

DRAFT. FOR DISCUSSION PURPOSES ONLY. NOT PROPOSED REGULATORY LANGUAGE.

Note: This draft document provides potential stakeholder and California Air Resources Board (CARB) staff's suggestions for amending the Consumer Products Regulation.

Regulatory Definitions Discussion – Stakeholder Suggestions

No.	Definition	Discussion
1	Institutional Product or Industrial and Institutional (I & I) Product, section 94508(a)(77)	<p>Commenter suggests that CARB clarify what is meant by "Industrial" in the definition.</p> <p>CARB staff is exploring whether additional clarity may be needed to differentiate those products subject to CARB regulations versus products regulated by district rules. Two possible approaches being evaluated:</p> <ol style="list-style-type: none"> 1) Add a definition for "Industrial Product." This could be challenging as CARB and stakeholders often use the term "Industrial" differently. 2) Modify specific definitions in the regulation by adding language similar to the "Industrial" exclusion in the General Purpose Degreaser and Lubricant definitions <i>i.e.</i> adding specific product labeling requirements (<i>use in the manufacturing process only</i>) and restrictions on how a product is sold to end users.
2	Metal Polish or Cleanser, section 94508(a)(86)	<p>At present, the definition excludes products "designed or labeled exclusively for automotive and marine detailing." Commenter suggests that the exclusion is ambiguous and the term "automotive and marine detailing" needs to be defined in the regulation. CARB staff is evaluating this need.</p>

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3	Aerosol Adhesive, section 94508(a)(1)(A)(2)	Commenter suggests a new subcategory be defined and included under the Special Purpose Spray Adhesive category. The new subcategory would include Aerosol PVC Pipe Adhesives. CARB staff is evaluating this need.
4	Energized Electronic Cleaner, suggested new definition	Commenter suggests a new product category be defined, and be exempted from the chlorinated solvents prohibition. The current definition for "Electronic Cleaner" excludes products that meet specific labeling requirements for use on "energized equipment." Commenter is suggesting a stand-alone category. CARB staff is evaluating this need.
5	Energized Electrical/Electronic Equipment Use, suggested new definition(s)	The Electrical and Electronic Cleaner categories have exclusions for products labeled for "energized equipment use." Commenter suggests that this term be defined in a separate definition in the regulation. CARB staff is evaluating this need.

In addition, CARB staff received comments from stakeholders on a number of other recommended definitional modifications. After careful review of the comments, staff believe that additional changes to the definitions listed below are not warranted at this time. Although staff's initial review of these definitions concluded that changes are not needed, staff will continue to accept comments and welcome further dialogue from stakeholders.

- Carpet/Upholstery Cleaner, section 94508(a)(25)
- Engine Degreaser, section 94508(a)(40)
- Firearm Cleaner, proposed new category
- Floor Coating, section 94508(a)(48)
- Floor Maintenance Product, section 94508(a)(49)
- Floor Polish or Wax, section 94508(a)(50)
- Footwear or Leather Care Product, section 94508(a)(53)
- General Purpose Degreaser, section 94508(a)(59)
- Graffiti Remover, section 94508(a)(64)
- Gum or Candle Wax Remover, section 94508(a)(65)

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- Multi-purpose Solvent, section 94508(a)(84)(B)(4)
- Paint Remover or Stripper, section 94508(a)(98)
- Sealant or Caulking Compound, section 94508(a)(117)
- Spot Remover, section 94508(a)(124)
- Tire or Wheel Cleaner, section 94508(a)(130)
- Type A Propellant, section 94508(a)(133)
- Type B Propellant, section 94508(a)(134)
- Type C Propellant, section 94508(a)(135)
- Volatile Organic Compound, section 94508(a)(138): exempt HFO-1233zd from the VOC definition.

CARB staff also received comments for the seven definitions listed below. Because these categories and ancillary definitions are being evaluated as part of future VOC controls, staff intends to have discussion of suggested changes to the definitions at a later date.

- Aerosol Sunscreen, suggested new definition
- Air Freshener, section 94508(a)(6)
- Antiperspirant, section 94501(b)
- Conditioner, suggested new definition
- Deodorant, section 94501(d)
- No Rinse Shampoo, section 94508(a)(65)
- Shampoo, suggested new definition

CARB staff's suggestions for changes to definitions are listed in the table on the following page, for discussion.

Regulatory Definitions Discussion – CARB Suggestions

No.	Definition	Discussion
1	Disinfectant/Sanitizer, sections 94508(a)(33) and 94508(a)(116)	<p>Current definitions include several exclusions with terms such as “medical devices,” “medical equipment surfaces,” “food contact surfaces,” and “semi-critical.” CARB staff believe additional clarity about the types of products that meet the definitional exclusions may be warranted. Currently, some exclusions in the definitions require that products benefitting from the exclusion include specific labeling language such as “products labeled solely....”</p> <p>To provide clarity and consistency about which products would meet any one of the exclusions from the definitions, staff is evaluating the need for all of the exclusions to include the following types of language: “products labeled solely...” or “products labeled exclusively...” The inclusion of additional uses or claims on a product’s label would trigger the Most Restrictive Limit Provision and the product would be subject to the appropriate category VOC limit.</p>
2	Energized Electrical Cleaner, section 94508(a)(39)	<p>CARB staff is aware there may be a significant amount of product sold for non-energized uses. Energized Electrical Cleaner products are not to be used for motorized vehicle maintenance, or their parts. Yet these products are often sold right next to products that are used for motorized vehicle maintenance. There is a toxics concern with these products that users may be unnecessarily exposed to chlorinated solvents. To address the toxics exposure concerns, CARB staff is evaluating the inclusion of restrictions</p>

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2	Energized Electrical Cleaner, section 94508(a)(39)....(continued)	on container sizes available for general consumer use. Staff will also evaluate the need for an "Industrial" type exclusion for products meeting specific labeling requirements and criteria for how the product is sold.
3	General Purpose Degreaser, section 94508(a)(59(C))	Define what is mean by "solvent cleaning tanks or related equipment." Broad interpretation of this exclusion may result in excess VOC emissions.
4	Paint Thinner, section 94508(a)(99)	CARB staff is evaluating the need for additional language to specify that per section 94508(a)(99)(B)(4) of the definition, the label must identify the specific coating or coating brand line needed. This change will provide clarity to the definition and provide consistency with the criteria specified in section 94508(a)(99)(B)(3) for products labeled for the thinning of "Industrial Maintenance Coatings," "Zinc-Rich Primers," or "High Temperature Coatings." Staff will also evaluate the need for product size clarification.

Note to Public Stakeholders: This draft document provides potential stakeholder and California Air Resources Board (CARB) staff ideas for amending the Consumer Products regulations. This draft document is intended to foster stakeholder input, to help inform the development and formalization of initial draft regulatory language, and is incomplete and should not be construed as a formal regulatory proposal, nor will this replace the public process which any proposed regulation will undergo.