

REQUEST FOR EARLY EFFECTIVE DATE

**AMENDMENTS TO THE REGULATION FOR REDUCING VOLATILE ORGANIC
COMPOUND EMISSIONS FROM
ANTIPERSPIRANTS AND DEODORANTS**

Pursuant to Government Code section 11343.4, the Air Resources Board (ARB) requests that the amendments to sections 94502 and 94504, title 17, California Code of Regulations (CCR) become effective upon filing with the Secretary of State. Good cause for this request exists.

This regulatory action amends the ARB's antiperspirant and deodorant regulation by increasing the high volatility organic compound (HVOC) limit for aerosol antiperspirants to 40 percent from the existing zero percent limit, beginning January 1, 2001. This relaxation of the existing zero percent HVOC limit is necessary to insure that acceptable aerosol antiperspirants continue to be available to California consumers. Since 1998, manufacturers of these products have been operating under variances which have allowed the continued sale of aerosol antiperspirants that do not comply with the zero percent HVOC limit. These variances expired on January 1, 2001, and the January 1, 2001 effective date in the amended regulation was designed to coincide with the expiration of these variances.

Although the existing variances have already expired, the ARB is utilizing its enforcement discretion and is not taking any enforcement action against manufacturers who continue to produce aerosol antiperspirants that do not comply with the zero percent HVOC standard. However, it would provide reassurance to manufacturers to clarify the legal status of the antiperspirant amendments as soon as possible. The ARB is therefore requesting an early effective date for this regulatory action.

Date: _____

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