California Air Resources Board
2004 Consumer Products Regulation Amendments
SECOND STAFF PROPOSALS FOR VOC STANDARDS
March 3, 2004

	Category Name	VOC Emissions (tpd) (at 100%)	Market Covered (% covered by 2001 Survey)	Market Adjusted Emissions (tpd)	VOC range (%)	Sales Weighted Average VOC Content (%)	Proposed VOC Standard (%)	Reductions (tpd)[1]	Complying Market Share (based on sales) (%)	# Complying Products / # Products in Category[1]
1	Adhesive Remover (aerosol & non-aerosol)									
	Wallpaper & Flooring Adhesive Remover	0.533	85	0.627	0 – 100	20.7	5	0.538	42	9 / 27
	General Purpose Adhesive Remover	0.677	85	0.796	0 – 100	90.0	20	0.626	5	4 / 59
	Chemically Cured Adhesive Remover	0.026	85	0.031	0 – 100	30.9	50	+0.01[5]	3.1[6]	1 / 18[6]
2	Anti-Static Product									
	(aerosols)	0.234	85	0.275	16.8-99.5	97.7	20	0.22	0	1 / 6
	(non-aerosols)	0	85	0	0 – 11	3.7	11	0.00	100	13 / 13
3	Contact Adhesive - General Purpose	0.067	90	0.075	35-80	57.5	55	0.003	2	8/18
	Contact Adhesive - Special Purpose	0.081	90	0.090	2 – 81	60.6	80	0.000	61	9/11
4	Electronic Cleaner (all forms)	0.301	90	0.334	0 – 100	44.4	35	0.12	35.5[6]	78 / 196[6]
5	Fabric or Leather Waterproofer									
	(aerosol)	0.171	90	0.190	58.1-100	91.0	60	0.064	1	2 / 27
	(foam - NONE)	-	-	-	-	-	30	-	-	-
	(liquid)	0.012	90	0.013	0-99.3	47.1	60	0.003	45	7 / 18
	(pump spray)	0.013	90	0.014	0-92.5	68.8	60	0.004	25	1 / 6
	(solid)	**	90	**	**	**	30	**	**	**/ 3
	(gel - NONE)	-	-	-	-	-	30	-	-	-
	(other)	**	90	**	**	**	30	**	**	** / 2

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6	Fabric Refresher									
	(aerosol)	0.297	70	0.424	6 – 99	28.4	15	0.202	1	2 / 16
	(pump spray)	0.321	70	0.459	0 – 98.8	3.3	2	0.183	3	7/ 23
7	Feminine Deodorant Spray[2]	0.279	90	0.310	75.3 – 93.6	90.4	55	0.121	0	0 / 7
8	Foot Deodorant Product[3] (only 1 pump spray – confidential, therefore included in total)	0.112	90	0.125	80 – 94.5	90.6	55	0.049	0	0 / 7
9	Footwear Care Product									
	(aerosol)	0.021	90	0.023	0 – 100	15.9	12	0.007	5	7 / 22
	(foam)	**	90	**	**	**	1	**	**	** / 2
	(liquid)	0.010	90	0.011	0 – 96.2	2.1	1	0.009	90	24 / 39
	(pump spray)	**	90	**	**	**	1	**	**	** / 2
	(solid)	0.197	90	0.219	0 – 98.0	64.8	50	0.066	16	12 / 19
	(gel)	0.011	90	0.012	0 - 29.1	20.6	15	0.004	48	7 / 10
	(other)	**	90	**	**	**	1	**	**	**/ 3
10	Graffiti Remover	0.160	85	0.187	0 – 100	75.5	30	0.106	4.9[6]	4 / 65[6]
11	Hair Styling Product									
	(aerosol)	0.173	85	0.204	25.1-81.6	79.8	6	0.188	0	0/4
	(liquid)	0.103	85	0.121	0-66.2	6.3	0	0.121	25	53/113
	(pump spray)	0.397	85	0.467	0-70.8	12.9	0	0.467	41	59/126
	(semi-solid)	0.058	85	0.069	0-25.5	0.3	0	0.069	79	283/390
	(solid)	0.001	85	0.001	0-11.4	0.4	0	0.001	35	52/67
12	Insect Repellent (all other forms)	0.835	90	0.928	0 – 95.1	36.4	30	0.271	15	23 / 32
13	Leather Care Product									
	(aerosol)	0.093	90	0.103	3.5 - 100	82.1	50	0.046	13	4 / 16
	(foam -NONE)	-	-	-	-	-	1	-	-	-
	(liquid)	0.037	90	0.041	0 - 100	5.1	1	0.039	79	45 / 81
	(pump spray)	0.007	90	0.008	0 - 96.2	44.8	1	0.008	48	6 / 9
	(gel)	0.001	90	0.001	0 - 33.3	17.6	1	0.001	36	2 / 5
	(solid)	0.006	90	0.007	0 - 23.3	3.7	1	0.006	62	8 / 14
	(other)	**	90	**	**	**	1	**	**	**/ 3
14	Nail Coatings	0.551	75	0.734	0 – 97.9	67.7	50	0.204	2	11 / 254

