

Sec. 22a-174-40. Consumer Products

(a) **Definitions.** For purposes of this section, the definitions listed in this subsection shall apply:

(1) “Adhesive” means any product that is applied for the purpose of bonding two surfaces together excluding (A) mechanical means such as screws, clamps and Velcro, (B) products used on humans and animals, and (C) adhesive tape, contact paper, wallpaper, shelf liners or any other product with an adhesive incorporated onto or in an inert substrate.

(2) “Adhesive remover” means a product designed to remove adhesives from either a specific substrate or a variety of substrates. “Adhesive remover” does not include products that remove adhesives and are intended for use on humans or other animals. For the purpose of this definition, “adhesive” means a substance used to bond one or more materials including, but not limited to, caulks, sealants or glues.

(3) “Aerosol adhesive” means an aerosolized bonding product in which the spray mechanism is permanently housed in a non-refillable can designed for hand-held application without the need for ancillary hoses or spray equipment. “Aerosol adhesive” includes special purpose spray adhesive, mist spray adhesive and web spray adhesive.

(4) “Aerosol cooking spray” means any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food or both.

(5) “Aerosol product” means a pressurized spray system that dispenses product ingredients by means of a propellant contained in a product or a product’s container, or by means of a mechanically induced force. “Aerosol product” does not include pump spray.

(6) “Agricultural use” means the use of any pesticide or method or device for the control of pests in connection with the commercial production, storage or processing of any animal or plant crop, exclusive of the sale or use of pesticides in properly labeled packages or containers that are intended for:

(A) A household or its immediate environment;

(B) Structural pest control, which includes a use requiring a license under section 22a-54 of the Connecticut General Statutes;

(C) A manufacturing, mining or chemical process or in the operation of factories, processing plants and similar sites; or

(D) Within the lines of, or on property necessary for the operation of, buildings such as hospitals, schools, libraries, auditoriums and office complexes.

(7) “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 including spray disinfectants, dual purpose air freshener or disinfectant products and other products that are expressly represented for use as “air freshener.” “Air freshener” does not include products that are used on the human body, products that function primarily as cleaning products, disinfectant products claiming to deodorize by killing germs on surfaces, institutional and industrial disinfectants when offered for sale solely through institutional and industrial channels of distribution, odor removers or eliminators or toilet or urinal care products.

(8) “All other forms” means all consumer product forms for which no form-specific VOC standard is specified. Unless specified in a VOC standard, “all other forms” include, but are not limited to, solids, liquids, wicks, powders, crystals and cloth, paper wipes or

towelettes.

(9) “Alternative control plan” or “ACP” means an emissions averaging program approved by CARB or the NYSDEC.

(10) “Anti-microbial hand or body cleaner or soap” means a cleaner or soap designed to reduce the level of microorganisms on the skin through germicidal activity, including, but not limited to, anti-microbial hand or body washes and cleaners, food-handler hand washes, healthcare personnel hand washes, pre-operative skin preparations and surgical scrubs. “Anti-microbial hand or body cleaner or soap” does not include prescription drug products; antiperspirants; astringent or toner; deodorant; facial cleaner or soap; general-use hand or body cleaner or soap; hand dishwashing detergent including anti-microbial, heavy-duty hand cleaner or soap; medicated astringent or medicated toner; or rubbing alcohol.

(11) “Antiperspirant” means any product including, but not limited to, an aerosol, roll-on, stick, pump, pad, cream or squeeze-bottle that is intended by the manufacturer to be used to reduce perspiration in the human axilla by at least 20 percent in at least 50 percent of a target population.

(12) “Anti-static product” means a product that is labeled to eliminate, prevent or inhibit the accumulation of static electricity, exclusive of electronic cleaners, floor polish or wax, floor coating, aerosol coating products or architectural coating.

(13) “Architectural coating” means, notwithstanding the definition in section 22a-174-1 of the Regulations of Connecticut State Agencies, a coating applied to stationary structures and their appurtenances, to mobile homes, to pavements or to curbs.

(14) “Aromatic compound” means a carbon-containing compound that contains one or more benzene or equivalent heterocyclic rings and has an initial boiling point less than or equal to 280°C. “Aromatic compound” does not include compounds excluded from the definition of VOC listed in section 22a-174-1 of the Regulations of Connecticut State Agencies.

(15) “Artist’s solvent or thinner” means any liquid product, labeled to meet ASTM D4236 – 94 (March 1, 2005) Standard Practice for Labeling Art Materials for Chronic Health Hazards, and packaged in a container equal to or less than 34 fluid ounces, labeled to reduce the viscosity of a coating used to create visual art or a component of such a coating or to remove a coating used to create visual art from a substrate.

(16) “ASTM” means the American Society for Testing and Materials.

(17) “Astringent” or “toner” means any product not regulated as a drug by the United States Food and Drug Administration that is applied to the skin for the purpose of cleaning or tightening pores, including clarifiers and substrate-impregnated products and excluding any hand, face or body cleaner or soap product, medicated astringent or medicated toner, cold cream, lotion or antiperspirant.

(18) “Automotive brake cleaner” means, for products manufactured prior to May 1, 2018, a cleaning product designed to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms.

(19) “Automotive hard paste wax” means a motor vehicle wax or polish that is:

- (A) Designed to protect and improve the appearance of motor vehicle painted surfaces;
- (B) A solid at room temperature; and
- (C) Contains 0% water by formulation.

(20) “Automotive instant detailer” means a product designed for use in a pump spray that is applied to motor vehicle painted surfaces and wiped off prior to being allowed to dry.

(21) “Automotive rubbing or polishing compound” means a product designed primarily to remove oxidation, old paint, scratches or swirl marks and other defects from motor vehicle painted surfaces without leaving a protective barrier.

(22) “Automotive wax, polish, sealant or glaze” means a product designed to seal out moisture, increase gloss or otherwise enhance motor vehicle painted surfaces including, but not limited to, products designed for use in auto body repair shops and drive-through car washes, as well as products designed for the general public and excluding automotive rubbing or polishing compounds, automotive wash and wax products, surfactant-containing car wash products and products designed for use on unpainted surfaces such as bare metal, chrome, glass or plastic.

(23) “Automotive windshield cleaner” means a product labeled and packaged as an automotive windshield cleaner for automotive use only that is in the form of a moistened towelette designed to be used on automotive windshields, automotive mirrors and automotive headlights. “Automotive windshield cleaner” does not include automotive windshield washer fluid.

(24) “Automotive windshield washer fluid” means any liquid designed for use in a motor vehicle windshield washer system either as antifreeze or for the purpose of cleaning, washing or wetting the windshield, excluding fluids placed by the manufacturer in a new vehicle.

(25) “Bait station insecticide” means an insecticidal bait weighing no more than 0.5 ounce and composed of solid material feeding stimulants with less than five percent active ingredients that is designed to be ingested by insects.

(26) “Bathroom and tile cleaner” means a product designed to clean tile or surfaces in bathrooms, exclusive of products designed primarily to clean toilet bowls, toilet tanks or urinals.

(27) “Brake cleaner” means, for products manufactured on and after May 1, 2018, a cleaning product designed to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms.

(28) “Bug and tar remover” means a product labeled to remove either or both of the following from painted motor vehicle surfaces without causing damage to the motor vehicle finish:

- (A) Biological-type residues such as insect carcasses and tree sap; or
- (B) Road grime, such as road tar, roadway paint markings and asphalt.

(29) “CARB” means the California Air Resources Board.

(30) “CCR” means the California Code of Regulations.

(31) “Carburetor or fuel-injection air intake cleaner” means a product designed to remove fuel deposits, dirt or other contaminants from a carburetor, choke, throttle body of a fuel-injection system or associated linkages, exclusive of a product designed to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor or fuel injectors, or a product designed or labeled to be introduced during engine operation directly into air vacuum lines by using an application device that sprays product under

pressure.

(32) “Carpet and upholstery cleaner” means a cleaning product designed for the purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor vehicles or on household furniture or objects upholstered or covered with fabrics such as wool, cotton, nylon or other synthetic fabrics including, but not limited to, products that make fabric protectant claims and excluding general purpose cleaners, spot removers, vinyl or leather cleaners, dry cleaning fluids or products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.

(33) “CAS” means Chemical Abstract Service.

(34) “Charcoal lighter material” means any combustible material designed to be applied on, incorporated in, added to or used with charcoal to enhance ignition, excluding electrical starters and probes, metallic cylinders using paper tinder, natural gas, propane or fat wood.

(35) “Colorant” means any pigment or coloring material used in a consumer product for an aesthetic effect, or to highlight a component.

(36) “Connecticut sales” means the annual sales in Connecticut during a specified calendar year of a consumer product, expressed as net pounds of product less packaging and container.

(37) “Construction, panel and floor covering adhesive” means any non-aerosol single-component adhesive that is not floor seam sealer and that is designed or labeled for the installation, remodeling, maintenance or repair of:

(A) Structural and building components that include, but are not limited to, beams, trusses, studs; paneling such as drywall or drywall laminates, fiberglass-reinforced plastic, plywood, particle board, insulation board, pre-decorated hardboard and tile board; ceiling and acoustical tile; molding; fixtures; countertops or countertop laminates; cove or wall bases; and flooring or subflooring; or

(B) Floor or wall coverings that include, but are not limited to, wood or simulated wood covering; carpet; carpet pad or cushion; vinyl-backed carpet; flexible flooring material; non-resilient flooring material; mirror tiles and other types of tiles; and artificial grass.

(38) “Consumer” means any person who purchases or acquires any consumer product for personal, family, household or institutional use. A person acquiring a consumer product for resale is not a “consumer” for that product.

(39) “Consumer product” means a chemically formulated product used by household and institutional consumers including, but not limited to, antiperspirants; detergents; deodorants; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn and garden products; disinfectants; sanitizers; aerosol paints; aerosol adhesives used for consumer, industrial or commercial uses; or automotive specialty products. Other paint products, furniture coatings or architectural coatings are not “consumer products.”

(40) “Contact adhesive” means a non-aerosol adhesive that:

(A) Is designed for application to two surfaces to be bonded together;

(B) Is designed to dry before the two surfaces are placed in contact with each other;

(C) Forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces are placed in contact with each other;

(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;

(E) Is not a rubber cement primarily intended for use on paper substrates; and

(F) Is not a vulcanizing fluid designed and labeled for tire repair.

(41) “Contact adhesive - general purpose” means any contact adhesive that is not a “contact adhesive - special purpose.”

