and Wallpaper Stores
444130	Hardware Stores
444190	Other Building Material Dealers
444220	Nursery, Garden Center, and Farm Supply Stores
445110	Supermarkets and Other Grocery (except Convenience) Stores
445120	Convenience Stores
445299	All Other Specialty Food Stores
446110	Pharmacies and Drug Stores
446120	Cosmetics, Beauty Supplies, and Perfume Stores
446191	Food (Health) Supplement Stores
447110	Gasoline Stations with Convenience Stores
448110	Men's Clothing Stores
448120	Women's Clothing Stores
448130	Children's and Infants' Clothing Stores
448140	Family clothing Stores
448150	Clothing Accessories Stores
448190	Other Clothing Stores
448320	Luggage and Leather Goods Stores
451110	Sporting Goods Stores
451120	Hobby, Toy and Game Stores
451130	Sewing, Needlework, and Piece Goods Stores
452111	Department Stores (except Discount Department Stores)
452112	Discount Department Stores
452910	Warehouse Clubs and Supercenters
452990	All Other General Merchandise Stores
453998	All Other Miscellaneous Store Retails (except Tobacco Stores)
454111	Electronic Shopping
454113	Mail-Order Houses
454390	Other Direct Selling Establishments

ATTACHMENT D: U.S. RESIDENT POPULATION

If California direct sales data are not available for FORM 3, Item 12, sales may be estimated by prorating national or regional sales figures by population using population estimates from 2003, provided below.

Total population of the United States: 290,809,777.

STATE	POPULATION	%	RANK
Alabama	4,500,752	1.5	23
Alaska	648,818	0.2	47
Arizona	5,580,811	1.9	18
Arkansas	2,725,714	0.9	32
California	35,484,453	12.2	1
Colorado	4,550,688	1.6	22
Connecticut	3,483,372	1.2	29
Delaware	817,491	0.3	45
District of Columbia	563,384	0.2	(X)
Florida	17,019,068	5.9	4
Georgia	8,684,715	3.0	9
Hawaii	1,257,608	0.4	42
Idaho	1,366,332	0.5	39
Illinois	12,653,544	4.4	5
Indiana	6,195,643	2.1	14
Iowa	2,944,062	1.0	30
Kansas	2,723,507	0.9	33
Kentucky	4,117,827	1.4	26
Louisiana	4,496,334	1.5	24
Maine	1,305,728	0.4	40
Maryland	5,508,909	1.9	19
Massachusetts	6,433,422	2.2	13
Michigan	10,079,985	3.5	8
Minnesota	5,059,375	1.7	21
Mississippi	2,881,281	1.0	31
Missouri	5,704,484	2.0	17

STATE	POPULATION	%	RANK
Montana	917,621	0.3	44
Nebraska	1,739,291	0.6	38
Nevada	2,241,154	0.8	35
New Hampshire	1,287,687	0.4	41
New Jersey	8,638,396	3.0	10
New Mexico	1,874,614	0.6	36
New York	19,190,115	6.6	3
North Carolina	8,407,248	2.9	11
North Dakota	633,837	0.2	48
Ohio	11,435,798	4.0	7
Oklahoma	3,511,532	1.2	28
Oregon	3,559,596	1.2	27
Pennsylvania	12,365,455	4.3	6
Rhode Island	1,076,164	0.4	43
South Carolina	4,147,152	1.4	25
South Dakota	764,309	0.3	46
Tennessee	5,841,748	2.0	16
Texas	22,118,509	7.6	2
Utah	2,351,467	0.8	34
Vermont	619,107	0.2	49
Virginia	7,386,330	2.5	12
Washington	6,131,445	2.1	15
West Virginia	1,810,354	0.6	37
Wisconsin	5,472,299	1.9	20
Wyoming	501,242	0.2	50

X = Not Applicable

Source: U.S. Census Bureau
<http://www.census.gov/statab/ranks/rank01.txt>