

100.1 APPLICABILITY

- (a) Except as provided in Section 100.3 (relating to exemptions), this section applies to a person who sells, supplies, offers for sale, or manufactures a consumer product in Clark County, Nevada.
- (b) This section does not apply to:
 - (1) Consumer product manufactured in Clark County solely for shipment and use outside of the county.
 - (2) Consumer products that the manufacturer or distributor:
 - (A) Can demonstrate that the product is intended for shipment and use outside of the county, and
 - (B) Has taken reasonable prudent precautions to assure that the product is not distributed to Clark County.
 - (3) Consumer products that have been granted an Innovative Product exemption by the California Air Resources Board (CARB) under the Innovative Products provisions in Subchapter 8.5, Article 2, Section 94511 (October 20, 2010) or Subchapter 8.5, Article 1, Section 94503.5 (March 30, 1996) of Title 17 of the California Code of Regulations are exempt from the VOC content limits in Table 100.2.1 for the period during which the CARB Innovative Products exemption remains in effect.
 - (4) Consumer products that have been granted an Alternative Control Plan (ACP) by the CARB under the provisions in Subchapter 8.5, Article 4, Sections 94540-94555 (February 15, 2019) of Title 17 of the California Code of Regulations are exempt from the VOC content limits in Table 100.2.1 for the period during which the CARB ACP agreement remains in effect.
 - (5) Consumer products that have been granted a variance by CARB under the Variances provisions in Subchapter 8.5, Article 2, Section 94514 (January 2019) of Title 17 are exempt from complying with the VOC limits established in Table 1 for the period of time during which the variance remains in effect Any person claiming a variance must make a copy of the variance available to the Department upon request.

100.2 STANDARDS

100.2.1 Requirements

- (a) *[Six months/One year]* after the effective date, no person shall manufacture for sale in Clark County any consumer product with a VOC content exceeding the VOC limit specified in Table 100.2.1.
- (b) No person can sell, supply, offer for sale, or distribute for sale in the county any consumer product manufactured *[Six months/One year]* after the effective date, with a VOC content exceeding the VOC limit specified in Table 100.2.1.
- (c) Products registered under FIFRA. For those consumer product that are registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 USC Section 136-136y (1996)), the effective date of the VOC standards specified in Table 100.2.1 is one year after the date specified in the Table of Standards.
- (d) *[One year/3years]* after the effective date, no person can manufacture for sale, sell, supply, or offer for sale any flammable or extremely flammable, as labeled or meeting the criteria in Title 16 CFR Section 1500.3(c)(6) (February 27, 2018), paint thinner or multi-purpose solvent labeled as a clean-up solvent or paint clean-up product unless the product is clearly and prominently labeled with:
- (1) "DANGER," "WARNING," or "CAUTION" and "Formulated to meet California VOC limits; see warnings on label"; or
 - (2) 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.
- (e) Requirements for charcoal lighter materials. Charcoal lighter material products must be issued a certification in accordance with Subchapter 8.5, Article 2, Section 94509(h) (January 1, 2019) of Title 17 of the California Code of Regulations. This certification remains in effect for Clark County for as long as the CARB certification remains in effect.
- (f) Products that are diluted prior to use. For consumer products for which the label, packaging, or accompanying literature specifically states that the product should be diluted with water or non-VOC solvent prior to use, the limits specified in Table 100.2.1 apply to the product only after the minimum recommended dilution has taken place. *For purposes of this section, "minimum recommended dilution" does not include recommendations for incidental use of a concentrated product to deal with limited special applications such as hard to remove soils or stains.*
- (g) For consumer products for which the label, packaging, or accompanying literature states that the product should be diluted with

any VOC solvent prior to use, the limits specified in Table 100.2.1 apply to the product only after the maximum recommended dilution has taken place.

- (h) For consumer products for which the label, packaging, or accompanying literature indicates that the product may be used, or is suitable for use, as a consumer product for which a lower VOC limit is specified in Table 100.2.1, then the lowest VOC limit applies. Aerosol lawn and garden insecticides may claim to kill insects or other arthropods. This requirement does not apply to general purpose cleaners, antiperspirant/deodorant products, or insecticide foggers.
- (i) Products containing ozone-depleting compounds. For any consumer products for which standards are specified in Table 100.2.1, no person shall sell, supply, offer for sale, or manufacture for sale in Clark County any consumer product which contains any of the following ozone-depleting compounds:
- (1) CFC-11 (trichlorofluoromethane).
 - (2) CFC-12 (dichlorodifluoromethane).
 - (3) CFC-113 (1,1,1-trichloro-2,2,2-trifluoroethane).
 - (4) CFC-114 (1-chloro-1,1-difluoro-2-chloro-2,2-difluoroethane).
 - (5) CFC-115 (chloropentafluoroethane).
 - (6) Halon 1211 (bromochlorodifluoromethane).
 - (7) Halon 1301 (bromotrifluoromethane).
 - (8) Halon 2402 (dibromotetrafluoroethane).
 - (9) HCFC-22 (chlorodifluoromethane).
 - (10) HCFC-123 (2,2-dichloro-1,1,1-trifluoroethane).
 - (11) HCFC-124 (2-chloro-1,1,1,2-tetrafluoroethane).
 - (12) HCFC-141b (1,1-dichloro-1-fluoroethane).
 - (13) HCFC-142b (1-chloro-1,1-difluoroethane).
 - (14) 1,1,1-trichloroethane.
 - (15) Carbon tetrachloride.