(42) “Contact adhesive - special purpose” means a contact adhesive that is either:

(A) Used to bond melamine-covered board, unprimed metal, unsupported vinyl, Teflon, ultra-high molecular weight polyethylene, rubber, high pressure laminate or wood veneer 1/16 inch or less in thickness to any porous or nonporous surface, and is sold in units of product, less packaging, that contain more than eight fluid ounces; or

(B) Used in automotive applications that are either automotive under-the-hood applications requiring heat, oil or gasoline resistance, or body-side molding, automotive weatherstrip or decorative trim.

(43) “Container” or “packaging” means the part or parts of a consumer or institutional product that serve only to contain, enclose, incorporate, deliver, dispense, wrap or store the chemically formulated substance or mixture of substances that accomplish the purpose or purposes for which the product is designed or intended, and includes any article onto or into which the principal display panel and other accompanying literature or graphics are incorporated, etched, printed or attached.

(44) “Crawling bug insecticide” means any insecticide product that is designed for use against ants, cockroaches or other household crawling arthropods including, but not limited to, mites, silverfish or spiders, and excluding any house dust mite product or any product designed to be used exclusively on humans or animals. For the purposes of this definition only:

(A) “House dust mite” means a Pyroglyphidae mite that feeds primarily on skin cells shed in the home by humans and pets; and

(B) “House dust mite product” means a product whose label, packaging or accompanying literature states that the product is suitable for use against house dust mites but does not indicate that the product is suitable for use against ants, cockroaches or other household crawling arthropods.

(45) “Date-code” means the day, month and year on which a consumer product is manufactured, filled or packaged or a code indicating such a date.

(46) “Deodorant” means any product including, but not limited to, an aerosol, roll-on, stick, pump, pad, cream or squeeze-bottle, that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that the product can be used on or applied to the human axilla to provide a scent or minimize odor.

(47) “Device” means any instrument or contrivance, other than a firearm, designed for trapping, destroying, repelling or mitigating any pest or any other form of plant or animal life other than humans and bacteria, viruses or other microorganisms on or in living humans or other living animals; but “device” does not include equipment used to apply pesticides if such pesticides are sold separately from the device.

(48) “Disinfectant” means any product intended to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi or viruses on surfaces or inanimate objects and for which the label is registered under FIFRA, including any product that is

labeled both as a sanitizer and disinfectant. “Disinfectant” does not include products:

- (A) Designed solely for use on human or animals;
- (B) Designed for agricultural use;
- (C) Designed solely for use in swimming pools, therapeutic or hot tubs;
- (D) Designed to be used on heat sensitive critical or semi-critical medical devices or medical equipment surfaces;
- (E) That are pre-moistened wipes or towelettes sold exclusively to medical, convalescent, or veterinary establishments;
- (F) Designed to be applied to food-contact surfaces and are not required to be rinsed prior to contact with food; or
- (G) As indicated on the principal display panel or label, designed primarily for use as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet or urinal care products, metal polishes, carpet cleaners, or fabric refreshers that may also make disinfecting or anti-microbial claims on the label.

For the purposes of this subdivision, “heat sensitive critical or semi-critical medical device” means a medical device that contacts or permeates mucous membranes or skin and that cannot be sterilized by thermal methods such as steam.

(49) “Distributor” means any person to whom a consumer product is sold or supplied for the purposes of resale or distribution in commerce, except that manufacturers, retailers and consumers are not “distributors.”

(50) “Double-phase aerosol air freshener” means an aerosol air freshener with the liquid contents in two or more distinct phases that requires the product container be shaken before use to mix the phases, producing an emulsion.

(51) “Dry cleaning fluid” means any non-aqueous liquid product designed and labeled exclusively for use on fabrics that are labeled “dry clean only” or that are S-coded fabrics and includes, but is not limited to, those products used by commercial dry cleaners and commercial businesses that clean fabrics such as draperies at a residence or work place. “Dry cleaning fluid” does not include spot remover or carpet and upholstery cleaner.

(52) “Dual purpose air freshener or disinfectant” means an aerosol product represented on the product container, or on any sticker, label, packaging, or literature attached to the product container, for use as both disinfectant and an air freshener.

(53) “Dusting aid” means a product designed for use with a mop, rag or other dusting device to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone based coating and does not include products, such as pressurized gas duster, that consist entirely of compressed gases for use in electronic or other specialty areas.

(54) “Electrical cleaner” means a product labeled to remove heavy soils such as grease, grime or oil from electrical equipment such as electric motors, armatures, relays, electric panels or generators. “Electrical cleaner” does not include general purpose cleaner, general purpose degreaser, dusting aid, electronic cleaner, energized electrical cleaner, pressurized gas duster, engine degreaser, anti-static product or products designed to clean the casings or housings of electrical equipment.

(55) “Electronic cleaner” means a product labeled for the removal of dirt, moisture, dust, flux or oxides from the internal components of electronic or precision equipment such as

circuit boards, and the internal components of electronic devices such as radios, compact disc (CD) players, digital video disc (DVD) players and computers. “Electronic cleaner” does not include general purpose cleaner, general purpose degreaser, dusting aid, pressurized gas duster, engine degreaser, electrical cleaner, energized electrical cleaner, anti-static product or products designed to clean the casings or housings of electronic equipment.

(56) “Energized electrical cleaner” means a product that meets both of the following criteria: (A) the product is labeled to clean or degrease electrical equipment, where cleaning or degreasing is accomplished when electrical current exists, or when there is a residual electrical potential from a component, such as a capacitor; and (B) the product label clearly displays the statements: **“Energized equipment use only. Not to be used for motorized vehicle maintenance or their parts.”** “Energized electrical cleaner” does not include electronic cleaner.

(57) “Engine degreaser” means a cleaning product designed to remove grease, grime, oil and other contaminants from the external surfaces of engines and other mechanical parts.

(58) “Fabric protectant” means:

(A) For products manufactured prior to May 1, 2018, a product designed to be applied to fabric substrates to protect the surface from soiling or to reduce absorption of liquid into the fabric’s fibers. “Fabric protectant” does not include a product labeled for use as a waterproofer, a product designed for use solely on leather or a product designed for use solely on fabrics that are labeled “dry clean only” and sold in containers of ten fluid ounces or less; and

(B) For products manufactured on and after May 1, 2018, a product designed to be applied to fabric substrates to protect the surface from soiling or to reduce absorption of liquid into the fabric’s fibers. “Fabric protectant” does not include a waterproofing product labeled for use solely on leather, a pigmented product designed to be used primarily for coloring, a product used for construction, reconstruction, modification, structural maintenance or repair of a fabric substrate, or a product that renews or restores fabric and qualifies as either clear coating or vinyl, fabric, leather or polycarbonate coating.

(59) “Fabric refresher” means a product labeled to neutralize or eliminate odors on non-laundered fabric including, but not limited to, soft household surfaces, rugs, carpeting, draperies, bedding, automotive interiors, footwear, athletic equipment, clothing or on household furniture or objects upholstered or covered with fabrics such as, but not limited to, wool, cotton or nylon. “Fabric refresher” does not include anti-static product, carpet and upholstery cleaner, footwear or leather care product, spot remover or disinfectant, sanitizer, or products labeled for application on both fabric and human skin.

(60) “Facial cleaner or soap” means a cleaner or soap designed primarily to clean the face and includes, but is not limited to, facial cleansing creams, semi-solids, liquids, lotions and substrate-impregnated forms; and excludes 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.

(61) “Fat wood” means pieces of wood kindling with high levels of sap or resin that enhance ignition of the kindling, and excludes any kindling with substances added to enhance flammability, such as wax-covered or wax-impregnated wood-based products.

(62) “FDA” means the United States Food and Drug Administration.

(63) “FIFRA” means the Federal Insecticide, Fungicide and Rodenticide Act, 7 USC sections 136 et. seq.

(64) “Flea and tick insecticide” means any insecticide product that is designed for use against fleas, ticks, their larvae or their eggs, exclusive of products designed for use exclusively on humans or animals and their bedding.

(65) “Flexible flooring material” means asphalt, cork, linoleum, no-wax, rubber, seamless vinyl or vinyl composite flooring.

(66) “Floor coating” means an opaque coating that is labeled and designed for application to flooring, including but not limited to, decks, porches, steps or other horizontal surfaces subject to foot traffic.

(67) “Floor or wall covering adhesive remover” means a product designed or labeled to remove floor or wall coverings and associated adhesive from the underlying substrate.

(68) “Floor polish or wax” means:

(A) For products manufactured prior to May 1, 2018, a wax, polish or any other product designed to polish, protect or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished, but does not include spray buff products, products designed solely for the purpose of cleaning floors, floor finish strippers, products designed for unfinished wood floors, or coatings subject to architectural coatings regulations; and

(B) For products manufactured on and after May 1, 2018, a product designed or labeled to polish, wax, condition, protect, temporarily seal, or otherwise enhance floor surfaces by leaving a protective finish that is designed or labeled to be periodically replenished. “Floor polish or wax” does not include spray buff products, floor wax strippers, products designed or labeled for unfinished wood floors, or coatings subject to architectural coatings regulations.

(69) “Floor seam sealer” means any product designed and labeled exclusively for bonding, fusing, sealing or coating seams between adjoining pieces of installed flexible sheet flooring.

(70) “Floor wax stripper” means a product designed to remove natural or synthetic floor polishes or waxes through breakdown of the polish or wax polymers, or by dissolving or emulsifying the polish or wax, exclusive of aerosol floor wax strippers or products designed to remove floor wax solely through abrasion.

(71) “Flying bug insecticide” means any insecticide product that is designed for use against flying insects or other flying arthropods, including, but not limited to, flies, mosquitoes, moths or gnats, and excluding wasp and hornet insecticide, products that are designed to be used exclusively on humans or animals or any moth-proofing product. For the purposes of this definition only, “moth-proofing product” means a product whose label, packaging or accompanying literature indicates that the product is designed to protect fabrics from damage by moths but does not indicate that the product is suitable for use against flying insects or other flying arthropods.

(72) “Footwear or leather care product” means any product designed or labeled to be applied to footwear or to other leather articles or components, to maintain, enhance, clean, protect or modify the appearance, durability, fit or flexibility of the footwear or leather article or component. Footwear includes both leather and non-leather foot apparel. “Footwear or leather care product” does not include fabric protectant, general purpose

adhesive, contact adhesive, vinyl, fabric, leather or polycarbonate coating, rubber or vinyl protectant, fabric refresher, products solely for deodorizing or sealant products with adhesive properties used to create external protective layers greater than two millimeters thick.

(73) “Fragrance” means a substance or complex mixture of aroma chemicals, natural essential oils and other functional components with a combined vapor pressure not in excess of 2mm Hg at 20°C, the sole purpose of which is to impart an odor or scent or to counteract a malodor.