	Category Name	VOC Emissions (tpd) (at 100%)	Market Covered (% covered by 2001 Survey)	Market Adjusted Emissions (tpd)	VOC range (%)	Sales Weighted Average VOC Content (%)	Proposed VOC Standard (%)	Reductions (tpd)[1]	Complying Market Share (based on sales) (%)	# Complying Products / # Products in Category[1]
15	Shaving Gel	0.876	85	1.030	2.7-13.3	7.7	3	0.628	0	1 / 17[7]
16	Special Purpose Remover[4]	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
17	Toilet/Urinal Care Product									
	(aerosol)	**	90	**	**	**	7	**	**	** / 1
	(foam)	**	90	**	**	**	3	**	**	** / 2
	(liquid)	0.035	90	0.039	0 - 29.7	0.20	3	0.023	98	123 / 141
	(pump spray)	**	90	**	**	**	3	**	**	** / 2
	(solid)	2.322	90	2.580	0 – 100	30.4	3	2.451	59	73 / 116
	(gel)	**	90	**	**	**	3	**	**	** / 2
	(other)	**	90	**	**	**	3	**	**	** / 2
18	Topical Antifungal Product									
	(aerosols)	0.467	90	0.519	84.5 – 95	91.7	55	0.208	0	0 / 18
	(non-aerosols)	0.026	90	0.029	0 –68.9	52.2	55	0.004	27	4 / 8
19	Wood Cleaner									
	(aerosols)	0.048	90	0.053	24.1-99.4	24.8	17	0.02	0	0 / 4
	(non-aerosols)	0.203	90	0.226	0 – 100	9.0	4	0.212	90.4	32 / 40
	Totals:	**9.812**		**11.431**				**7.300**		

[1] Product numbers may represent product groups, therefore, the actual numbers of products may be larger.
[2] Portion of former "Personal Hygiene Product" category.
[3] Formerly part of "Topical Antifungal Product."
[4] Formerly referred to as Package Solvent, Clean-up Solvent, and/or General Purpose Remover Categories.
[5] Mass of VOC from category will increase if chlorinated compounds are no longer allowed to be used.
[6] Does not include products complying using chlorinated compounds.
[7] The number of products has increased due to recent submittal of products and corrections to grouping of product sizes.
** Omitted to protect confidentiality. Number of products and emissions are very low.

California Air Resources Board
2004 Consumer Products Regulation Amendments

SECOND STAFF PROPOSAL FOR REGULATION CHANGES & DEFINITIONS

March 4, 2004

REGULATORY CONCEPT CHANGES

1. Most Restrictive Limit

Changes in Bold

94512. Administrative Requirements

(a) Most Restrictive Limit. Notwithstanding the definition of "product category" in Section 94508 **or 94501**, if anywhere on the ~~principal display panel of any consumer product,~~ container of any consumer product, or on any sticker or label affixed thereto, or any sales or advertising literature authorized by the manufacturer or responsible party, any representation is made that the product may be used as, or is suitable for use as a consumer product for which a lower VOC limit is specified in Section 94509(a) **or section 94502(a)(2)**, then the lowest VOC limit shall apply. This requirement does not apply to general purpose cleaners.

Associated Changes to Antiperspirant/Deodorant Regulation and Consumer Products Regulation are Necessary as follows:

1) **A definition of "product category" will be added to section 94501;**
2) **The "Most Restrictive Limit" clause will be added to section 94504;**
3) **The definition for "Deodorant" will be added to section 94508(a);**
4) **The definition for "Personal Fragrance Product" will be added to 94501.**

2. Code-Dating

No changes

94512. Administrative Requirements

(b) ~~Code~~ Product-Dating. Each manufacturer of a consumer product subject to Section 94509 shall clearly display on each consumer product container or package, the day, month, and year on which the product was manufactured, or a code indicating such date. This date or code shall be displayed on each consumer product container or package no later than twelve months prior to the effective date of the applicable standard specified in Section 94509. The date of manufacture or code shall be displayed on the product container such that it is readily observable without removing or disassembling any portion of the product container or packaging. For the purposes of this subsection, information may be displayed on the bottom of a container as long as it is clearly legible without removing any product packaging. No person shall erase, alter, deface or otherwise remove or make illegible any date or code-date from any regulated product container without the express authorization of the manufacturer. Products manufactured after January 1, 2005 may not use a code to indicate the date of manufacture.