The requirements of this section shall not apply to any ozone depleting

compounds that may be present as impurities in a consumer product in an amount equal to or less than 0.01% by weight of the product.

- (j) The following consumer products cannot contain trichloroethylene in a combined amount greater than 0.01 percent by weight (i.e., an impurity):
- (1) Adhesive removers.
 - (2) Aerosol adhesives.
 - (3) Bathroom and tile cleaners.
 - (4) Contact adhesives.
 - (5) Construction, panel, floor covering adhesives.
 - (6) Electrical cleaners.
 - (7) Electronic cleaners.
 - (8) Electronic cleaners labeled as energized electronic equipment use only.
 - (9) Footwear or leather care products.
 - (10) General purpose cleaners.
 - (11) General purpose degreasers.
 - (12) Graffiti removers.
 - (13) Multi-purpose solvent.
 - (14) Oven or grill cleaners.
 - (15) Paint thinners.
- (k) *Requirements for aerosol adhesives.* As specified in California Code section 41712(h)(2), the standards for aerosol adhesives apply to all uses of aerosols adhesives, including consumer, industrial, and commercial uses. Except as otherwise provided in Sections 100.1(b)(3), 100.2.1(c), 100.3, and 100.6.2, no person shall sell, supply, offer for sale, use or manufacture for sale in Clark County any aerosol adhesive which, at the time of sale, use, or manufacture, contains VOCs in excess of the specified standard. In order to qualify as a special purpose spray adhesive, the product must meet one or

more of the definitions for special purposes spray adhesive specified in Section 100.7, but if the product label indicates that the product is suitable for use on any substrate or application not listed in one of the definitions for special purpose spray adhesive, then the product shall be classified as either a web spray adhesive or a mist spray adhesive. If a product meets more than one of the definitions specified in Section 100.8 for special purpose spray adhesive and is not classified as a web spray adhesive or mist spray adhesive, then the VOC limit for the product shall be the lowest applicable VOC limit specified in Table 100.2.1. All aerosol adhesives must comply with the labeling requirements specified in Section 100.4.4.

- (l) Paint thinners and multi-purpose solvents cannot contain greater than one percent (1%) aromatic compound content by weight.

Table 100.2.1 - VOC content limits consumer products manufactured [Six months/One year] after the effective date.

Product Category	Effective Date: xx/xx/2024
Adhesive removers:	
Floor or wall covering	5
Gasket or thread locking	50
General purpose	20
Specialty	70
Adhesives:	
Aerosol mist spray	65
Aerosol web spray	55
Special purpose spray adhesives:	
Mounting, automotive engine Compartment, and flexible vinyl	70
Polystyrene foam and automotive headliner	65
Polyolefin and laminate repair/edge banding	60
Construction, panel, and floor covering:	7
Contact	
Contact general purpose	55
Contact special purpose	80
General purpose	10

Structural waterproof	15
Air fresheners:	
Single-phase aerosols	30
Double-phase aerosols	25
Dual purpose air freshener/disinfectant aerosols	60
Liquids / pump sprays	18
Solids / semisolids	3
Antiperspirants:	
Aerosol	40 HVOC 10 MVOC
Non-aerosol	0 HVOC 0 MVOC
Anti-static product:	
Aerosol	80
Non-aerosol	11
Automotive rubbing or polishing compound	17
Automotive wax, polish, sealant or glaze:	
Hard paste waxes	45
Instant retailers	3
All other forms	15
Automotive windshield cleaner	35
Automotive windshield washer fluids	35
Bathroom and tile cleaners:	
Aerosols	7
Non-aerosol	1
Brake cleaner	10
Bug and tar remover	40
Carburetor or fuel-injection air Intake cleaners	10
Carpet and upholstery cleaners:	
Aerosols	7
Non-aerosols (dilutable)	0.1
Non-aerosols (ready-to-use)	3
Charcoal lighter material	<i>see Section 100.7.37</i>
Cooking spray, aerosols	18
Deodorants:	
Aerosols	0 HVOC
Non-aerosols	10 MVOC 0 HVOC 0 MVOC
Disinfectant:	
Aerosols	70

Non-aerosols	1
Dusting aids:	
Aerosols	25
Non-aerosols	7
Electrical cleaners	45
Electronic cleaners	75
Engine degreasers:	
Aerosols	10
Non-aerosols	5
Fabric protectants	60
Fabric refresher:	
Aerosols	15
Non-aerosols	6
Floor polishes / or waxes:	
Resilient flooring materials	1
Non-resilient flooring materials	1
Wood floor wax	90
Floor wax strippers, non-aerosol	<i>see Section 100.7.74</i>
Footwear or leather care products	
Aerosols	75
Solid	55
Other forms	15
Furniture maintenance products:	
Aerosols	17
Non-aerosol (except solid or paste)	3
General purpose cleaners:	
Aerosols	8
Non-aerosols	4
General purpose degreasers:	
Aerosols	10
Non-aerosols	4
Glass Cleaners:	
Aerosols	12
Non-aerosols	4
Graffiti remover:	
Aerosols	50
Non-aerosols	30
Hair mousses	6
Hairshines	55
Hairsprays	55
Hair styling products:	