(74) “Furniture coating” means any paint designed for application to room furnishings including, but not limited to, kitchen, bath and vanity cabinets; tables; chairs; beds and sofas.

(75) “Furniture maintenance product” means a wax, polish, conditioner or any other product designed for the purpose of polishing, protecting or enhancing finished wood surfaces other than floors and other furniture surfaces including, but not limited to acrylic, ceramic, plastic, stone, metal and fiberglass. “Furniture maintenance product” does not include any dusting aid, wood cleaner, product designed exclusively for cleaning furniture or any product designed to leave a permanent finish such as stain, sanding sealer or lacquer.

(76) “Gasket or thread locking adhesive remover” means a product designed or labeled to remove gaskets or thread locking adhesives. “Gasket or thread locking adhesive remover” includes products labeled for dual use as a paint stripper and gasket remover or thread locking adhesive remover.

(77) “Gel” means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, such as jelly.

(78) “General purpose adhesive” means any non-aerosol adhesive designed for use on a variety of substrates, excluding the following:

- (A) Contact adhesives;
- (B) Construction, panel and floor covering adhesives;
- (C) Adhesives designed exclusively for application to one specific category of substrate, such as metals, paper products, ceramics, plastics, rubbers or vinyls; or
- (D) Adhesives designed exclusively for use on one specific category of articles that may be composed of different materials but perform a specific function, such as gaskets, automotive trim, weather-stripping or carpets.

(79) “General purpose adhesive remover” means a product designed or labeled to remove cyanoacrylate adhesives and non-reactive adhesives or residue from a variety of substrates, including but not limited to, products that remove thermoplastic adhesives; pressure sensitive adhesives; dextrine or starchbased adhesives; casein glues; rubber or latex-based adhesives; and products that remove stickers, decals, stencils, or similar materials. “General purpose adhesive remover” does not include floor or wall covering adhesive remover.

(80) “General purpose cleaner” means a product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations. “General purpose cleaner” includes, but is not limited to, products designed for general floor cleaning, kitchen, countertop, or sink cleaning; and cleaners designed to be used on a variety of hard surfaces such as stovetops, cooktops, small appliances or microwaves, and does not include general purpose degreasers and electronic cleaners. A product that is labeled as an “oven or grill cleaner” that makes claims that it is suitable for

cleaning other hard surfaces is a “general purpose cleaner.”

(81) “General purpose degreaser” means any product 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” includes a product that is labeled as an oven or grill cleaner that makes claims that it is suitable for degreasing other hard surfaces.”General purpose degreaser” does not include engine degreaser, general purpose cleaner, adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner, metal polish, metal cleanser, oven or grill cleaner, except as qualified in the previous sentence, or products used exclusively in solvent cleaning tanks or related equipment, or products that are:

(A) Sold exclusively to establishments that manufacture or construct goods or commodities; and

(B) Labeled exclusively for “use in the manufacturing process only”, or “**not for retail sale.**”

(82) “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 wash, dual-purpose shampoo-body cleaner, shower or bath gel and moisturizing cleaner or soap; and excludes prescription drug product, anti-microbial hand or body cleaner or soap, astringent, toner, facial cleaner or soap, hand dishwashing detergent, anti-microbial hand washing detergent, heavy-duty hand cleaner or soap, medicated astringent, medicated toner or rubbing alcohol.

(83) “Glass cleaner” means a cleaning product designed primarily for cleaning surfaces made of glass and does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment or photocopying machines.

(84) “Graffiti remover” means a product labeled to remove spray paint, ink, marker, crayon, lipstick, nail polish or shoe polish from a variety of non-cloth or non-fabric substrates. “Graffiti remover” does not include paint remover or stripper, nail polish remover or spot remover. “Graffiti remover” includes products labeled for dual use as both a paint stripper and graffiti remover.

(85) “Hair mousse” means hairstyling foam designed to facilitate styling of a coiffure and provide holding power.

(86) “Hair shine” means any product designed for the primary purpose of creating a shine when applied to the hair, including, but not limited to, dual-use hair styling product, products designed primarily to impart a sheen to the hair, and excluding hair spray, hair mousse, hair styling gel or spray gel, or products whose primary purpose is to condition or hold the hair.

(87) “Hair spray” means a consumer product that is applied to styled hair and is designed or labeled to provide sufficient rigidity to hold, retain or finish the style of the hair for a period of time. “Hair spray” 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” 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 or holding of previously styled hair for a period of time. For the purposes of this definition, “styling” means the forming, sculpting or manipulation of the hair to alter temporarily the hair’s shape.

(88) “Hair styling product” means a consumer product designed or labeled for the application to wet, damp or dry hair to aid in defining, shaping, lifting, styling or sculpting of the hair. “Hair styling product” includes, but is not limited to, hair balm, clay, cream, creme, curl straightener, gel, liquid, lotion, paste, pomade, putty, root lifter, serum, spray gel, stick, temporary hair straightener, wax, spray products that aid in styling but do not provide finishing of a hairstyle and leave-in volumizers, detanglers or conditioners that make styling claims. “Hair styling product” does not include hair mousse, hair shine, hair spray or shampoos or conditioners that are rinsed from the hair prior to styling. For the purposes of this definition, “finish” or “finishing” means the maintaining or holding of previously styled hair for a period of time; and “styling” means the forming, sculpting or manipulation of the hair to alter temporarily the hair’s shape.

(89) “Heavy-duty hand cleaner or soap” means a product designed to clean or remove difficult dirt and soils such as oil, grease, grime, tar, shellac, putty, printer’s ink, paint, graphite, cement, carbon, asphalt or adhesives from the hand with or without the use of water. “Heavy-duty hand cleaner or soap” does not include prescription drug product, anti-microbial hand or body cleaner or soap, astringent, toner, facial cleaner or soap, general-use hand or body cleaner or soap, medicated astringent, medicated toner or rubbing alcohol.

(90) “Herbicide” means a pesticide product designed to kill or retard a plant’s growth, but excludes a product labeled for agricultural use and restricted material requiring a permit for use and possession.

(91) “High temperature coating” means a high performance coating labeled and formulated for application to substrates exposed continuously or intermittently to temperatures above 204°C (400°F).

(92) “High volatility organic compound” or “HVOC” means any VOC that exerts a vapor pressure greater than 80mm Hg at 20°C.

(93) “Household product” means any consumer product designed for use inside or outside living quarters or residences, inclusive of the immediate surroundings, which are occupied or intended for occupation by individuals.

(94) “Industrial maintenance coating” means a high performance architectural coating, including primers, sealers, undercoaters, as defined in section 22a-174-41 of the Regulations of Connecticut State Agencies, intermediate coats, and topcoats formulated for application to substrates, including floors, exposed to one or more of the following extreme environmental conditions and labeled “for industrial use only,” “for professional use only,” “not for residential use,” or “not intended for residential use”:

(A) Immersion in water, wastewater, or chemical aqueous or non-aqueous solutions, or chronic exposure of interior surfaces to moisture condensation;

(B) Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions;

(C) Frequent exposure to temperatures above 121°C (250°F);

(D) Frequent heavy abrasion, including mechanical wear and frequent scrubbing with industrial solvents, cleansers, scouring agents; or

(E) Exterior exposure of metal structures and structural components.

(95) “Insecticide” means a pesticide product that is designed for use against insects or other arthropods, but excluding products that are:

(A) For agricultural use;

(B) For a use which requires a structural pest control certification pursuant to section 22a-54 of the Connecticut General Statutes; or

(C) Restricted materials that require a permit for use and possession.

(96) “Insecticide fogger” means any insecticide product designed to release all or most of its content, in the form of a fog or mist, into indoor areas during a single application.

(97) “Institutional product” or “industrial and institutional product” means a consumer product that is designed for use in the maintenance or operation of an establishment, exclusive of a household product or a product that is incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment. For the purpose of this definition, an “establishment” includes, but is not limited to, a government agency, factory, school, hospital, sanitarium, prison, restaurant, hotel, store, automobile service and parts center, health club, theater or transportation company, that:

(A) Manufactures, transports, or sells goods or commodities or provides services for profit; or

(B) Is engaged in the nonprofit promotion of a particular public, educational or charitable cause.

(98) “Label” means any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon any consumer product or consumer product package, for purposes of branding, identifying or giving information with respect to the product or to the contents of the package.

(99) “Laundry prewash” means a product that is designed for application to a fabric prior to laundering and that supplements and contributes to the effectiveness of laundry detergents or provides specialized performance.

(100) “Laundry starch, sizing or fabric finish product” or “laundry starch product” means a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp look that may also act to help ease ironing of the fabric, including, but not limited to, fabric finish, sizing and starch.

(101) “Lawn and garden insecticide” means an insecticide product labeled primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods.

(102) “Liquid” means a substance or mixture of substances that is capable of a visually detectable flow as determined under ASTM D-4359-90(2000)e1, including subsequent amendments, excluding powders or other materials composed entirely of solid particles.

(103) “Lubricant” means a product designed to reduce friction, heat, noise or wear between moving parts, or to loosen rusted or immovable parts or mechanisms and excludes the following products:

(A) Automotive power steering fluids;

(B) Products for use inside power generating motors, engines, and turbines and associated power-transfer gearboxes;

- (C) Two cycle oils or other products designed to be added to fuels;
- (D) Products for use on the human body or animals; or
- (E) Products that are both:
 - (i) Sold exclusively to establishments that manufacture or construct goods or commodities, and
 - (ii) Labeled exclusively for “use in the manufacturing process only” or **“not for retail sale.”**

(104) “LVP-VOC” means a low vapor pressure chemical compound or mixture that contains at least one carbon atom and meets at least one of the following criteria:

- (A) Has a vapor pressure less than 0.1 mm Hg at 20°C;
- (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, and the vapor pressure and boiling point are unknown;
- (C) Is a chemical compound with a boiling point greater than 216°C; or
- (D) Is the weight percent of a chemical mixture that boils above 216°C.

For the purposes of this definition, “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.

(105) “Manufacturer” means any person who imports, manufactures, assembles, produces, packages, repackages or re-labels a consumer product.

(106) “Medicated astringent” or “medicated toner” means any product regulated as a drug by the FDA that is applied to the skin for the purpose of cleaning or tightening pores, and includes, but is not limited to, clarifiers and substrate-impregnated products. “Medicated astringent” or “medicated toner” does not include any hand, face, or body cleaner or soap product, personal fragrance product, astringent or toner, cold cream, lotion, antiperspirant or product that may only be purchased with a doctor’s prescription. For the purposes of this subdivision, “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; (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; or (G) fragrance products designed to be used exclusively on non-human animals.