The requirements of this provision shall not apply to:

(1) personal fragrance products of 2 milliliters or less, which are offered to consumers free of charge for the purpose of sampling the product; or

(2) products containing no VOCs (as defined in section 94508), or containing VOCs at 0.10% by weight or less.

(c) If a manufacturer uses a code indicating the date of manufacture, for any consumer product subject to section 94509 an explanation of the code must be filed with the Executive Officer of the ARB no later than twelve months prior to the effective date of the applicable standard specified in section 94509.

3. Diluted Products

Changes in bold

94509

(b) *Products that are diluted prior to use*

(1) Except for Automotive Windshield Washer Fluids **(Dilutable),** f~~F~~or consumer products for which the label, packaging, or accompanying literature specifically states that the product should be diluted with water or non-VOC solvent prior to

use, the limits specified in subsection (a) shall apply to the product only after the minimum recommended dilution has taken place. For purposes of this subsection (b), "minimum recommended dilution" shall not include recommendations for incidental use of a concentrated product to deal with limited special applications such as hard-to-remove soils or stains.

(2) For consumer products for which the label, packaging, or accompanying literature states that the product should be diluted with any VOC solvent prior to use, the limits specified in subsection (a) shall apply to the product only after the maximum recommended dilution has taken place.

(3) For Automotive Windshield Washer Fluid **(Dilutable)** for which the label, packaging, or accompanying literature specifically states that the product should be diluted with water or non-VOC solvent prior to use, multiple dilution instructions may be specified for the purpose of complying with limits specified in subsection (a) for Type A areas and other areas in California respectively. ~~**Dilution instructions may also be included for areas outside of California.**~~ The limits specified in subsection (a) shall apply to the product after the specified dilution pertaining to the applicable area in California has taken place.

4. Notification that sell through period expires

No Changes

94509. Standards for Consumer Products

(c) *Sell-through of products.* Notwithstanding the provisions of Section 94509(a) or 94509(j), a consumer product manufactured prior to each of the effective dates specified for that product in the Table of Standards may be sold, supplied, or offered for sale for up to three years after each of the specified effective dates. This subsection (c) does not apply to any consumer product which does not display on the product container or package the date on which the product was manufactured~~.~~, or a code indicating such date.

(d) *Notification of Sell-through of products.* For any product subject to 94509(c), the responsible party must notify distributors in writing of the date that the product can no longer be available for sale in California 6 months prior to the expiration of the sell-through periods. Distributors must also notify retailers in writing 3 months prior to the expiration of the sell-through periods.

5. Modify/clarify definitions of "Anti-Perspirant/Deodorant" and/or "Personal Fragrance Products"

Changes in Bold

"Deodorant" means any product **applied to the human body with a label that indicates** ~~**including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles,**~~ **that it can be** ~~**is applied on the human body**~~ ~~intended by the manufacturer to be~~ **and is** used**,** ~~**or makes claims that it is suitable to be used,**~~ to minimize or protect against odor. ~~in the human axilla by retarding the growth of bacteria which cause the decomposition of perspiration~~. **"Deodorant" does not include "Feminine Deodorant Spray," "Topical Antifungal Product," or "Foot Deodorant Product."**

"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 ~~products exclusively for human axillae~~; (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.

6. Add a definition for "Foam" in Section 94508 (a).

No action at this time.

7. Clarify/Modify "Aerosol Product" definition, Section 94508 (a) (5)

No Changes

"Aerosol Product" means a pressurized spray system that dispenses product ingredients by means of a propellant contained in a product or product's container, or by means of a mechanically induced force. "Aerosol Product" does not include ~~pump sprays~~ "Pump Spray".

8. "Gel" to "Semisolid"

No Changes

"Facial Cleaner or Soap" means a cleaner or soap designed primarily to clean the face. "Facial Cleaner or Soap" includes, but is not limited to, facial cleansing creams, semisolids ~~gels~~, liquids, lotions, and substrate-impregnated forms. "Facial Cleaner or Soap" does not include prescription drug products, "Antimicrobial Hand or Body Cleaner or Soap," "Astringent/Toner," "General-use Hand or Body Cleaner or Soap," "Medicated Astringent/Medicated Toner," or "Rubbing Alcohol."

"Gel" means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, such as jelly.

"General-use Hand or Body Cleaner or Soap" means a cleaner or soap designed to be used routinely on the skin to clean or remove typical or common dirt and soils. "General-use Hand or Body Cleaner or Soap" includes, but is not limited to, hand or body washes, dual-purpose shampoo-body cleaners, shower or bath gels, and moisturizing cleaners or soaps. "General-use Hand or Body Cleaner or Soap" does not include prescription drug products, "Antimicrobial Hand or Body Cleaner or Soap", "Astringent/Toner", "Facial Cleaner or Soap", "Hand Dishwashing Detergent" (including antimicrobial), "Heavy-duty Hand Cleaner or Soap", "Medicated Astringent/Medicated Toner", or "Rubbing Alcohol."