Aerosol and pump sprays	6
All other forms	2
Heavy-duty hand cleaner or soap	8
Insecticides:	
Crawling bugs (aerosol)	15
Crawling bug (all other forms)	20
Flea and tick	25
Flying bug (aerosol)	25
Flying bug (all other forms)	35
Foggers	45
Lawn and garden (all other forms)	20
Lawn and garden (non-aerosol)	3
Wasp and Hornet	40
Laundry prewash:	
Aerosols / solids	22
All other forms	5
Laundry starch / sizing / fabric finish products:	4.5
Metal Polishes / Cleansers	30
Multi-purpose lubricant (excluding solid or semi-solid products)	50
Multi-purpose solvent	
Non-aerosol	3
Nail polish remover	1
Non-selective terrestrial herbicide	
Non-aerosols	3
Oven or grill cleaners	
Aerosols / pump-Sprays	8
Non-aerosols	4
Paint remover or strippers	50
Paint thinner	3
Penetrants	50
Rubber / vinyl protectants:	
Aerosols	10
Non-aerosols	3
Sanitizer:	
Aerosols	70
Non-aerosols	1
Sealants and caulking compounds	4
Shaving creams	5
Shaving gel	4

Silicone-based multi-purpose lubricants (excluding solid or semi-solid products)	60
Spot removers:	
Aerosols	25
Non-aerosols	8
Temporary hair color:	
Aerosol	55
Tire sealants and inflators	20
Toilet/urinal care:	
Aerosols	10
Non-aerosols	3
Undercoating, aerosols	40
Wood cleaner:	
Aerosols	17
Non-aerosols	4

100.3 EXEMPTIONS

100.3.1 Antiperspirants and deodorants.

- (a) The MVOC content standards in Section 100.2.1 (relating to table of standards) for antiperspirants and deodorants do not apply to ethanol.
- (b) The VOC limits specified in Section 100.2.1 do not apply to colorants up to a combined level of 2% by weight contained in an antiperspirant or deodorant.
- (c) The requirements of Section 100.2.1 for antiperspirants and deodorants do not apply to those VOCs that contain more than 10 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.

100.3.2 LVP-VOC.

The VOC limits specified in Section 100.2.1 (relating to table of standards) do not apply to an LVP-VOC.

100.3.3 Products registered under FIFRA.

- (a) The requirements of Section 100.4.1 (relating to container labeling) do not apply to consumer products registered under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) (7 U.S.C.A. § § 136—136y).

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- (b) The VOC limits specified in Section 100.2.1 (relating to table of standards) do not apply to insecticides containing at least 98% paradichlorobenzene.

100.3.4 Air fresheners.

The VOC limits specified in Section 100.2.1 (relating to table of standards) do not apply to air fresheners that are comprised entirely of fragrance, less compounds not defined as VOCs or exempted under section 100.3.2 (relating to LVP-VOC).

100.3.5 Adhesives.

The VOC limits specified in Section 100.2.1 (relating to table of standards) do not apply to adhesives sold in containers of 1 fluid ounce or less.

100.3.6 Bait station insecticides.

The VOC limits specified in Section 100.2.1 (relating to table of standards) do not apply to bait station insecticides. *(For the purpose of this section, bait station insecticides are containers enclosing an insecticidal bait that is not more than 0.5 ounce by weight, where the bait is designed to be ingested by insects and is composed of solid material feeding stimulants with less than 5% active ingredients.)*

100.3.7 Fragrances.

The VOC limits specified in Section 100.2.1 (relating to table of standards) do not apply to fragrances up to a combined level of 2% by weight contained in a consumer product.

100.3.8 Paradichlorobenzene

The VOC content in Table 100.2.1 do not apply to solid air fresheners and toilet/urinal care products containing at least 98% paradichlorobenzene.

100.4 ADMINISTRATIVE REQUIREMENTS

100.4.1 Container labeling

- (a) The manufacturer of any consumer product, except products registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 U.S.C. Section 136-136y) (1996) and products containing VOCs at 0.10 percent by weight or less, must clearly display on the container or package the date the product was manufactured or a date code representing the date of manufacture. The date or date

code must be displayed on the container such that it is readily observable without removing or disassembling any portion of the product container or packaging.

- (b) If the label on a special purpose spray adhesive indicates that the product is suitable for use on any substrate or application not listed in the definition for special purpose spray adhesive, the product must be classified as either a web spray adhesive or mist spray adhesive and meet the associated limit in Table 100.2.1.
- (c) Requirements for Floor Wax Stripper. The label on non-aerosol floor wax strippers must specify a dilution ratio for light or medium build-up of polish that results in an as-used VOC concentration of 3 percent by weight or less. The label on a non-aerosol floor wax stripper that is also intended to be used for removal of heavy build-up of polish that results must specify a dilution ratio for heavy build-up of polish that results in an as-used VOC concentration of 12 percent by weight or less. The term light build-up, medium build-up, or heavy build-up are not specifically required, as long as comparable terminology is used.
- (d) The label on energized electrical cleaners must clearly display “Energized equipment use only. Not to be used for motorized vehicle maintenance or their parts.”
- (e) The label on zinc rich primers must clearly display “for professional use only,” “for industrial use only,” or “not for residential use” or “not intended for residential use.”