(107) “Medium volatility organic compound” or “MVOC” means any volatile organic compound that exerts a vapor pressure greater than 2mm Hg and less than or equal to 80mm Hg when measured at 20°C.

(108) “Metal polish or cleanser” means any product designed to use physical or chemical action to remove or reduce stains, impurities or oxidation from surfaces or to make surfaces smooth and shiny on finished metal, metallic or metallized surfaces. “Metal polish or cleanser” includes, but is not limited to, metal polishes used on brass, silver, chrome, copper, stainless steel and other ornamental metals and does not include: automotive wax, polish,

sealant or glaze; wheel cleaner; paint remover or stripper; products designed and labeled exclusively for automotive and marine detailing; or products designed for use in degreasing tanks.

(109) “Mist spray adhesive” means any aerosol adhesive that is not a special purpose spray adhesive and that delivers a particle or mist spray, resulting in the formation of fine, discrete particles that yield a generally uniform and smooth application of adhesive to the substrate.

(110) “Multi-purpose dry lubricant” means any lubricant that is:

(A) Designed and labeled to provide lubricity by depositing a thin film of graphite, molybdenum disulfide (“moly”), or polytetrafluoroethylene or closely related fluoropolymer (“Teflon”) on surfaces; and

(B) Designed for general purpose lubrication, or for use in a wide variety of applications.

(111) “Multi-purpose lubricant” means any lubricant designed for general purpose lubrication or for use in a wide variety of applications, exclusive of any multi-purpose dry lubricant, penetrant or silicone-based multi-purpose lubricant.

(112) “Multi-purpose solvent” means:

(A) For products manufactured prior to May 1, 2018, any organic liquid designed to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing or dissolving other organic materials, including solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories. “Multi-purpose solvent” does not include any solvent used in a cold cleaner, vapor degreaser, conveyORIZED degreaser or film cleaning machine, or solvent that is incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment; and

(B) For products manufactured on and after May 1, 2018, any liquid product designed or labeled for use in dispersing, dissolving, or removing contaminants or other organic materials. “Multi-purpose solvent” also includes:

(i) a product that does not display specific use instructions on the product container or packaging,

(ii) a product that does not specify an end-use function or application on the product container or packaging,

(iii) a solvent used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories,

(iv) a paint clean-up product, or

(v) a product labeled to prepare surfaces for painting.

For the purpose of this subdivision only, “paint clean-up” means any liquid product labeled for cleaning oil-based or water-based paint, lacquer, varnish, or related coatings from painting equipment or tools, plastics, metals or other substrates.

“Multi-purpose solvent” does not include a solvent used in a cold cleaner, a vapor degreaser, a conveyORIZED degreaser or film cleaning machine; a solvent labeled exclusively for the clean-up of application equipment used for polyaspartic and polyurea coatings; a solvent that is incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment; a product that is labeled exclusively to clean a specific contaminant, on a single substrate, in specific situations; or

any product making any representation that the product may be used as, or is suitable for use as any other consumer product listed in Table 40-3 of this section.

For the purposes of this subdivision, “application equipment used for polyaspartic and polyurea coatings” means a device such as a squeegee, roller, brush, broom or spray system, used to apply a protective layer of aliphatic polyurea to a metal or concrete surface.

(113) “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.

(114) “Nail polish remover” means a product designed to remove nail polish and coatings from fingernails or toenails.

(115) “Non-aerosol product” means any consumer product that is not dispensed by a pressurized spray system.

(116) “Non-carbon containing compound” means any compound that does not contain carbon atoms.

(117) “Non-resilient flooring” means flooring of a mineral content that is not flexible, including terrazzo, marble, slate, granite, brick, stone, ceramic tile and concrete.

(118) “Non-selective terrestrial herbicide” means a herbicide product that is intended for use on land and is toxic to plants without regard to species.

(119) “NYCRR” means the Official Compilation of Codes, Rules and Regulations of the State of New York.

(120) “NYSDEC” means the New York State Department of Environmental Conservation.

(121) “Oven cleaner” means any cleaning product designed to clean by removing dried food and other deposits from oven interiors.

(122) “Oven or grill cleaner” means a product labeled exclusively to remove baked-on greases or deposits from food preparation or food cooking surfaces. “Oven or grill cleaner” does not include a product that is labeled as an “oven or grill cleaner” that makes claims that it is suitable for degreasing other hard surfaces or for cleaning other hard surfaces.

(123) “Paint” means any pigmented liquid, liquefiable or mastic composition designed for application to a substrate in a thin layer, which is converted to an opaque solid film after application and is used for protection, decoration or identification, or to serve some functional purpose such as the filling or concealing of surface irregularities or the modification of light and heat radiation characteristics.

(124) “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:

- (A) Multi-purpose solvents;
- (B) Paint brush cleaners;
- (C) Products designed and labeled exclusively to remove graffiti; or
- (D) Hand cleaner products that claim to remove paints and other related coating from skin.

(125) “Paint thinner” means, for products manufactured on and after May 1, 2018, any liquid product used for reducing the viscosity of coating compositions or components, that prominently displays the term “paint thinner,” “lacquer thinner,” “thinner,” or “reducer” on

the front panel of its packaging. "Paint thinner" does not include any of the following products:

- (A) Artist's solvent or thinner;
- (B) A product that is sold in containers with a capacity of five gallons or more and labeled exclusively for the thinning of industrial maintenance coatings, zinc-rich primers, or high temperature coatings;
- (C) A product labeled and used exclusively as an ingredient in a specific coating or coating brand line, whereby the coating would not be complete or useable without the specific ingredient; or
- (D) A product that meets both of the following criteria:
 - (i) The principle display panel of the product indicates, in a font size as large as or larger than the font size of all other words on the panel, not including the font size used for the company name, brand name, or logo, that the product is used exclusively for the thinning of industrial maintenance coatings, zinc-rich primers, or high temperature coatings, and
 - (ii) No representation is made anywhere on the product container or packaging, or any label or sticker attached thereto, that the product is suitable for use or may be used for any other purpose except the thinning of industrial maintenance coatings, zinc-rich primers, or high temperature coatings.

For the purposes of this definition, "zinc-rich primer" means a coating that contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids, is formulated for application to metal substrates to provide a firm bond between the substrate and subsequent applications of coatings, and is intended for professional use only and labeled "For Professional Use Only," "For Industrial Use Only," "Not for residential use," or "Not intended for residential use."

(126) "Penetrant" means a lubricant designed and labeled primarily to loosen metal parts that have bonded together due to rusting, oxidation or other causes. "Penetrant" does not include multi-purpose lubricants that claim to have penetrating qualities, but are not labeled primarily to loosen bonded parts.

(127) "Pesticide" means any substance or mixture of substances labeled, designed or intended for use in preventing, destroying, repelling or mitigating any pest; or any substance or mixture of substances labeled, designed or intended for use as a defoliant, desiccant or plant regulator; and excluding any substance, mixture of substances or device that the United States Environmental Protection Agency does not consider a pesticide.

(128) "Plasticizer" means a material that is incorporated into a plastic to increase its flexibility, workability, or distensibility. "Plasticizer" content of a product may be determined using ASTM Method E260-91 or 96, including any subsequent amendments or from product formulation data.

(129) "Pressurized gas duster" means a pressurized product labeled to remove dust from a surface solely by means of mass air or gas flow, including surfaces such as photographs, photographic film negatives, computer keyboards and other types of surfaces that cannot be cleaned with solvents. "Pressurized gas duster" does not include dusting aids.

(130) "Principal display panel" means that part, or those parts, of a product label appearing once or more on a container or packaging that is designed for display to, examination by or presentation to a potential consumer under normal and customary

conditions of display or purchase.

(131) “Product brand name” means the name of the product exactly as it appears on the principal display panel of the product.

(132) “Product form”, for the purpose of complying with subsection (h) of this section only, means the applicable form that most accurately describes a products’ dispensing form, including aerosols (A), solids (S), semi-solids (SS), liquids (L), pump sprays (P), or other (O).

(133) “Propellant” means a liquefied or compressed gas that is used in whole or in part, such as a co-solvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.

(134) “Pump spray” means a packaging system in which the product ingredients within the container are not under pressure and in which the product is expelled only while a pumping action is applied to a button, trigger or other actuator.

(135) “Resilient flooring” means flexible flooring of a material that may include, but is not limited to, asphalt, cork, linoleum, no-wax, rubber, seamless vinyl, or vinyl composite.

(136) “Responsible party” means the company, firm or establishment that is listed on a product’s label. If the label lists more than one company, firm or establishment, the responsible party is the party that the product was “manufactured for” or “distributed by,” as noted on the label.

(137) “Restricted material” means pesticides classified for “restricted use” pursuant to FIFRA.

(138) “Retailer” means any person who sells, supplies or offers consumer products for sale directly to consumers.

(139) “Retail outlet” means any establishment at which consumer products are sold, supplied or offered for sale directly to consumers.

(140) “Roll-on product” means any antiperspirant or deodorant dispensed by rolling a wetted ball or wetted cylinder on the affected area.

(141) “Rubber or vinyl protectant” means:

(A) For products manufactured prior to May 1, 2018, any product designed to protect, preserve or renew vinyl, rubber and plastic on motor vehicles, tires, luggage, furniture or household products such as vinyl covers, clothing and accessories. “Rubber or vinyl protectant” does not include a product primarily designed to clean a motor vehicle wheel rim, such as aluminum or magnesium wheel cleaner, or a tire cleaner that does not leave an appearance-enhancing or protective substance on the tire; and

(B) For products manufactured on and after May 1, 2018, any product labeled to protect, preserve or renew vinyl, or rubber on motor vehicles, tires, luggage, furniture or household products such as vinyl covers, clothing, or accessories. “Rubber or vinyl protectant” does not include a product labeled to clean the wheel rim, such as aluminum or magnesium wheel cleaner, or a tire cleaner that does not leave an appearance-enhancing or protective substance on the tire, a pigmented product designed or labeled to be used primarily for coloring, a product used for construction, reconstruction, modification, structural maintenance or repair of rubber or vinyl substrates, or a product, other than a product labeled to be used on vehicle tires, qualifying as either clear coating or vinyl, fabric, leather or polycarbonate coating. For the purposes of this subdivision, “clear coating” means an aerosol product that is

colorless or transparent, containing resins but no pigments except ingredients added to reduce the gloss of the coating without adding color to the coating, and is designed and labeled to form a transparent or translucent solid coating.

(142) “Rubbing alcohol” means any product containing isopropyl alcohol or denatured ethanol and labeled for topical use, usually to decrease germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient or for massage.