"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 "Hairspray", "Hair Mousse", "Hair Styling Product ~~Gel~~" or ~~spray gel~~, or products whose primary purpose is to condition or hold the hair.

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

A = Aerosol Product
S = Solid
P = Pump Spray
L = Liquid
~~G = Gel~~
SS = Semisolid
O = Other

"Semisolid" means a product that, at room temperature, will not pour, but will spread or deform easily, including but not limited to gels, pastes, and greases.

Product Category	Effective Date [1]	VOC Standard [2]
Air Fresheners*:		
double phase aerosols	1/1/93 12/31/2004	30 25
single phase aerosols	1/1/93 1/1/96	70 30
dual purpose air fresheners/disinfectant aerosols	1/1/94	60
liquid/pump sprays	1/1/93	18
solids/semisolids ~~gels~~	1/1/93	3
* See sections 94510(f) and 94510(g) for exemptions that apply to certain air fresheners.		

9. Modify definition of LVP-VOC

Changes in bold

"LVP-VOC" means a chemical "compound" or "mixture" that contains at least one carbon atom and meets one of the following:

(A) has a vapor pressure less than 0.1 mm Hg at 20°C, as determined by ARB Method 310; or

(B) **is a chemical "compound" with more than 12 carbon atoms, or a chemical "mixture" comprised solely of "compounds" with more than 12 carbon atoms *as verified by formulation data*, and the vapor pressure *and boiling point are* ~~is~~ unknown; or**

(C) is a chemical "compound" with a boiling point greater than 216°C, as determined by ARB Method 310; or

(D) Is the weight percent of a chemical "mixture" that boils above 216°C, as determined by ARB Method 310.

For the purposes of the definition of LVP-VOC, chemical "compound" means a molecule of definite chemical formula and isomeric structure, and chemical "mixture" means a substrate comprised of two or more chemical "compounds".

10. Clarify reporting requirements

Changes in Bold (Minor grammatical changes)

"California Sales" means the sales (net pounds of product, less packaging and container, per year) in California for either the calendar year immediately prior to the year that the ~~registration~~ information required by the Executive Officer (required information) is due or, if ~~**that**~~ **those** data ~~**is**~~ **are** not available, any consecutive 12 month period commencing no earlier than 2 years prior to the due date of the ~~registration~~ required information. If direct sales data for California ~~**is**~~ **are** not available, sales may be estimated by prorating national or regional sales data by population.

94513. Reporting Requirements

(a) Upon 90 days written notice, the Executive Officer may require any responsible party or other company, firm, or establishment associated with selling, offering for sale, or manufacturing consumer products, including, but not limited to formulators, manufacturers, suppliers, parent companies, private labelers, distributors, and re-packagers, to report information for any consumer product or products the Executive Officer may specify including, but not limited to, all or part of the following information:

(1) the company name, ~~of the responsible party and the party's~~ address, telephone number, and designated contact person;

(2) any claim of confidentiality made pursuant to Title 17, California Code of Regulations, Section 91011;

(3) the product brand name for each consumer product ~~subject to registration~~ and ~~upon request by the Executive Officer,~~ the product label;

(4) the product category to which the consumer product belongs;

(5) the applicable product form(s) listed separately;

(6) an identification of each product brand name and form as a "Household Product", "I&I Product", or both;

(7) separate California sales in pounds per year, to the nearest pound, and the method used to calculate California sales for each product form;

(8) for ~~registrations~~ information submitted by ~~two~~ multiple companies, an identification of ~~the~~ each company which is submitting relevant data separate from that submitted by the responsible party. All ~~registration~~ information from ~~both~~ all companies shall be submitted by the date specified in Section 94513(a);

(9) for each product brand name and form, the net percent by weight of the total product, less container and packaging, comprised of the following, rounded to the nearest one-tenth of a percent (0.1%):

(A) Total Table B Compounds
(B) Total LVP-VOCs that are not fragrances
(C) Total All Other Carbon-Containing Compounds that are not fragrances
(D) Total All Non-Carbon-Containing Compounds
(E) Total Fragrance
(F) For products containing greater than two percent by weight fragrance, but excluding "personal fragrance products":
  (i) the percent of fragrance that are LVP-VOCs, and
  (ii) the percent of fragrance that are all other carbon-containing compounds
(G) For "personal fragrance products", the density of the fragrance
(H) Total Paradichlorobenzene

(10) for each product brand name and form, the identity, including the specific chemical name and associated Chemical Abstract Services (CAS) number, of the following:

(A) Each Table B Compound
(B) Each LVP-VOC that is not a fragrance

(11) if applicable, the weight percent comprised of propellant for each product;

(12) if applicable, an identification of the type of propellant (Type A, Type B, Type C, or a blend of the different types);

(b) In addition to the requirements of section 94513(a)(10), the responsible party shall report or shall arrange to have reported to the Executive Officer the net percent by weight of each ozone-depleting compound which is (1) listed in section 94509(e) and (2) contained in a product subject to ~~registration~~ reporting under section 94513(a) in any amount greater than 0.1 percent by weight.