100.4.2 Sell-through of products.

- (a) Notwithstanding the provisions of Sections 100.2.1, a consumer product manufactured prior to the effective date in the Table of Standards may be sold, supplied, or offered for sale.
- (b) Any consumer product that does not display on the product container or package the date on which the product was manufactured, or a code indicating such date, in accordance with Section 100.4.1, shall not be sold, supplied, or offered for sale after the specified effective date.

100.4.3 Most restrictive limit.

- (a) Notwithstanding the definition of “product category” in Section 100.11, if on the container or packaging of a consumer product manufactured *[Six months/One year]* after the effective date, or a FIFRA-registered insecticide manufactured one year after the effective date, or on a sticker or label affixed to the container or packaging, a representation is made that the product may be used, or is suitable for use, as a consumer product for which a lower VOC limit is specified in Section

100.2.1, the lowest VOC limit applies.

- (b) The requirement of paragraph (a) does not apply to general purpose cleaners, antiperspirant/deodorant products or insecticide foggers.

100.4.4 Additional labeling requirements for aerosol adhesive, adhesive remover, electrical cleaner, electronic cleaner, energized electrical cleaner and contact adhesive products.

- (a) Both the manufacturer and responsible party for each aerosol adhesive, electrical cleaner, electronic cleaner, energized electrical cleaner and contact adhesive product subject to this section shall ensure that all products clearly display the following information on each product container which is manufactured on or after the applicable effective date for the category specified in Section 100.2.1 (relating to table of standards):
 - (1) The product category as specified in Section 100.2.1, or an abbreviation of the category shall be displayed.
 - (2) The applicable VOC standard for the product that is specified in Section 100.2.1, except for energized electrical cleaner products, expressed as a percentage by weight, shall be displayed unless the product is included in an alternative control plan approved by the Department, as provided in
 - (3) Section 100.1.4 (relating to ACP for consumer products).
 - (4) If the product is included in an alternative control plan approved by the Department, and the product exceeds the applicable VOC standard specified in Section 100.2.1, the product shall be labeled with the term “ACP” or “ACP product.”
 - (5) If the product is classified as a special purpose spray adhesive, the applicable substrate or application or an abbreviation of the substrate or application that qualifies the product as special purpose shall be displayed.
 - (6) If the manufacturer or responsible party uses an abbreviation as allowed by this section, an explanation of the abbreviation shall be filed with the Department before the abbreviation is used.
- (b) The information required in Section 100.4.1 (relating to container labeling requirements) shall be displayed on the product container so that it is readily observable without removing or disassembling a portion of the product container or packaging. For the purposes of this section, information may be displayed on the bottom of a container if

it is clearly legible without removing product packaging.

- (c) No person shall remove, alter, conceal, or deface the information required in Section 100.4.4 prior to the final sale of the product.

100.4.5 Product Dating

- (a) Each manufacturer of a consumer product shall clearly display on each consumer product container or package, the day, month, and year on which the product was manufactured, or a code indicating such date.
- (b) A manufacturer who uses the following code to indicate the date of manufacture shall not be subject to the requirements of section 100.4.5(a) if the code is represented separately from other codes on the product container so that it is easily recognizable:

YY DDD = year year day day day

Where:

“YY” = two digits representing the year in which the product was manufactured, and

“DDD” = three digits representing the day of the year on which the product was manufactured, with “001” representing the first day of the year, “002” representing the second day of the year, and so forth (i.e. the “Julian date” “002”) representing the second day of the year, and so forth.

- (c) This date or code shall be displayed on each consumer product container or package no later than twelve months prior to the effective date of the applicable standard specified in Table 100.2.1
- (d) The date or date code information shall be located on the container or inside the cover/cap so that it is readily observable or obtainable (by simply removing the cap/cover) without irreversibly disassembling any part of the container or packaging. For the purposes of this subsection, information may be displayed on the bottom of the container as long as it is legible without removing any product packaging.

100.4.6 Additional Product Dating Requirements

- (a) If a manufacturer uses a code indicating the date of manufacture, for any consumer product subject to Table 100.2.1, an explanation of the date portion of the code must be made available upon request to the Department within 90 days.

- (b) No person shall erase, alter, deface, or otherwise remove or make illegible any date or code indicating the date of manufacture from any regulated product container without the express authorization of the manufacturer.
- (c) Date code explanations for codes indicating the date of manufacture are public information and may not be claimed as confidential.

100.5 RECORDKEEPING REQUIREMENTS

100.5.1 Test methods

- (a) Testing to determine compliance with the requirements of this section shall be performed using CARB Method 310, Determination of Volatile Organic Compounds (VOC) in Consumer Products, adopted September 25, 1997, and as last amended on August 1, 2022, including subsequent amendments, which is incorporated herein by reference. A test method demonstrated to accurately determine the concentration of VOCs in a subject product or its emissions may be used upon approval of the Department.
- (b) VOC content determinations using product formulation and records. Testing to determine compliance with the requirements of this section may also be demonstrated through calculation of the VOC content from records of the amounts of constituents used to make the product pursuant to the following criteria:
 - (1) The manufacturer keeps accurate records for each day of production of the amount and chemical composition of the individual product constituents. Records must be maintained for three (3) years and made available to the Department upon requests; and
 - (2) VOC content is calculated according to the following equation:
$$\text{VOC content} = ((B-C)/A) \times 100$$

Where:

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

B = total weight of all VOCs, per unit

C = total weight of exempt VOCs in Section 100.7 (definitions), per unit
 - (3) If product records are contradicted by product testing performed

using CARB Method 310, the results of CARB Method 310 take precedence.