(143) “Sanitizer” means, for products manufactured on and after May 1, 2018, a product that is labeled as a “sanitizer”, or labeled to reduce, but not necessary eliminate, microorganisms in the air, on surfaces, or on inanimate objects, and whose label is registered as a “sanitizer” under FIFRA. Products that are labeled both as a “sanitizer” and a disinfectant are considered disinfectants. “Sanitizer” does not include:

- (A) Disinfectant;
- (B) A product labeled solely for use on humans or animals;
- (C) A product labeled solely for agricultural use;
- (D) A product labeled solely for use in swimming pools, therapeutic tubs, or hot tubs;
- (E) A product labeled for use on heat sensitive critical or semi-critical medical devices or medical equipment surfaces;
- (F) A product that is a pre-moistened wipe or towelette sold exclusively to medical, convalescent or veterinary establishments;
- (G) A product that is labeled to be applied to food-contact surfaces and is not required to be rinsed prior to contact with food; or
- (H) A product that is labeled as a bathroom and tile cleaner, glass cleaner, general purpose cleaner, toilet or urinal care product, metal polisher, carpet cleaner, or fabric refresher that may also make sanitizing or anti-microbial claims on the label.

For the purposes of this subdivision, “heat sensitive critical or semi-critical medical device” means a medical device that contacts or permeates mucous membranes or skin and that cannot be sterilized by thermal methods such as steam.

(144) “S-coded fabric” means an upholstery fabric designed to be cleaned only with water-free spot cleaning products as specified by the Joint Industry Fabric Standards and Guidelines Committee.

(145) “Sealant and caulking compound” means any product with adhesive properties that is designed to fill, seal, waterproof or weatherproof gaps or joints between two surfaces, and excluding the following products:

- (A) Roof cements and roof sealants;
- (B) Insulating foams;
- (C) Removable caulking compounds, which, for the purposes of this subdivision, means a compound that temporarily seals windows or doors for three to six month time intervals;
- (D) Clear, paintable or water resistant caulking compound, which, for the purposes of this subdivision, means a compound that contains no appreciable level of opaque fillers or pigments; transmits most or all visible light through the caulk when cured; is paintable; and is immediately resistant to precipitation upon application;
- (E) Floor seam sealers;
- (F) Products designed exclusively for automotive uses;
- (G) Sealers that are applied as continuous coatings; or

(H) Products sold in units that weigh more than one pound and consist of more than sixteen fluid ounces.

(146) “Semisolid” means a product that, at room temperature, will not pour but will spread or deform easily, such as gels, pastes and greases.

(147) “Shaving cream” means an aerosol product that dispenses foam lather intended for use 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.

(148) “Shaving gel” means an aerosol product that dispenses a post-foaming semi-solid designed to be used with a blade, cartridge razor or other wet-shaving system in the removal of facial or other body hair. “Shaving gel” does not include shaving cream.

(149) “Silicone-based multi-purpose lubricant” means any lubricant that is not a product designed and labeled exclusively to release manufactured products from molds and that is designed and labeled as follows:

(A) To provide lubricity primarily through the use of silicone compounds including, but not limited to, polydimethylsiloxane; and

(B) For general purpose lubrication, or for use in a wide variety of applications.

(150) “Single-phase aerosol air freshener” means an aerosol air freshener with the liquid contents in a single homogeneous phase that does not require that the product container be shaken before use.

(151) “Solid” means a substance or mixture of substances that, either whole or subdivided as in the case of particles comprising a powder, is not capable of visually detectable flow as determined under ASTM D-4359-90 (2000)e1, including any subsequent amendments.

(152) “Solvent cleaning tanks or related equipment” means, 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.

(153) “Special purpose spray adhesive” means any of the aerosol adhesives identified in subparagraphs (A) through (G) of this subdivision:

(A) Mounting adhesive, an aerosol adhesive designed to mount photographs, artwork and any other drawn or printed media permanently to a backing without causing discoloration to the artwork;

(B) Automotive engine compartment adhesive, an aerosol adhesive designed for use in motor vehicle under-the-hood applications that require oil and plasticizer resistance as well as high shear strength at temperatures of 200°F to 275° F;

(C) Flexible vinyl adhesive, an aerosol adhesive designed to bond a nonrigid polyvinyl chloride plastic with at least five percent, by weight, of plasticizer content to substrates;

(D) Polystyrene foam adhesive, an aerosol adhesive designed to bond polystyrene foam to substrates;

(E) Automotive headliner adhesive, an aerosol adhesive designed to bond together layers in motor vehicle headliners;

(F) Polyolefin adhesive, an aerosol adhesive designed to bond polyolefins to substrates; and

(G) Laminate repair or edgebanding adhesive, an aerosol adhesive designed for:

(i) Touch-up or repair of items laminated with sheet materials consisting of a core

material that has been laminated at temperatures exceeding 265 °F, and at pressures between 1,000 and 1,400 psi, or

(ii) Touch-up, repair or attachment of edgebanding materials, including but not limited to, other laminates, synthetic marble, veneers, wood molding and decorative metals.

(154) “Specialty adhesive remover” means a product designed to remove reactive adhesives from a variety of substrates. For the purposes of this definition, “reactive adhesive” includes adhesive that requires a hardener or catalyst for the bond to be formed, epoxy, urethane and silicone. “Specialty adhesive remover” does not include gasket or thread locking adhesive remover.

(155) “Spot remover” means any product labeled to clean localized areas, or remove localized spots or stains on cloth or fabric that does not require subsequent laundering to achieve stain removal. “Spot remover” does not include dry cleaning fluid, laundry pre-wash or multi-purpose solvent.

(156) “Spray buff product” means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.

(157) Reserved.

(158) “Structural waterproof adhesive” means an adhesive with bond lines that are resistant to conditions of continuous immersion in fresh or salt water and that conforms with Federal Specification MMM-A-181D (Type 1, Grade A).

(159) “Temporary hair color” means, for products manufactured on and after May 1, 2018, any product that applies color, glitter, or UV-active pigments to hair, wigs, or fur and is removable when washed. “Temporary hair color” includes hair color mousses and products labeled to add texture or thickness to cover thinning or balding areas, and excludes hair spray, hair styling product, or hair mousse.

(160) “Tire sealant and inflator” means any pressurized product that is designed to inflate and seal a leaking tire for a short period of time.

(161) “Toilet or urinal care product” means any product designed or labeled to clean or deodorize a toilet bowl, toilet tank or urinal. For the purpose of this definition, “toilet bowl, toilet tank or urinal” includes, but is not limited to, any toilet or urinal connected to permanent plumbing in buildings and other structures, any portable toilet or urinal placed at temporary or remote locations and any toilet or urinal in vehicles such as buses, recreational motor homes, boats, ships and aircraft. Bathroom and tile cleaner and general purpose cleaner are not considered “toilet or urinal care product.”

(162) “Undercoating” means any aerosol product including, but not limited to, a rubberized, mastic or asphaltic product designed to impart a protective, non-paint layer to the undercarriage, trunk interior or the firewall of motor vehicles to prevent the formation of rust or to deaden sound.

(163) “Vinyl, fabric, leather or polycarbonate coating” means a coating designed and labeled exclusively to coat vinyl, fabric, leather or polycarbonate substrates.

(164) “VOC content” means, except for charcoal lighter material products, the total weight of volatile organic components in a product expressed as a percentage of the product weight exclusive of the container or packaging.

(165) “Wasp and hornet insecticide” means any insecticide product that is designed for use against wasps, hornets, yellow jackets or bees and that allows the user to spray from a

distance a directed stream or burst at the intended insects or their hiding place.

(166) “Waterproofer” means a product that is not a fabric protectant and that is designed and labeled exclusively to repel water from fabric or leather substrates.

(167) “Wax” means a material or synthetic thermoplastic substance generally composed of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol, high polymers or plastics, including, but not limited to, substances derived from the secretions of plants and animals such as carnuba wax and beeswax, substances of a mineral origin such as ozocerite and paraffin and synthetic polymers such as polyethylene.

(168) “Web spray adhesive” means any aerosol adhesive that is not a mist spray or special purpose spray adhesive.

(169) “Wood cleaner” means a product labeled to clean wooden materials including but not limited to decking, fences, flooring, logs, cabinetry and furniture. “Wood cleaner” does not include any dusting aid, general purpose cleaner, furniture maintenance product, floor wax stripper, floor polish or wax or products designed and labeled exclusively to preserve or color wood.

(170) “Wood floor wax” means a wax-based product for use solely on wood floors.

(b) Applicability.

Except as provided in subsection (c) of this section, this section applies to any person who sells, supplies, offers for sale, distributes for sale or manufactures for sale in the state of Connecticut any consumer product manufactured before the applicable date identified in Table 40-1 or on or after the applicable date identified in Table 40-3 for use in the state of Connecticut.

(c) Exemptions.

(1) This section shall not apply to any consumer product manufactured in Connecticut for shipment, sale and use outside of Connecticut.

(2) This section shall not apply to a manufacturer or distributor who sells, supplies or offers for sale in Connecticut a consumer product that does not comply with the VOC content limits specified in Table 40-1 or Table 40-3 of this section provided that such manufacturer or distributor makes and keeps records demonstrating:

(A) The consumer product is intended for shipment and use outside of Connecticut; and

(B) The manufacturer or distributor has taken reasonable precautions to assure that the consumer product is not distributed to or within Connecticut.

(3) Subdivision (2) of this subsection shall not apply to a consumer product that is sold, supplied or offered for sale by any person to a retail outlet in Connecticut.

(4) This section shall not apply to any product for which the manufacturer obtains one of the following variances, provided that any manufacturer who claims exemption pursuant to this subdivision shall possess and submit to the commissioner, upon request therefor, a copy of the applicable underlying variance decision:

(A) A variance issued by the NYSDEC pursuant to 6 NYCRR 235-8.1 and approved by the Administrator, for the period of time such variance is in effect; or

(B) A variance issued by CARB pursuant to 17 CCR 94514 and approved by the Administrator, for the period of time such variance is in effect.

(5) This section shall not apply to any product for which the manufacturer is granted one

of the following exemptions, provided the consumer product sold in Connecticut meets all product conditions attached to the grant of the exemption:

(A) An exemption by CARB pursuant to the Innovative Products provisions of 17 CCR 94511 or 17 CCR 94503.5 and approved by the Administrator for the period of time the CARB Innovative Products exemption remains in effect; or

(B) An exemption by the NYSDEC pursuant to the Innovative Products provisions of 6 NYCRR 235-5.1 and approved by the Administrator for the period of time the NYSDEC Innovative Products exemption remains in effect.

(6) Any manufacturer who claims an exemption pursuant to subdivision (5) of this subsection shall submit to the commissioner, upon request therefor, a copy of the applicable CARB or NYSDEC exemption decision.