(c) All information submitted by ~~responsible parties~~ any company pursuant to Section 94513 shall be handled in accordance with the procedures specified in Title 17, California Code of Regulations, Sections 91000-91022.

11. Changes to Method 310

See Method 310 attached copy for updates

Minor changes to Section 94515 -Test Methods, may be needed as a result of changes to Method 310.

12. Other "Minor" changes to regulation

Changes in Bold (Minor)

~~(c)~~ **(d)** Additional Labeling Requirements for Aerosol Adhesives.

(1) In addition to the requirements specified in subsections (a), and (b), ~~and (c)~~, both the manufacturer and responsible party for each aerosol adhesive product subject to this article shall ensure that all products clearly display the following information on each product container which is manufactured on or after 1/1/2002:

In Table of Standards, Section 94509 (a), move "Wasp and Hornet Insecticide" to appear under other "Insecticides" for clarity and simplification as follows:

Product Category	Effective Date [1]	VOC Standard [2]
Insecticides*:		
crawling bug (all forms):	1/1/95	40
	1/1/98	20
aerosol crawling bug insecticides	12/31/2004	15
flea and tick	1/1/95	25
flying bug (all forms):	1/1/95	35
aerosols	12/31/2003	25
foggers	1/1/95	45
lawn and garden (all forms)	1/1/95	20
non-aerosol lawn and garden insecticides	12/31/2003	3
wasp and hornet	----	---
	1/1/2005	40
* See sections 94510(g) and 94510(k) for exemptions that apply to certain insecticides.		

.....later in table…

Spot Remover:		
aerosols	1/1/2001	25

non-aerosols	1/1/2001	8
Tire Sealants and Inflators	12/31/2002	20
Undercoating: aerosols	1/1/2002	40
~~Wasp and Hornet Insecticide~~	~~1/1/2005~~	~~40~~

DEFINITIONS FOR CATEGORIES WITH PROPOSED LIMITS

NOTES:

1. **Categories have been re-ordered and re-numbered. The categories are now alphabetized to reflect the order they will appear in the regulation.**
2. **"Temporary Coloring Product" has been dropped from consideration for regulation at this time. We intend to re-survey the category this year and will consider it for regulation next year.**

1. Adhesive Remover (Proposing Sub-categories)

Changes in Bold

~~**"Adhesive Remover" means a product designed exclusively for the removal of adhesives, caulks, glues, gaskets, mastic, silicone, tapes, and other bonding materials from either a specific substrate or a variety of substrates.**~~

"Wallpaper and Flooring Adhesive Remover" means a product labeled to remove mastics, wallpaper, carpet, tile, or other flooring adhesives and the adhesive or glue residue therefrom.

"General Purpose Adhesive Remover" means a product labeled to remove adhesive or glue and the residue therefrom. "General Purpose Adhesive Remover" does not include "Wallpaper and Flooring Adhesive Remover" or "Chemically Cured Adhesive Remover."

"Chemically Cured Adhesive Remover" means a product labeled to remove chemically cured adhesives, glues, and sealants. "Chemically cured adhesives include, but are not limited to, epoxies, acrylics, cyanoacrylates, anaerobics, and thread locking compounds. "Chemically Cured Adhesive Remover" does not include "Wallpaper and Flooring Adhesive Remover."

For this definition only: "Chemically Curing" means a chemical reaction that allows for the formation of a chemically crosslinked adhesive when fully cured.

2. Anti-Static Product

Changes in Bold

"Anti-Static Product" means a product ~~**designed and**~~ **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 ~~**other coatings**~~

~~subject to~~ products that meet the **definition of** aerosol coating or architectural coating**~~s regulation~~**.

Necessary Associated Definition:

"Floor Coating" means an opaque coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, and other horizontal surfaces which may be subject to foot traffic.

3. Contact Adhesive

Changes in Bold

"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**~~. or products that are labeled for tire repair only.~~**. **"Contact Adhesive" also does not include vulcanizing fluids that are designed and labeled for tire repair only.**

"Contact Adhesive - General Purpose" is a contact adhesive that is not a "Contact Adhesive - Special Purpose".