100.6 REPORTING REQUIREMENTS

100.6.1 Required reporting of information to the Department.

The Department shall provide 90 days written notice, to require a responsible party to report information for a consumer product the Department may specify including, but not limited to, all or part of the information specified in the following subsections. If the responsible party does not have or does not provide the information requested, the Department 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, private labeler, distributor, or repackager.

- (a) The company name of the responsible party and the party's address, telephone number, and designated contact person.
- (b) Any claim of confidentiality made pursuant to 100.6.2.
- (c) The product brand name for each consumer product and the product label.
- (d) The product category to which the consumer product belongs.
- (e) The applicable product form(s) listed separately.
- (f) An identification of each product brand name and form as a "Household Product", "I&I Product", or both.
- (g) Separate Clark County sales in pounds per year, to the nearest pound, and the method used to calculate Clark County sales for each product form.
- (h) For information submitted by multiple companies, an identification of each company which is submitting relevant data separate from the submitted by the responsible party. All information from all companies shall be submitted by the date specified in 100.6.3.
 - (1) 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%):
 - (2) Total Table B Compounds
 - (3) Total LVP-VOCs that are not fragrances

- (4) Total All Other Carbon-Containing Compounds that are not fragrances
 - (5) Total All Non-Carbon-Containing Compounds
 - (6) Total Fragrance
 - (7) For products containing greater than two percent by weight:
 - i. The percent of fragrance that are LVP-VOCs, and
 - ii. The percent of fragrance that are all other carbon-containing compounds
 - (8) Total Paradichlorobenzene
- (i) For each product brand name and form, the identity, including the specific chemical name and associated Chemical Abstract Services (CAS) number, of the following:
 - (1) Each Table B Compound
 - (2) Each LVP-VOC that is not a fragrance
 - (j) If applicable, the weight percent comprised of propellant for each product.
 - (k) If applicable, an identification of the type of propellant (Type A, Type B, Type C, or a blend of the different types).

100.6.2 Variances

- (a) Any person who cannot comply with the requirements set forth in Section 100.2, because of extraordinary reasons beyond the person's reasonable control may apply in writing to the Division for a variance. The variance shall set forth:
 - 1) The specific grounds upon which the variance is sought;
 - 2) The proposed date(s) by which compliance with the provisions of Section 100.2 will be achieved, and
 - 3) A compliance report reasonably detailing the method(s) by which compliance will be achieved.
- (b) Upon receipt of a variance application containing the information required in subsection (a), the Division shall hold a public hearing to determine whether, under what conditions, and to what extent, a variance from the requirements in Section 100.2 is necessary and will be permitted. **A hearing shall be initiated**

no later than 75 days after receipt of a variance application. Notice of the time and place of the hearing shall be sent to the applicant by certified mail not less than 30 days prior to the hearing. Notice of the hearing shall also be submitted for publication by the Division and sent to every person who requests such notice, not less than 30 days prior to the hearing. The notice shall state that the parties may, but not need to be, represented by counsel at the hearing. At least 30 days prior to the hearing, the variance application shall be made available to the public for inspection. Information submitted to the Division by a variance applicant may be claimed as confidential, and such information shall be handled in accordance with Section 100.6.2. The Division may consider such confidential information in reaching a decision on a variance application. Interested members of the public shall be allowed a reasonable opportunity to testify at the hearing and their testimony shall be considered.

- (c) No variance shall be granted unless all of the following findings are made:
- 1) That, because of reasons beyond the reasonable control of the applicant, requiring compliance with Section 100.2 would result in extraordinary economic hardship;
 - 2) that the public interest in mitigating the extraordinary hardship to the applicant by issuing the variance outweighs the public interest in avoiding any increased emissions of air contaminants which would result from issuing the variance;
 - 3) that the compliance report proposed by the applicant can reasonably be implemented, and will achieve compliance as expeditiously as possible.
- (d) Any variance order shall specify a final compliance date by which the requirements of Section 100.2 will be achieved. Any variance order shall contain a condition that specifies increments of progress necessary to assure timely compliance, and such other conditions that the Division, in consideration of testimony received at the hearing, finds necessary to carry out the purposes of Clark County laws and regulations.
- (e) A variance shall cease to be effective upon failure of the party to whom the variance was granted to comply with any term or condition of the variance.
- (f) Upon the application of any person, the Division may review, and for good cause, modify or revoke a variance from requirements of Section 100.2 after holding a public hearing in accordance with the provisions of Clark County laws and regulations.

100.6.3 Confidentiality.

The information submitted by a responsible party under Section 100.6.1 (relating to required reporting of information to the Department) or in

accordance with other provisions in this section will be handled in accordance with the procedures specified in NRS 445B.570.

