



Innovative Products For **Home. Work. Life.**

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sent *via* electronic mail

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<https://www.arb.ca.gov/lispub/comm/bclist.php>

Subject: Comments on Notice of Public Availability of Modified Text and Availability of Additional Documents and Information to the Proposed Amendments to the Antiperspirants and Deodorants Regulation; Consumer Products Regulation; Aerosol Coating Products Regulation; Alternative Control Plan Regulation; the Tables of Maximum Incremental Reactivity Values; and Test Method 310

The Household & Commercial Products Association¹ (HCPA) appreciates the opportunity to provide comments on the California Air Resources Board's (CARB) 15-Day Notice² of Public Availability of Modified Text and Availability of Additional Documents and Information³ to the proposed amendments to the Antiperspirants and Deodorants Regulation; Consumer Products Regulation; Aerosol Coating Products Regulation; Alternative Control Plan; the Tables of Maximum Incremental Reactivity Values; and Test Method 310.

HCPA commends the CARB staff's efforts to ensure that all interested parties had an opportunity to participate in an open and transparent public effort to develop the current amendments to California's comprehensive set of regulations. HCPA's comments today relate solely to the modified text of the regulations which are part of the 15-day change.

HCPA is in general support of all the modifications proposed in this 15-Day Notice. In the following sections, HCPA provides the following comments on individual modifications.

¹ The Household & Commercial Products Association (HCPA) is the premier trade association representing companies that manufacture and sell \$180 billion annually of trusted and familiar products used for cleaning, protecting, maintaining, and disinfecting homes and commercial environments. HCPA member companies employ 200,000 people in the U.S. whose work helps consumers and workers to create cleaner, healthier and more productive lives.

² Available at <https://ww3.arb.ca.gov/board/15day/consumerproducts2021/15daynotice.pdf>

³ Available at <https://ww3.arb.ca.gov/board/15day/consumerproducts2021/15dayatta.pdf>

I. Modifications to section 94510, Exemptions

These modifications are in direct response to HCPA comments filed on March 12, 2021⁴ that requested both changes.

HCPA supports the proposed update to section 94510(c)(1), eliminating any potential uncertainty about compliance with applicable volatile organic compound (VOC) standards for any “General Purpose Cleaner” (nonaerosol) and “General Purpose Degreaser” (nonaerosol) products manufactured before January 1, 2023.

HCPA also supports the proposed addition of a definition for “Monoterpene” and adding a table of “Specified Monoterpenes” to identify specific chemical names and their associated Chemical Abstracts Service (CAS) registry number. The proposed definition and the table with the inclusion of CAS numbers remove any potential ambiguity by ensuring that the exemption applies only to these specified monoterpenes.

HCPA member companies thank CARB staff for conducting meetings with industry stakeholders to discuss the definition and the inclusion of CAS numbers in the development of these additional modifications. HCPA also respectfully requests that upon publication of the final rule, CARB withdraw the compliance guidance document titled “Guidance Pertaining to the Two Percent Fragrance Exemption and Limonene”⁵ since the issues addressed in this document are incorporated in the final regulation.

II. Modifications to section 94511, Innovative Products

In HCPA’s March 12, 2021 comments, HCPA supported the intention to create a pathway through the Innovate Product Exemption (IPE) so that companies could voluntarily develop innovative aerosol products in the “Hair Finishing Spray,” “Dry Shampoo,” and “Personal Fragrance Product” categories that further reduced emissions and improved air quality. However, HCPA was concerned that the proposed amendment presented in the March 25 Hearing was not straightforward, understandable, and clear to all parties.

HCPA believes that the proposed modifications in this Notice to the IPE accomplishes the goal of providing clear and understandable flexibility for aerosol product manufacturers to develop innovative products that achieve real air quality and greenhouse gas (GHG) benefits.

While companies may not immediately transition away from their current reformulation efforts to comply with the new stringent VOC limits set forth in the proposed amendments for these three product categories, HCPA believes that many companies will explore future reformulation efforts that would allow them to develop unique and innovative products that reduce GHG emissions while achieving the same or better ozone-forming potential (OFP).

⁴ Available at <https://www.arb.ca.gov/lists/com-attach/3-consumerproducts2021-WzNRNFahUWMFXAhr.docx>

⁵ CARB, “Guidance Pertaining to the Two Percent Fragrance Exemption and Limonene for California’s Regulation for Reducing Emissions from Consumer Products,” (Apr. 19, 2016). See https://ww2.arb.ca.gov/sites/default/files/2020-04/Remediated_frag_exempt_guide.pdf

While HCPA member companies recognize that the proposed provision applies to three specific personal care product categories that were included in the proposed amendments, HCPA believes that this IPE provision should be available for future application to other product categories.

III. Modifications to section 94513, Reporting Requirements

HCPA members are neutral on the proposed modifications to the reporting requirements.

IV. Modifications to section 94542, Definitions

HCPA members support the proposed definition modifications. Having the definition of a “LVP” or “LVP Compound” reference the definition within section 94508(a) ensures that there will always be consistency for this term between the General Consumer Products Regulation and the Alternative Control Plan Regulation for Consumer Products and Aerosol Coatings Products. HCPA encourages CARB staff to include references for other definitions where appropriate to maintain consistency across regulations.

V. Modifications to Test Method 310

HCPA members are neutral on the proposed modifications to Test Method 310.

Conclusion and Summary

HCPA actively participated and worked cooperatively with CARB staff and other stakeholders in this very challenging rulemaking process. HCPA commends CARB staff’s concentrated efforts to ensure that all interested parties had an opportunity to participate in an open and transparent public effort to develop the proposed amendments, working through the significant logistical challenges posed by the COVID-19 pandemic. HCPA appreciates the opportunity to file comments on the modified text of the regulations which are part of the 15-day change.

Respectfully submitted,



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