"Contact Adhesives - Special Purpose" is a contact adhesive that is (A) used to bond melamine covered board, unprimed metal, unsupported vinyl, Teflon, ultra-high molecular weight polyethylene, rubber and wood veneer 1/16 inch or less in thickness to any porous or nonporous surface, and sold in units of product, less packaging, which weigh greater than 8 ounces, or (B) used in automotive applications that are (i) automotive under hood applications requiring heat, oil or gasoline resistance, or (ii) body side molding, automotive weatherstrip or decorative trim.

4. Electronic Cleaner

Changes in Bold

"Electronic Cleaner" means a product designed and labeled ~~specifically~~ **~~exclusively~~** for the removal of dirt, grease, moisture, dust, flux, light oil, oxides, or grime from electrical equipment such as electric motors, electric motor parts, circuit boards, **internal** computer components, electricity panels, ~~and~~ generators, and**/or** any other precision

electrical instrument. "Electronic Cleaner" does not include "General Purpose Cleaner," "Dusting Aid," "Engine Degreaser," "Pressurized Gas Duster," and "Anti-Static Product."

Necessary Associated Definition:

"Pressurized Gas Duster" means a pressurized product intended to remove dust from a surface strictly by means of mass air or gas flow, including dusting sprays for photographs, photographic film negatives, computer keyboards, and other types of surfaces that cannot be cleaned with solvents.

5. Fabric or Leather Waterproofer

No Changes

"Fabric or Leather Waterproofer" means any product designed ~~and~~ or labeled exclusively to waterproof, repel, or seal water from fabric ~~or leather~~ substrates, leather substrates, or associated stitching. "Fabric or Leather Waterproofer" does not include "Fabric Protectant" or "Vinyl/Fabric/Leather/Polycarbonate Coating."

Notes:

The following is an EXISTING definition in the ARB's Aerosol Coating Products Regulation (title 17, California Code of Regulations, sections 94520-94528):

> **"Vinyl/Fabric/Leather/Polycarbonate Coating" means a coating designed and labeled exclusively to coat vinyl, fabric, leather, or polycarbonate substrates.**

The following EXEMPTION is in the ARB's Aerosol Coating Products Regulation:

> **This article shall not apply to aerosol lubricants, mold releases, automotive underbody coatings, electrical coatings, cleaners, belt dressings, anti-static sprays, layout fluids and removers, adhesives, maskants, rust converters, dyes, inks, and *leather preservatives or cleaners. (emphasis added)***

The following is an EXISTING definition in the ARB's Aerosol Coating Products Regulation:

"Leather preservative or cleaner" means a leather treatment material applied exclusively to clean or preserve leather.

6. Fabric Refresher

Changes in Bold

"Fabric Refresher" means a product **labeled to neutralize or eliminate odor on fabric including, but not limited to, ~~designed primarily for the purpose of neutralizing or eliminating odor on~~** 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 wool, cotton, nylon, or other synthetic fabrics. "Fabric Refresher" does not include: "Carpet and Upholstery Cleaner," **"Footwear Care Product," "Foot Deodorant Product," "Feminine Deodorant Spray,"** "Spot Remover," or "Disinfectant," **or products labeled for application to both fabric and human skin.**

7. Feminine Deodorant Spray (Formerly Feminine Personal Hygiene Product)

"Feminine Deodorant Spray" means an aerosol or pump spray product with a label that indicates that the product is for external use, primarily to be applied on or adjacent to the female genital area to absorb moisture, deodorize, neutralize, or otherwise control odor. "Feminine Deodorant Spray" includes products labeled for use on clothing such as pantyhose or underwear. "Feminine Deodorant Spray" does not include "Topical Antifungal Product," "Foot Deodorant Product," "Air Freshener," "Antiperspirant," "Deodorant," "Fabric Refresher" "Personal Fragrance Product," or hand sanitizer.

8. Foot Deodorant Product

New Definition, Former Part of Topical Antifungal Product

"Foot Deodorant Product" means a product with a label that indicates it is for application to feet or footwear for the purpose of absorbing moisture, deodorizing, relieving the discomfort of hot or perspiring skin, or otherwise eliminating, destroying, or minimizing odor. "Foot Deodorant Product" includes combination foot and footwear deodorant products and products recommended to be sprayed onto socks or stockings. "Foot Deodorant Product" does not include "Topical Antifungal Product," "Feminine Deodorant Spray," "Air Freshener," "Antiperspirant," "Deodorant," ," "Fabric Refresher" "Footwear Care Product," "Personal Fragrance Product," or products labeled against use on humans.