100.7 DEFINITIONS

The following words and terms, when used in this section, have the following meanings, unless the context clearly indicates otherwise:

- 100.7.1 “Adhesive” means any product that is used to bond one surface to another by attachment. Adhesive does not include products used on humans, animals, adhesive tape, contact paper, wallpaper, shelf liners, or other product with an adhesive incorporated onto or in an inert substrate. For “Contact Adhesive,” adhesive does not include units of product, less packaging, which consists of more than one gallon. For “Construction, Panel, and Floor Covering Adhesive,” and “General Purpose Adhesive,” “adhesive” does not include units of product, less packaging, which weigh more than one pound and consist of more than 16 fluid ounces. This limitation does not apply to aerosol adhesives.
- 100.7.2 “Adhesive remover” means a product designed to remove adhesive from either a specific substrate or a variety of substrates but does not include products that remove adhesives intended exclusively for use on humans or animals. For the purposes of this definition, adhesive means a substance used to bond one or more materials including, but not limited to, caulks, sealants, glues, or similar substances used for the purpose of forming a bond.
- (a) “Floor and wall covering adhesive remover” means a product designed or labeled to remove floor or wall coverings and associated adhesive from the underlying substrate.
 - (b) “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 and/or thread locking adhesive remover.
 - (c) “General purpose adhesive remover” means a product designed or labeled to remove cyanoacrylate adhesives as well as non-reactive adhesives or residues from a variety of substrates. General purpose adhesive remover includes, but is not limited to, products that remove thermoplastic adhesives; pressure sensitive adhesives; dextrin or starch-based adhesives; casein glues; rubber or latex-based adhesives; and stickers, decals, stencils, or similar materials. General purpose adhesive remover does not include floor or wall covering adhesive remover.
 - (d) “Specialty adhesive remover” means a product designed to remove reactive adhesives from a variety of substrates. Reactive adhesives include adhesives that require a hardener or catalyst for the bond to occur

such as, but not limited to, epoxies, urethanes, and silicones. Specialty adhesive remover does not include Gasket or Thread Locking Adhesive Remover.

- 100.7.3 “Aerosol adhesive” means an aerosol 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 include special purpose spray adhesives, mist spray adhesives and web spray adhesives.
- 100.7.4 “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.
- 100.7.5 “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 a mechanically induced force but does not include pump spray.
- 100.7.6 “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. Agricultural use does not include the sale or use of pesticides in properly labeled packages or containers which are intended for home use, use in structural pest control, industrial use, or institutional use. For the purposes of this definition only:
- (a) “Home use” means use in a household or its immediate environment
 - (b) “Structural pest control” means a use requiring a license under the Nevada Department of Agriculture.
 - (c) “Industrial use” means use for or in a manufacturing, mining, or chemical process or use in the operation of factories, processing plants, and similar sites.
 - (d) “Institutional use” means use within the lines of, or on property necessary for the operation of buildings such as hospitals, processing plants, and similar sales.
- 100.7.7 “Air freshener” means any product including, but not limited to, sprays, wicks, wipes, diffusers, powders, and crystals, designed or labeled for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air. Air fresheners includes dual purpose air freshener/disinfectant products. Air freshener does not include products that are used on the human body, products that function primarily as cleaning products as indicated on the product label, odor remover/eliminator, or toilet/urinal care products.
- 100.7.8 “All other carbon-containing compounds” means other compounds which contain at least one carbon atom and are not a table B compound or an LVP-VOC.

SECTION 100**CONSUMER PRODUCTS & ADHESIVES**

- 100.7.9 “All other forms” means all consumer product forms for which no form-specific VOC standard is specified and include, but are not limited to, solids, liquids (including the liquid containing or liquid impregnated portion of the cloth or paper wipes), wicks, powders, and crystals.
- 100.7.10 “Antimicrobial hand or body cleaner or soap” means a cleaner or soap which is designed to reduce the level of microorganisms on the skin through germicidal activity and includes, but is not limited to, antimicrobial hand or body washes/cleaners, food handler hand washes, healthcare personnel hand washes, preoperative skin preparations, and surgical scrubs. Antimicrobial hand or body cleaner or soap does not include prescription drug products, antiperspirants, astringent/toner, deodorant, facial cleaner or soap, general-use hand or body cleaner or soap, hand dishwashing detergent (including antimicrobial), heavy-duty hand cleaner or soap, medicated astringent/medicated toner, and rubbing alcohol.
- 100.7.11 “Antiperspirant” means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, 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.
- 100.7.12 “Anti-static product” means a product that is labeled to eliminate, prevent, or inhibit the accumulation of static electricity. Anti-static product does not include electronic cleaner, floor polish or wax, floor coating, and products that meet the definition of aerosol coating product or architectural coating.
- 100.7.13 “Architectural coating” means a coating to be applied to stationary structures or their appurtenances to mobile homes, to pavements, or to curbs.
- 100.7.14 “Aromatic compound” means a carbon containing compound, except compounds exempt from the definition of VOC, that contains one or more benzene or equivalent heterocyclic rings and has an initial boiling point less than or equal to 280 degrees C. Aromatic compound does not include compounds excluded from the definition of VOC in section 0.
- 100.7.15 “Artist solvent/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, and or remove, art coating compositions or components.
- 100.7.16 “ASTM” means the American Society for Testing and Materials.
- 100.7.17 “Astringent/toner” means any product not regulated as a drug by the United States Food and Drug Administration (FDA) which is applied to the skin for the purpose of cleaning or tightening pores including clarifiers and substrate-impregnated products. Astringent/toner does not include medicated astringent/medicated toner, cold cream, lotion, antiperspirant, or hand, face,

or body cleaner or soap product.