(7) This section shall not apply to any manufacturer for any product that is subject to one of the ACP agreements identified below, provided that the manufacturer complies with all conditions applicable to the underlying ACP agreement:

(A) Exempt by NYSDEC pursuant to the ACP requirements of 6 NYCRR 235-11.1 and approved by the Administrator for the period of time the underlying ACP agreement remains in effect. Any manufacturer who claims exemption pursuant to this subparagraph shall submit to the commissioner and the Administrator, upon request therefor, a copy of the applicable ACP agreement; or

(B) Exempt by CARB pursuant to the ACP requirements of 17 CCR 94511 and approved by the Administrator for the period of time the underlying ACP agreement remains in effect. Any manufacturer who claims exemption pursuant to this subparagraph shall submit to the commissioner and the Administrator, upon request therefor, a copy of the applicable ACP agreement.

(8) The VOC content limits specified for antiperspirants or deodorants in Table 40-1 or Table 40-3 of this section shall not apply to the following:

(A) Colorants up to a combined level of two percent by weight contained in any antiperspirant or deodorant,

(B) Those VOCs that contain more than ten carbon atoms per molecule and for which the vapor pressure is unknown, or that have a vapor pressure of 2 mm Hg or less at 20°C, and

(C) The MVOC content limits shall not apply to ethanol.

(9) The VOC content limits specified in Table 40-1 or Table 40-3 of this section shall not apply to fragrances up to a combined level of two percent by weight contained in any consumer product.

(10) The VOC content limits specified in Table 40-1 or Table 40-3 of this section shall not apply to any LVP-VOC.

(11) For consumer products registered under FIFRA, the requirements of subsection (e) of this section shall not apply.

(12) The VOC content limits specified in Table 40-1 or Table 40-3 of this section shall not apply to air fresheners that are comprised entirely of fragrance, less compounds not defined as VOCs or exempted under subdivision (10) of this subsection.

(13) The VOC content limits specified in Table 40-1 or Table 40-3 of this section shall not apply to air fresheners and insecticides containing at least 98 percent

paradichlorobenzene.

(14) The VOC content limits specified in Table 40-1 or Table 40-3 of this section shall not apply to adhesives sold in containers of one fluid ounce or less.

(15) The VOC content limits specified in Table 40-1 or Table 40-3 of this section shall not apply to bait station insecticides.

(16) (A) The requirements of this section shall not apply to:

(i) Contact adhesives sold in units of product, less packaging, of more than one gallon; or

(ii) Construction, panel and floor covering adhesives and general purpose adhesives sold in units of product, less packaging, of more than one pound or sixteen (16) fluid ounces.

(A) The exemptions provided in subparagraph (A) of this subdivision shall not apply to aerosol adhesives.

(17) The requirements of this section shall not apply to a consumer product that is distributed or transferred by a branch of the United States military to, from or within a premises operated by that branch of the United States military.

(d) **Standards.**

(1) Except as provided in subsection (c) of this section:

(A) No person shall sell, supply or offer for sale in the state of Connecticut any consumer product manufactured prior to May 1, 2018, unless such consumer product complies with the applicable VOC content limits specified in Table 40-1 of this section and the requirements of this subsection; and

(B) No person shall sell, supply or offer for sale in the state of Connecticut any consumer product manufactured on and after May 1, 2018 or, on and after May 1, 2018, manufacture for sale in the state of Connecticut any consumer product, unless such consumer product complies with the applicable VOC content limits specified in Table 40-3 of this section and the requirements of this subsection.

(2) For consumer products that are diluted prior to use, the VOC content limits in Table 40-1 or Table 40-3 shall apply as follows:

(A) If the label, packaging or accompanying literature specify that the product should be diluted with water or non-VOC solvent prior to use, the VOC content limits specified in Table 40-1 or Table 40-3 shall apply to the product only after the minimum recommended dilution has taken place;

(B) If the label, packaging or accompanying literature specify that the product should be diluted with any VOC solvent prior to use, the VOC content limits specified in Table 40-1 or Table 40-3 shall apply to the product only after the maximum recommended dilution has taken place; and

(C) For the purposes of this subdivision, “minimum recommended dilution” shall not include recommendations for incidental use of a concentrated product for limited special applications such as hard-to-remove soils or stains.

(3) No person shall sell, supply or offer for sale in Connecticut any charcoal lighter material product unless at the time of the transaction, such person possesses documentation showing that such product has been issued a currently effective certification by the CARB pursuant to 17 CCR 94509(h).

(4) No person shall sell, supply, offer for sale or manufacture for use in Connecticut prior

to May 1, 2018 any aerosol adhesive that exceeds the VOC content limits in Table 40-1 or, on and after May 1, 2018 any aerosol adhesive that exceeds the VOC content limits in Table 40-3, of this section for consumer, industrial and commercial uses or that contains methylene chloride, perchloroethylene or trichloroethylene. If an aerosol adhesive:

(A) Is sold as a special purpose spray adhesive, the product label shall indicate that the adhesive is suitable only for substrates and applications identified in the definition of special purpose spray adhesive in subsection (a) of this section. If the product label indicates that the adhesive is suitable for use on any substrate or application that is not identified in definition of special purpose spray adhesive in subsection (a) of this section, then the product shall be classified as either a web spray adhesive or a mist spray adhesive; and

(B) Meets more than one of the classifications for a special purpose spray adhesive as defined in subsection (a) of this section, and the product is not classified as a web spray adhesive or a mist spray adhesive pursuant to subparagraph (A) of this subdivision, then the VOC content limit for the product shall be the lowest applicable VOC content limit specified in Table 40-1 or Table 40-3, as applicable.

(5) No person shall:

(A) Sell, supply or offer for sale in the state of Connecticut any contact adhesive, electronic cleaner, footwear or leather care product, general purpose degreaser, adhesive remover, electrical cleaner or graffiti remover manufactured on or after January 1, 2009, if such product contains methylene chloride, perchloroethylene or trichloroethylene, except to the extent such compounds are present as impurities in a combined amount less than or equal to 0.01% by weight; or

(B) Manufacture for sale in the state of Connecticut any contact adhesive, electronic cleaner, footwear or leather care product, general purpose degreaser, adhesive remover, electrical cleaner or graffiti remover, if such product contains methylene chloride, perchloroethylene or trichloroethylene, except to the extent such compounds are present as impurities in a combined amount less than or equal to 0.01% by weight.

(6) No person shall:

(A) Sell, supply or offer for sale in the state of Connecticut any bathroom and tile cleaner, construction panel and floor covering adhesive, electronic cleaner labeled as “energized electronic equipment use only,” general purpose cleaner or oven or grill cleaner, manufactured on or after May 1, 2018, if such product contains methylene chloride, perchloroethylene or trichloroethylene, except to the extent such compounds are present as impurities in a combined amount less than or equal to 0.01% by weight; or

(B) On and after May 1, 2018, manufacture for sale in the state of Connecticut any bathroom and tile cleaner, construction, panel, and floor covering adhesive, electronic cleaner labeled as “energized electronic equipment use only,” general purpose cleaner or oven or grill cleaner, if such product contains methylene chloride, perchloroethylene or trichloroethylene, except to the extent such compounds are present as impurities in a combined amount less than or equal to 0.01% by weight.

(7) No person shall sell, supply, offer for sale or manufacture for use in Connecticut any consumer product for which a standard is specified in subdivision (1) of this subsection if such consumer product contains any of the ozone depleting compounds listed in Table 40-2 of this section, except as follows:

(A) A product formulation that complies with the applicable VOC content limits in Table 40-1 or Table 40-3 of this section as of the effective date of this section or a product formulation that is reformulated after the effective date of this section to meet the applicable VOC content limits in Table 40-1 or Table 40-3, provided the ozone depleting compound content of the reformulated product does not increase; or

(B) A consumer product in which ozone depleting compounds are present as impurities in an amount equal to or less than 0.01% by weight of the product.

(8) No person shall sell, supply, offer for sale or manufacture for sale in Connecticut any antiperspirant or deodorant that contains any compound that has been identified by CARB in 17 CCR 93000 as a toxic air contaminant.

(9) No person shall sell, supply, offer for sale or manufacture for use in Connecticut any solid air freshener or toilet or urinal care product that contains para-dichloro-benzene.

(10) If a representation is made on the display panel of any consumer product, except a general purpose cleaner, an antiperspirant or a deodorant product, that the product may be used as, or, is suitable for use as, a consumer product for which a lower VOC standard is specified in Table 40-1 or Table 40-3 of this section, as applicable, then the lowest VOC standard shall apply.

(11) To determine whether a product is an air freshener, all verbal and visual representations regarding product use on the label or packaging and in the product's literature and advertising may be considered. The presence of, and representations about, a product's fragrance and ability to deodorize resulting from surface application shall not constitute a claim of air freshening.

(12) Notwithstanding the provisions of subdivision (1) of this subsection, a consumer product manufactured prior to May 1, 2018 may be sold, supplied or offered for sale if the consumer product complies with any applicable VOC content limit required by this section and in effect at the time the product is manufactured. The exception offered in this subdivision shall only apply to a product that displays a date or a date code as required by subsection (e)(1) of this section.

(13) For those consumer products that are registered under the FIFRA, the effective date of the VOC standards listed in Table 40-3 is May 1, 2019.

(14) Except as provided in this subdivision, effective May 1, 2018, no person shall sell, supply, offer for sale, or manufacture for use in Connecticut any multi-purpose solvent or paint thinner that contains methylene chloride, perchloroethylene, or trichloroethylene, or greater than 1% aromatic compound content by weight, except:

(A) Multi-purpose solvent aerosols and paint thinner aerosols that contain methylene chloride, perchloroethylene, or trichloroethylene, or greater than 1% aromatic compound content by weight and that were manufactured prior to May 1, 2018 may be sold, supplied, or offered for sale through April 30, 2021, if that product complies with the product dating requirements set forth in subsection (e)(1) of this section;

(B) Any person who sells or supplies a consumer product identified in subparagraph (A) of this section shall notify the purchaser of the product in writing that the sell-through period for that product will end on April 30, 2021, however, this notification shall be given only if both of the following conditions are met:

(i) The product is sold or supplied only to a distributor or retailer; and

(ii) The product is sold or supplied on or after October 31, 2020; and

(C) The requirements of subparagraph (B) of this subdivision shall not apply to any multi-purpose solvent or paint thinner that contains any methylene chloride, perchloroethylene, or trichloroethylene that is present as an impurity in a combined amount equal to or less than 0.01 percent by weight.