9. Footwear Care Product

Changes in Bold

"Footwear Care Product" means any product designed or labeled to be applied primarily to footwear, to maintain, enhance, clean, protect, or modify the appearance, durability, fit, or flexibility of footwear~~, or is a deodorant-only product exclusively for footwear~~. "Footwear Care Product" does not include "Fabric or Leather Waterproofers," "Leather Care Products," "Fabric Protectants," "General Purpose Adhesives," "Contact Adhesives," "Vinyl/Fabric/Leather/Polycarbonate Coatings," "Rubber and Vinyl Protectants," **~~"Personal Hygiene Products,"~~ "Topical Antifungal Product," "Foot Deodorant Product," "Fabric Refresher," sealant products with adhesive properties used to create external protective layers greater than 2 millimeters thick, ~~or combination foot and footwear deodorant~~.**

See Notes on Definition 5. Fabric or Leather Waterproofer

10. Graffiti Remover

Changes in Bold

"Graffiti Remover" means a product **labeled** ~~designed exclusively~~ to remove spray paint, ~~or~~ ink, **marker, crayon, lipstick, nail polish, or shoe polish, ~~graffiti~~** from a variety of ~~surfaces~~ **non-cloth or non-fabric substrates.** "Graffiti Remover" does not include "Paint Remover or Stripper," "Nail Polish Remover," "Spot Remover," ~~"General Purpose Remover," or "Clean-Up Solvent."~~

11. Hair Styling Product

Changes in Bold

"Hair Styling ~~Gel~~ Product" means a ~~high viscosity, often gelatinous,~~ consumer product that ~~contains a resin and~~ is designed or labeled for the application to wet, damp or dry hair to aid in defining, volumizing, texturizing, styling and/or sculpting of the hair ~~coiffure~~. Includes, but is not limited to hair balm, clay, cream, creme, curl straightener, ~~detangler~~, gel, liquid, lotion, paste, pomade, putty, root lifter, serum, spray gel, stick, temporary hair straightener, volumizer, wax, **detangler and**/or conditioner that makes styling claims, and spray products that aid in styling but do not provide finishing of a hairstyle. Does not include "Hair Mousse," "Hair Shine," "Hair Spray," shampoo, or conditioner that does not make styling claims.

For the purposes of this definition, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time.

Necessary Associated Definition:

"Hair Spray" means a consumer product that is **applied to styled hair**, and is designed or labeled to ~~primarily for the purpose of~~ **dispensinge droplets** ~~of a resin on and into a~~ **on to styled** ~~hair coiffure which will~~ **for the purpose of** **impart**~~ing~~ **provide** sufficient rigidity, **to** ~~**and/or**~~ hold, ~~to the coiffure~~ **to** ~~establish or~~ retain **and/or** (finish) the style of the hair for a period of time. **"Hair Spray"** ~~I~~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"** ~~D~~does not include spray products that are intended to aid in styling but do not provide finishing of a hairstyle.

For the purposes of this definition, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time.

12. Insect Repellent

No changes proposed to the current "Insect Repellent" definition, which already exists for the purpose of regulating the aerosol form. Definition will remain as follows:

"Insect Repellent" 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.

13. Leather Care Product

No Changes, Information added for clarification

"Leather Care Product" means any product designed or labeled to be applied primarily to leather articles or components, other than footwear, to maintain, enhance, clean, protect, or modify the appearance, durability, fit, flexibility, or odor of the leather. "Leather Care Product" does not include "Fabric or Leather Waterproofer," "Vinyl/Fabric/Leather/Polycarbonate Coating," or "Rubber and Vinyl Protectant."

See Notes on Definition 5. Fabric or Leather Waterproofer

14. Nail Coating

No Changes

"Nail Coating" means a clear, colored, pigmented, tinted, textured, metallic, or otherwise visually enhanced product that forms a hard film when applied to natural or artificial fingernails and/or toenails, and functions as one or more of the following: nail polish, top coat, base coat/undercoat, or nail treatment product that forms a hard film. "Nail Coating" can be applied to bare or previously coated nails and includes, but is not limited to, enamels, lacquers, combination top coat/polish drying products, ridge fillers, strengtheners, hardeners, and conditioners. "Nail Coating" does not include nail glues or adhesives, cuticle care and removal products, nail soaks, nail creams and lotions, products designed exclusively for anti-fungal nail treatment, nor products used exclusively in the creation of artificial nail enhancements such as acrylic, gel, wrap, and sculptured nail systems.

Necessary Associated Definition (Elimination):

~~"Nail Polish" means any clear or colored coating designed for application to the fingernails or toenails and including but not limited to, lacquers, enamels, acrylics, base coats and top coats.~~

15. Shaving Gel

Changes in Bold

"Shaving Gel" means a**n aerosol** product which dispenses a post-foaming semi-solid designed to be used with a blade, cartridge razor, or other shaving system in the removal of facial or other bodily hair. "Shaving Gel" does not include "Shaving Cream."