- 100.7.18 “Automotive hard paste wax” means an automotive wax or polish that is designed to protect and improve the appearance of automotive paint surfaces, is solid at room temperature, and contains zero percent (0%) water by formulation.
- 100.7.19 “Automotive instant detailer” means a product designed for use in a pump spray that is applied to the painted surface of automobiles and wiped off prior to the product being allowed to dry.
- 100.7.20 “Automotive rubbing or polishing compound” means a product designed primarily to remove oxidation, old paint, scratches or “swirl marks”, and other defects from the painted surfaces of motor vehicles without leaving a protective barrier.
- 100.7.21 “Automotive wax, polish, sealant, or glaze” means a product designed to seal out moisture, increase gloss, or otherwise enhance a motor vehicle’s painted surfaces. Automotive wax, polish, sealant, or glaze includes, but is not limited to, products designed for use in autobody repair shops and “drive-through” car washes, as well as products designed for the general public. Automotive wax, polish, sealant, or glaze does not include 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.
- 100.7.22 “Automotive windshield cleaner” means a product labeled and packaged as an automotive windshield cleaner in the form of a moistened towelette, and is designed to be used on automotive windshields, automotive mirrors, and automotive headlights. The product must be labeled for Automotive use only. Automotive windshield cleaner does not include automotive windshield washer fluid.
- 100.7.23 “Automotive windshield washer fluid” means any liquid designed for use in a motor vehicle windshield washer system either as an antifreeze or for the purpose of cleaning, washing, or wetting the windshield. Automotive windshield washer fluid does not include fluids placed by the manufacturer in a new vehicle.
- 100.7.24 “Bathroom and tile cleaner” means a product designed or labeled to clean tile or surfaces in bathrooms. Bathroom and tile cleaner does not include toilet/urinal care product.
- 100.7.25 “Brake cleaner” means a cleaning product designed to remove oil, grease, brake fluid, brake pad material, or dirt from motor vehicle brake mechanisms.
- 100.7.26 “Bug and tar remover” means a product labeled to remove biological-type residues, such as insect carcasses and tree sap, and/or road grime, such as

road tar, roadway paint markings, and asphalt, from painted motor vehicle surfaces without causing damage to the finish.

- 100.7.27 “CARB” means the California Air Resources Board.
- 100.7.28 “Carburetor or fuel-injection air intake cleaners” means a product designed or labeled to remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle body of a fuel-injection system, or associated linkages. Carburetor or fuel-injection air intake cleaner does not include products designed or labeled exclusively to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor or fuel injectors or products designed or labeled exclusively to be introduced during engine operation directly into air vacuum lines by using a pressurized sprayer wand.
- 100.7.29 “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 and/or on household furniture or objects upholstered or covered with fabrics such as wool, cotton, nylon, or other synthetic fabrics. Carpet and upholstery cleaner includes, but is not limited to, products that make fabric protectant claims. Carpet and upholstery cleaner does not include 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.
- 100.7.30 “Charcoal lighter material” means any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition. Charcoal lighter material does not include electrical starters and probes, metallic cylinders using paper tinder, natural gas, propane, and fat wood.
- 100.7.31 “Colorant” means any pigment or coloring material used in a consumer product for an aesthetic effect or to dramatize an ingredient.
- 100.7.32 “Construction, panel, and floor covering adhesive” means any non-aerosol, one-component adhesive that is designed or labeled for the installation, remodeling, maintenance, or repair of structural and building components that include, but are not limited to, beams, trusses, studs, paneling (drywall or drywall laminates, fiberglass reinforced plastic (FRP), plywood, particle board, insulation board, pre-decorated hardboard or tileboard, etc.), ceiling and acoustical tile, molding, fixtures, countertops or countertop laminates, cove or wall bases, and flooring or subflooring or 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. Construction, panel, and floor covering adhesive does not include floor seam sealer.
- 100.7.33 “Consumer” means any person who purchases or acquires any consumer

product for personal, family, household, or institutional use. Consumer does not include persons acquiring a consumer product for resale.

- 100.7.34 “Consumer product” means a chemically formulated product used by household and institutional consumers including, but not limited to, detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; and automotive specialty products. Consumer product does not include other paint products, furniture coatings, or architectural coatings. As used in this rule, consumer products shall also refer to aerosol adhesives, including aerosol adhesives used for consumer, industrial, or commercial uses.
- 100.7.35 “Contact adhesive” means a non-aerosol adhesive that is designed for application to both surfaces to be bonded together, is allowed to dry before the two surfaces are placed in contact with each other, forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces are placed in contact with each other, and 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. Contact adhesive does not include rubber cements that are primarily intended for use on paper substrates or vulcanizing fluids that are designed and labeled for tire repair only.
- 100.7.36 “Contact adhesive – general purpose” means any contact adhesive that is not a contact adhesive – special purpose.
- 100.7.37 “Contact adhesive – special purpose” means a contact adhesive that: is 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 is used in automotive applications that are automotive under-the-hood applications requiring heat, oil or gasoline resistance, or are body-side molding, automotive weatherstrip or decorative trim.
- 100.7.38 “Container/Packaging” means the part or parts of the consumer or institutional product which serve only to contain, enclose, incorporate, deliver, dispense, wrap or store the chemically formulated substance or mixture of substances which is solely responsible for accomplishing the purposes for which the product was designed or intended. Container/packaging includes any article onto or into which the principal display panel and other accompanying literature or graphics are incorporated, etched, printed, or attached.
- 100.7.39 “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. Crawling bug insecticide does not include products designed to be used exclusively on

humans or animals or any house dust mite product. For the purposes of this definition only:

- (a) "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.
- (b) "House dust mite" means mites which feed primarily on skin cells shed in the home by humans and pets and which belong to the phylum Arthropoda, the subphylum Chelicerata, the class Arachnida, the subclass Acari, the order Astigmata, and the family Pyroglyphidae

100.7.40 "Date-Code" means the day, month, and year on which the consumer product was manufactured, filled, or packaged, or a code indicating such a date.