(15) After May 1, 2018, no person shall sell, supply, offer for sale, or manufacture for use in Connecticut any “flammable” or “extremely flammable” multi-purpose solvent or paint thinner named, on the principle display panel as paint thinner, multi-purpose solvent, clean-up solvent, or paint clean-up;

(A) This subdivision shall not apply to a product that meets either of the following criteria:

(i) A product that includes an attached hang tag, sticker, or contrasting square or rectangular area on the principle display panel that displays, at a minimum, the following statements in a font size as large as, or larger than, a “signal word” (i.e., “DANGER,” “WARNING,” or “CAUTION”) not including the font size used for the company name, brand name, or logo, as specified in 16 CFR 1500.121: “Formulated to meet California VOC limits; see warnings on label,” or

(ii) A product where the principle display panel displays, in a font size as large as, or larger than, the font size of all other words on the panel not including the font size used for the company name, brand name, or logo, the common name of the chemical compound (e.g., “acetone,” “methyl acetate,” etc.) that results in the product meeting the criteria for “flammable” or “extremely flammable;” and

(B) For the purposes of this subdivision, a product is “flammable” or “extremely flammable” if it is labeled as “flammable” or “extremely flammable” on the product container, or if the product meets the criteria for these terms specified 16 CFR 1500.3(c)(6).

(16) For any consumer product, including any FIFRA-registered insecticide, the lowest VOC content limit applies. Notwithstanding the product category as identified in Table 40-1 or 40-3 of this section, if anywhere on the container or packaging, or on any sticker or label affixed thereto, 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 the applicable Table 40-1 or Table 40-3, then the lowest VOC limit shall apply. This lowest VOC limit requirement does not apply to general purpose cleaners, antiperspirant or deodorant products, or insecticide foggers.

(e) Container labeling.

(1) Each manufacturer of a consumer product subject to subsection (d) of this section shall clearly display on each consumer product container or package, the date on which the product was manufactured or a code indicating such date. The date or date-code information shall be readily observable on the container without disassembling the container or packaging.

(2) No person shall erase, alter, deface or otherwise remove or make illegible any date or date-code from any regulated product container prior to final sale of the product without the express authorization of the manufacturer. The requirements of this subdivision shall not apply to products containing no VOCs or containing VOCs at 0.10% by weight or less.

(3) If a manufacturer uses a code indicating the date of manufacture for any consumer

product subject to subsection (d) of this section, an explanation of the code shall be available to the commissioner upon request. Such explanations are public information and may not be claimed as confidential.

(4) Reserved.

(5) The product container for any aerosol adhesive product subject to this section shall display the following information:

(A) The aerosol adhesive category as specified in Table 40-1 or Table 40-3 or an abbreviation of the category;

(B) The applicable VOC standard for the product that is specified in Table 40-1 or Table 40-3, expressed as a percent by weight; and

(C) If the product is classified as a special purpose spray adhesive, the applicable substrate, the application or an abbreviation of the substrate or application that qualifies the product as special purpose.

(6) No person shall sell, supply, offer for sale or manufacture for sale in Connecticut any non-aerosol floor wax stripper subject to this section unless the following requirements are met:

(A) The label shall specify a dilution ratio for light or medium build-up of polish that results in an as-used VOC concentration of three percent (3%) by weight or less, but the terms “light build-up” and “medium build-up” may or may not appear on the label; and

(B) If intended for removal of heavy build-up of polish, the label shall specify a dilution ratio for heavy build-up of polish that results in an as-used VOC concentration of twelve percent (12%) by weight or less, but the term “heavy build-up” may or may not appear on the label.

(7) The product container for any adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner or contact adhesive product subject to this section shall display the following information:

(A) The product category as specified in Table 40-1 or Table 40-3, or an abbreviation of the category; and

(B) With the exception of an energized electrical cleaner, the applicable VOC standard for the product that is specified in Table 40-1 or Table 40-3, expressed as a percent by weight.

(f) Compliance procedures and testing.

(1) Any person who sells, supplies, offers for sale or manufactures a consumer product for sale in Connecticut shall possess documentation that such consumer product was tested to determine compliance with the applicable VOC content limits in Table 40-1 or Table 40-3, of this section prior to being offered for sale in Connecticut.

(2) Testing as required by subdivision (1) of this subsection shall use one of the following test methods:

(A) CARB Method 310, Determination of Volatile Organic Compound (VOC) in Consumer Products, as adopted by CARB on September 25, 1997, and as in effect on the effective date of this section;

(B) Product formulation and records pursuant to subdivision (3) of this subsection;

(C) An alternative method approved by the NYSDEC pursuant to 6 NYCRR 235-9.1 as in effect on the effective date of this section and approved by the Administrator; or

(D) An alternative method approved by the commissioner and approved by the Administrator that accurately determines the concentration of VOCs in a consumer product or its emissions.

(3) VOC content calculated from product formulation and records shall use the following equation:

$$\text{VOC Content} = (B-C)/A \times 100$$

Where:

A = total weight of unit (excluding container and packaging).

B = total weight of all VOCs per unit.

C = total weight of VOCs exempted by this section, per unit.

(4) If a compliance determination made using product records pursuant to subdivision (2)(B) of this subsection appears to demonstrate compliance with the VOC content limits, but such determination is contradicted by product testing performed pursuant to subdivision (2)(A) of this subsection, the results of the demonstration made pursuant to subdivision (2)(A) shall take precedence over the demonstration made pursuant to subdivision (2)(B) and may be used to establish a violation of the requirements of this section.

(5) If any consumer product testing in accordance with this subsection requires determination of whether a product is a liquid or a solid, the determination shall be made using ASTM D4359-90, May 25, 1990.

(6) Any flexible vinyl adhesive determination of plasticizer shall be made using ASTM E260-91 or 96 "Standard Practice for Packed Column Gas Chromatography," including any subsequent amendments.

(7) Testing to determine compliance with the certification requirements for charcoal lighter material shall be performed using the procedures specified in the South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol.

(8) Testing to determine distillation points of petroleum distillate-based charcoal lighter materials shall be performed using ASTM D 86-90, September 28, 1990.

(9) The following methods shall be used, as necessary, to determine if a chemical compound or mixture satisfies one of the criteria as a "LVP-VOC" as defined in subsection (a) of this section:

(A) CARB Method 310, as adopted by CARB on September 25, 1997 and as in effect on the effective date of this section, shall be used to determine the vapor pressure or boiling point; and

(B) The number of carbon atoms shall be verifiable by formulation data.

(g) **Record keeping.**

(1) Any person who sells, supplies, offers for sale or manufactures for sale in Connecticut any consumer product shall maintain records of the information necessary for the commissioner to determine compliance with the requirements of this section.

(2) A manufacturer of a product subject to this section shall maintain accurate records for each day of production of the amount and chemical composition of the individual product constituents so that the commissioner may make a compliance determination concerning such product.

(3) All records made to demonstrate compliance with the requirements of this section shall be:

(A) Made available to the commissioner and the Administrator to inspect and copy upon request; and

(B) Maintained for five (5) years from the date such record is created.

(4) No person shall create, alter, falsify or otherwise modify records in such a way that the records do not accurately reflect the constituents used to manufacture a product, the chemical composition of a product or any other test, processes or records created in connection with product manufacture.

(h) Reporting.

(1) Upon 30 days written notice, the commissioner may require any responsible party to report information for any consumer product. If the responsible party does not have or does not provide the information requested by the commissioner, the commissioner may require the reporting of this information by the person that has the information, including but not limited to, any formulator, manufacturer, supplier, parent company, retailer who sells under a private label, distributor or repackager. The required consumer product report shall include, but not be limited to, the following information:

(A) The name, address, telephone number and designated contact person of the responsible party;

(B) Any claim of confidentiality;

(C) The product brand name and label;

(D) The category to which the consumer product belongs;

(E) The applicable product form or forms listed separately;

(F) An identification of each product brand name and form as a household product, industrial and institutional product, or both;

(G) For each product form and for the previous three years, Connecticut sales in pounds per year, to the nearest pound, and the method used to calculate sales for each product form;

(H) For registrations submitted by two or more companies, an identification of each company that is submitting relevant data separate from that submitted by the responsible party;

(I) 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%):

(i) Total exempt compounds,

(ii) Total LVP-VOCs that are not fragrances,

(iii) Total of all other compounds that contain at least one carbon atom, that are not exempt compounds or LVP-VOCs and that are not fragrances,

(iv) Total of all non-carbon containing compounds,

(v) Total fragrance,

(vi) For products containing greater than two percent (2%) by weight fragrance, the percent of fragrance that is LVP-VOCs and the percent of fragrance that is all other compounds that contain at least one carbon atom and are not exempt compounds or LVP-VOCs, and

(vii) Total paradichlorobenzene;

(J) The name, CAS number and percent weight of each VOC constituent in the product;

(K) The name and CAS number of any exempt compounds in the product, including

each compound that contains at least one carbon atom and each LVP-VOC that is not a fragrance;

(L) If applicable, the weight percent comprised of propellant for each product and the type of propellant; and

(M) The net percent by weight of each ozone-depleting compound that is:

(i) Listed in Table 40-2, and

(ii) Contained in a product subject to this section in any amount greater than one-tenth percent (0.1%) by weight.

(2) For consumer products that are subject to subsection (d)(1) of this section and contain perchloroethylene or methylene chloride, the commissioner may require, upon 90 days written notice, the responsible party to report the following information for products sold in Connecticut during a specific time period:

(A) The product brand name and a copy of the product label with legible usage instructions;

(B) The product category to which the consumer product belongs;

(C) The applicable product form or forms, separately listed;

(D) For each product form listed under subparagraph (C) of this subdivision, the total sales in Connecticut during the reported year, to the nearest pound, exclusive of the container or packaging, and the method used for calculating the Connecticut sales; and

(E) The weight percent, to the nearest one-tenth percent (0.10 percent), of perchloroethylene or methylene chloride.

(3) For the purposes of subdivision (2) of this subsection, a product contains perchloroethylene or methylene chloride if the product contains one percent (1.0%) or more by weight, exclusive of the container or packaging, of either perchloroethylene or methylene chloride.

(4) Any document submitted to the commissioner pursuant to this section shall include a certification signed by an individual identified in section 22a-174-2a(a)(1) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall examine and be familiar with the information submitted in the document and all attachments thereto, and shall inquire of those individuals responsible for obtaining the information to determine that the information is true, accurate, and complete, and each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in the submitted information may be punishable as a criminal offense under section 22a-175 of the Connecticut General Statutes, under section 53a-157b of the Connecticut General Statutes, and in accordance with any applicable statute.”