Necessary Associated Definitions:

"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."**

16. Special Purpose Remover

New Definition, Formerly Packaged Solvent, Clean-up Solvent, and/or General Purpose Remover

To Be Determined

Necessary Associated Definitions: (Changes in Bold)

"Bug and Tar Remover" means a product ~~**designed**~~ **labeled** to remove either or both of the following ~~**from painted motor vehicle surfaces**~~ without causing damage to the **substrate** ~~**finish**~~: (A) biological-type residues such as insect carcasses and tree sap and/or, (B) ~~road grime, such as road~~ tar ~~roadway~~ ~~**paint markings,**~~ and asphalt.

"General Purpose Degreaser" means any product ~~**designed**~~ **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," ~~**"General Purpose Remover,"**~~ "Electronic 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.

~~"Multi-purpose Solvent" means any organic liquid designed to be used for a variety of purposed, including cleaning or degreasing of a variety of substrates, or thinning, dispersing or dissolving other organic materials. "Multi-purpose Solvent" includes solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories. "Multi-purpose Solvent" does not include solvents used in cold cleaners, vapor degreasers, conveyorized degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment.~~

"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,"~~ ~~**"General Purpose Remover,"**~~ paint brush cleaners, products designed and labeled ~~exclusively~~ to remove graffiti, and hand cleaner products that claim to remove paints and other related coatings from skin.

"Spot Remover" means any product~~**s**~~ ~~**designed**~~ **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," "Carpet and Upholstery Cleaner~~,~~." ~~or "Multi-purpose Solvent,"~~ **~~"General Purpose Remover."~~**

~~"General Purpose Remover" means a product designed to clean, remove, or degrease contaminants from a variety of substrates. "General Purpose Removers" include products that claim to remove: adhesives, asphalt, crayon, decals, fingernail polish, graffiti, grease, gum, ink, labels, latex paint drips, lipstick, markers, oil, scuff marks, shoe polish, stickers, or wax. "General Purpose Remover" excludes: "Adhesive Remover," "General Purpose Cleaner," "General Purpose Degreaser," "Electronic Cleaner," "Engine Degreaser," "Packaged Solvent," "Paint Remover or Stripper," "Paint Thinner," products used at analytical, educational, research, scientific, or other laboratories, and solvents used in cold cleaners, vapor degreasers, conveyorized degreasers, or film cleaning machines.~~

17. Toilet/Urinal Care Product

Changes in Bold

"Toilet/Urinal Care Product" means any product labeled or specifically designed to clean, to deodorize, or to both clean and deodorize, toilet bowls, toilet tanks, and/or urinals. Specifically designed means designed~~,~~ **or** labeled~~, or marketed~~ exclusively for toilet and/or urinal use. "Toilet/Urinal Care Product" includes, but is not limited to, products for toilets/urinals connected to permanent plumbing in buildings and other structures, products for portable toilets/urinals placed at temporary/remote locations, and products for toilet/urinals in vehicles such as buses, recreational motor homes, boats, ships, and aircraft. "Toilet/Urinal Care Product" does not include "Bathroom and Tile Cleaners," **or** "General Purpose Cleaners." **~~or "Air Fresheners."~~**

Necessary Associated and Related Definitions:

"Bathroom and Tile Cleaner" means a product designed to clean tile or surfaces in bathrooms. "Bathroom and Tile Cleaner" does not include products ~~specifically~~ designed solely to clean toilet bowls~~,or~~ toilet tanks, and/or urinals.

"Air Freshener" means any consumer product including but not limited to, sprays, wicks, powders, and crystals, designed for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air. "Air Freshener" includes dual purpose air freshener/disinfectant products. "Air Freshener" does not include products that are used on the human body, products that function primarily as cleaning products as indicated on a product label **~~or advertisement, or products containing at least 98% paradichlorobenzene~~ or products used in toilets or urinals.**

Revise Section 94510(g) as follows:

The VOC limits specified in Section 94509(a) shall not apply to ~~air fresheners and~~ insecticides containing at least 98% paradichlorobenzene.

18. Topical Antifungal Product

Changes in Bold, See also Foot Deodorant Product

"Topical Antifungal Product" means a product labeled for the treatment, **~~of~~ prevention, or cure of skin infections caused by dermatophytes, including** athlete's foot, jock itch, and/**or** ringworm **~~and regulated by the FDA as an over-the-counter topical antifungal drug product~~. "Topical Antifungal Product" includes products regulated by the Food and Drug Administration in 21CFR Part 333 of the Code of Federal Regulations as an over-the-counter topical antifungal drug product.** "Topical Antifungal Product" does not include **prescription only drug products, "**Footwear Care Product" or **"Foot Deodorant Product"**. For the purposes of this definition only:

> "Antifungal" means a drug which inhibits the growth and reproduction of fungal cells and decreases the number of fungi present.

19. Wood Cleaner

No Changes

"Wood Cleaner" means a product **~~designed and~~** labeled **~~exclusively~~** 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," or products designed and labeled exclusively to preserve or color wood.