

Final Regulation Order
REGULATION FOR REDUCING THE OZONE FORMED
FROM AEROSOL COATING PRODUCT EMISSIONS

[Note: Adopted amendments are shown in underline to indicate additions and ~~strikeout~~ to indicate deletions.]

Amend title 17, California Code of Regulation, Section 94523 as follows:

SUBCHAPTER 8.5 CONSUMER PRODUCTS

Article 3. Aerosol Coating Products

94523. Exemptions.

- (a) (1) For products manufactured before December 31, 2008: 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, cosmetics or any other products used on the human body, and leather preservatives or cleaners.
- (2) For products manufactured on or after December 31, 2008: 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, cosmetics or any other products used on the human body, leather preservatives or cleaners, products for vehicle tires, “Rubber/Vinyl Protectants” as defined in section 94508, and “Fabric Protectants” as defined in section 94508.
- (b) This article shall not apply to any aerosol coating product manufactured in California for shipment and use outside of California.
- (c) The provisions of this article shall not apply to a manufacturer, distributor, or responsible party who sells, supplies, or offers for sale in California an aerosol coating product that does not comply with the limits specified in section 94522(a)(2) or (a)(3), as long as the manufacturer, distributor, or responsible party can demonstrate both that the aerosol coating product is intended for shipment and use outside of California, and that the manufacturer, distributor, or responsible party has taken reasonable prudent precautions to assure that the aerosol coating product is not distributed to California. This subsection (c) does not apply to aerosol coating products that are sold, supplied, or offered for sale by any person to retail outlets in California.

- (d) The requirements in sections 94522(a)(2) and (a)(3) prohibiting the application of aerosol coating products that exceed the limits specified in the sections 94522(a)(2) or (a)(3) shall apply only to commercial application of aerosol coating products.

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