(5) Any document required to be submitted to the commissioner pursuant to this subsection shall be submitted as a paper copy, with supporting data in either paper or electronic format, and the submitter shall maintain such a report at the premises as a paper copy with any supporting data in the format submitted for a period of five (5) years from

the date of submission to the commissioner.

(6) To determine Connecticut sales pursuant to this section, if direct sales data for Connecticut are not available, sales may be estimated by prorating national or regional sales data by population.

Table 40-1. VOC Content Limits for Listed Product Categories, Manufactured Prior to May 1, 2018

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Adhesive	
Aerosol – Mist Spray	65
Aerosol – Web Spray	55
Contact – General Purpose	55
Contact – Special Purpose	80
Special Purpose Spray Adhesive: Mounting, Automotive Engine Compartment, and Flexible Vinyl	70
Special Purpose Spray Adhesive: Polystyrene Foam and Automotive Headliner	65
Special Purpose Spray Adhesive: Polyolefin; and Laminate Repair or Edgebanding	60
Construction, Panel and Floor Covering	15
General Purpose	10
Structural Waterproof	15
Adhesive Remover	
Floor or Wall Covering	5
Gasket or Thread Locking	50
General Purpose	20
Specialty	70
Aerosol Cooking Spray	18
Air Freshener	
Single-Phase Aerosol	30
Double-Phase Aerosol	25
Liquids or Pump Spray	18
Solid and Semi-Solid	3
Antiperspirant	

Regulations of Connecticut State Agencies

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Aerosol	40 HVOC
	10 MVOC
Non-Aerosol	0 HVOC
	0 MVOC
Anti-Static Product – Non-Aerosol	11
Automotive Brake Cleaner	45
Automotive Rubbing or Polishing Compound	17
Automotive Wax, Polish, Sealant or Glaze	
Hard Paste Wax	45
Instant Detailer	3
Automotive Windshield Washer Fluid	35
Bathroom and Tile Cleaner	
Aerosol	7
All Other Forms	5
Bug and Tar Remover	40
Carburetor or Fuel-Injection Air Intake Cleaner	45
Carpet and Upholstery Cleaner	
Aerosol	7
Non-Aerosol (Dilutables)	0.1
Non-Aerosol (Ready-to-Use)	3
Charcoal Lighter Material	See subsection (d)(3) of this section
Deodorant	
Aerosol	0 HVOC
	10 MVOC
Non-Aerosol	0 HVOC
	0 MVOC
Dusting Aid	
Aerosol	25
All Other Forms	7

Regulations of Connecticut State Agencies

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Electrical Cleaner	45
Electronic Cleaner	75
Engine Degreaser	
Aerosol	35
Non-Aerosol	5
Fabric Protectant	60
Fabric Refresher	
Aerosol	15
Non-Aerosol	6
Floor Polish or Wax	
For Flexible Flooring Material	7
For Nonresilient Flooring	10
Wood Floor Wax	90
Floor Wax Stripper (Non-Aerosol)	See subsection (e)(6) of this section
Footwear or Leather Care	
Aerosol	75
Solid	55
All Other Forms	15
Furniture Maintenance Product	
Aerosol	17
All Other Forms Except Solid and Paste	7
General Purpose Cleaner	
Aerosol	10
Non-Aerosol	4
General Purpose Degreaser	
Aerosol	50
Non-Aerosol	4
Glass Cleaner	
Aerosol	12
Non-Aerosol	4
Graffiti Remover	

Regulations of Connecticut State Agencies

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Aerosol	50
Non-Aerosol	30
Hair Mousse	6
Hairshine	55
Hairspray	55
Hair Styling Product	
Aerosol and Pump Spray	6
All Other Forms	2
Heavy-Duty Hand Cleaner or Soap	8
Insecticide	
Crawling Bug (aerosol)	15
Crawling Bug (all other forms)	20
Flea and Tick	25
Flying Bug (aerosol)	25
Flying Bug (all other forms)	35
Fogger	45
Lawn and Garden (non-aerosol)	3
Lawn and Garden (all other forms)	20
Wasp and Hornet	40
Laundry Prewash	
Aerosol or Solid	22
All Other Forms	5
Laundry Starch Product	5
Metal Polish or Cleanser	30
Multi-Purpose Lubricant (Excluding Solid or Semi-Solid Product)	50
Nail Polish Remover	75
Non-Selective Terrestrial Herbicide Non-Aerosol	3
Oven Cleaner	
Aerosol or Pump Spray	8
Liquid	5

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Paint Remover or Stripper	50
Penetrant	50
Rubber or Vinyl Protectant	
Non-Aerosol	3
Aerosol	10
Sealant and Caulking Compound	4
Shaving Cream	5
Shaving Gel	7
Silicone-Based Multi-Purpose Lubricant (Excluding Solid or Semi-Solid Products)	60
Spot Remover	
Aerosol	25
Non-Aerosol	8
Tire Sealant and Inflator	20
Toilet or Urinal Care Product	
Aerosol	10
Non-Aerosol	3
Undercoating-Aerosol	40
Wood Cleaner	
Aerosol	17
Non-Aerosol	4

Table 40-2. Prohibited Ozone-Depleting Compounds.

CFC-11 (trichlorofluoromethane)	CFC-12 (dichlorodifluoromethane)
CFC-113 (1,1,1-trichloro-2,2,2-trifluoroethane)	CFC-114 (1-chloro-1,1-difluoro-2-chloro-2,2-difluoroethane)
CFC-115 (chloropentafluoroethane)	halon 1211 (bromochlorodifluoromethane)
halon 1301 (bromotrifluoromethane)	halon 2402 (dibromotetrafluoroethane)
HCFC-22 (chlorodifluoromethane)	
HCFC-123 (2,2-dichloro-1,1,1-trifluoroethane)	HCFC-124 (2-chloro-1,1,1,2-tetrafluoroethane)
HCFC-141b (1,1-dichloro-1-fluoroethane)	HCFC-142b (1-chloro-1,1-difluoroethane)

	roethane)
1,1,1-trichloroethane	carbon tetrachloride

Table 40-3. VOC Content Limits for Listed Product Categories, manufactured on or after May 1, 2018

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Adhesive	
Aerosol – mist spray	65
Aerosol – web spray	55
Contact – general purpose	55
Contact – special purpose	80
Special purpose spray adhesive: mounting, auto-motive engine compartment, and flexible vinyl	70
Special purpose spray adhesive: polystyrene foam and automotive headliner	65
Special purpose spray adhesive: polyolefin, and laminate repair or edgebanding	60
Construction, panel and floor covering	7
General purpose	10
Structural waterproof	15
Adhesive remover	
Floor or wall covering	5
Gasket or thread locking	50
General purpose	20
Specialty	70
Aerosol cooking spray	18
Air freshener	
Single-phase aerosol	30
Double-phase aerosol	25
Dual purpose air freshener or disinfectant aerosol	60
Liquid or pump spray	18
Solid and semi-solid	3

Regulations of Connecticut State Agencies

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Antiperspirant	
Aerosol	40 HVOC
	10 MVOC
Non-aerosol	0 HVOC
	0 MVOC
Anti-static product	11
Aerosol	80
Non-aerosol	11
Automotive rubbing or polishing compound	17
Automotive wax, polish, sealant or glaze	
Hard paste wax	45
Instant detailer	3
All other forms	15
Automotive windshield cleaner	35
Automotive windshield washer fluid	35
Bathroom and tile cleaner	
Aerosol	7
Non-aerosol	1
Brake cleaner	10
Bug and tar remover	40
Carburetor or fuel-injection air intake cleaner	10
Carpet and upholstery cleaner	
Aerosol	7
Non-aerosol (dilutables)	0.1
Non-aerosol (ready-to-use)	3
Charcoal lighter material	See subsection (d)(3) of this section
Deodorant	
Aerosol	0 HVOC
	10 MVOC

Regulations of Connecticut State Agencies

PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Non-aerosol	0 HVOC
	0 MVOC
Disinfectant	
Aerosol	70
Non-aerosol	1
Dusting aid	
Aerosol	25
All other forms	7
Electrical cleaner	45
Electronic cleaner	75
Engine degreaser	
Aerosol	10
Non-aerosol	5
Fabric protectant	60
Fabric refresher	
Aerosol	15
Non-aerosol	6
Floor polish or wax	
For flexible flooring material	1
For nonresilient flooring	1
Wood floor wax	90
Floor wax stripper (non-aerosol)	See subsection (e)(6) of this section
Footwear or leather care	
Aerosol	75
Solid	55
All other forms	15
Furniture maintenance product	
Aerosol	17
All other forms except solid and paste	3
General purpose cleaner	
Aerosol	8

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PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
Non-aerosol	4
General purpose degreaser	
Aerosol	10
Non-aerosol	4
Glass cleaner	
Aerosol	12
Non-aerosol	4
Graffiti remover	
Aerosol	50
Non-aerosol	30
Hair mousse	6
Hairshine	55
Hairspray	55
Hair styling product	
Aerosol and pump spray	6
All other forms	2
Heavy-duty hand cleaner	8
Insecticide	
Crawling bug (aerosol)	15
Crawling bug (all other forms)	20
Flea and tick	25
Flying bug (aerosol)	25
Flying bug (all other forms)	35
Fogger	45
Lawn and garden (non-aerosol)	3
Lawn and garden (all other forms)	20
Wasp and hornet	40
Laundry prewash	
Aerosol or solid	22
All other forms	5
Laundry starch, sizing or fabric finish	4.5

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PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COMPOUNDS BY WEIGHT)
product	
Metal polish or cleanser	30
Multi-purpose lubricant (excluding solid or semi-solid product)	50
Multi-purpose solvent	3
Nail polish remover	1
Non-selective terrestrial herbicide non-aerosol	3
Oven or grill cleaner	
Aerosol	8
Non-aerosol	4
Paint remover or stripper	50
Paint thinner	3
Penetrant	50
Rubber or vinyl protectant	
Non-aerosol	3
Aerosol	10
Sanitizer	
Aerosol	70
Non-aerosol	1
Sealant and caulking compound	4
Shaving cream	5
Shaving gel	4
Silicone-based multi-purpose lubricant (excluding solid or semi-solid product)	60
Spot remover	
Aerosol	25
Non-aerosol	8
Temporary hair color	
Aerosol	55
Tire sealant and inflator	20
Toilet or urinal care product	

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PRODUCT CATEGORY	VOC CONTENT LIMIT (PERCENT VOLATILE ORGANIC COM-POUNDS BY WEIGHT)
Aerosol	10
Non-aerosol	3
Undercoating - aerosol	40
Wood cleaner	
Aerosol	17
Non-aerosol	4

(Adopted effective July 26, 2007; Amended June 12, 2009; Amended October 5, 2017)