100.7.41 "Deodorant" means any product including, but not limited to, aerosol, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, 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 and/or minimize odor. A deodorant body spray product that indicates or depicts on the container or packaging, or any sticker or label affixed thereto, that it can be used on or applied to the human axilla, is a deodorant.

100.7.42 "Deodorant body spray" means a personal fragrance product with 20 percent or less fragrance that is designed for application all over the human body to provide a scent. A deodorant body spray product that indicates or depicts on the container or packaging, or on any sticker or label affixed thereto, that it can be used on or applied to the human axilla, is a deodorant.

100.7.43 "Device" means any instrument or contrivance (other than firearm) which is designed for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life (other than man and other than bacterium, virus, or another microorganism on or in living man or other living animals); but not including equipment used for the application of pesticides when sold separately therefrom.

100.7.44 "Disinfectant" means a product labeled as a disinfectant or is labeled to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects and whose label is registered as a disinfectant under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. 136, et seq. (1996)). Disinfectant includes products labeled as both sanitizer and disinfectant. Disinfectant does not include products labeled solely for use on humans or animals; products labeled solely for agricultural use; products labeled solely for use in swimming pools, therapeutic tubs, or hot tubs; products labeled solely for to be used on heat sensitive critical or semi-critical medical devices or medical equipment

surfaces; products which are labeled to be applied to food-contact surfaces and are not required to be rinsed prior to contact with food; products which are pre-moistened wipes or towelettes sold exclusively to medical, convalescent, or veterinary establishments; or products labeled as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet/urinal care products, metal polishes, carpet cleaners, or fabric refreshers that may also make disinfecting or anti-microbial claims on the label.

- 100.7.45 “Distributor” means any person to whom a consumer product is sold or supplied for the purposes of resale or distribution in commerce, except that manufactures, retailers, and consumers are not distributors.
- 100.7.46 “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.
- 100.7.47 “Dry cleaning fluid” means any non-aqueous liquid product designed and labeled exclusively for use on fabrics which are labeled “for dry clean only” or “S-coded” fabrics. Dry cleaning fluid includes, but is not limited to, those products used by commercial dry cleaners and commercial businesses that clean fabrics such as draperies at the customer’s residence or workplace. For the purposes of this definition, 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 Committee. Dry cleaning fluid does not include spot removers or carpet and upholstery cleaners.
- 100.7.48 “Dual Purpose Air Freshener/Disinfectant” means an aerosol product that is represented on the product container for use as both a disinfectant and an air freshener, or is so represented on any sticker, label, packaging, or literature attached to the product container.
- 100.7.49 “Dusting aid” means a product designed to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone-based coating. Dusting aid does not include pressurized gas duster.
- 100.7.50 “Electrical cleaner” means a product labeled to remove heavy soils such as grease, grime, or oil from electrical equipment, including, but not limited to, electric motors, armatures, relays, electric panels, or generators. Electrical cleaner does not include general purpose cleaner, general purpose degreaser, dusting aid, electronic cleaner, energized electronic cleaner, pressurized gas duster, engine degreaser, anti-static product, or products labeled to clean the casings or housings of electrical equipment.
- 100.7.51 “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, including but not limited to, 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 labeled to clean the casings or housings of electronic equipment or energized electrical cleaners. Electronic cleaner does not include any product that meets both of the following criteria:

- (a) the product is labeled to clean and/or degrease electronic equipment, where cleaning and/or degreasing is accomplished when electrical current exists, or when there is residual electrical potential from a component, and
- (b) the product label clearly displays the statements: "Energized Electronic Equipment use only."

100.7.52 "Energized electrical cleaner" means a product labeled to clean and/or degrease electrical equipment, where cleaning and/or degreasing is accomplished when electrical current exists or when there is a residual electrical potential from a component, such as a capacitor; and 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.

100.7.53 "Engine degreaser" means a cleaning product designed or labeled to remove grease, grime, oil, and other contaminants from the external surfaces of engines and other mechanical parts.

100.7.54 "Fabric protectant" means a product labeled to be applied to fabric substrates to protect the surface from soiling from dirt or other impurities or to reduce absorption of liquid into the fabric fibers. Fabric protectant does not include water proofers; products labeled for use solely on leather; pigmented products that are designed to be used primarily for coloring; products used for construction, reconstruction, modification, structural maintenance, or repair of fabric substrates; or products that renew or restore fabric and qualify as either clear coating or vinyl/fabric/leather/polycarbonate coating.

100.7.55 "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 and/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, disinfectant, or products labeled for application to both fabric and human skin.

100.7.56 "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, semisolids,

liquids, lotions, and substrate-impregnated forms. Facial cleaner or soap does not include 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.

- 100.7.57 “Fat wood” means pieces of wood kindling with high naturally occurring levels of sap or resin which enhance ignition of the kindling but does not include any kindling with substances added to enhance flammability, such as wax-covered or wax-impregnated wood-based products.
- 100.7.58 “Flea and tick insecticide” means any insecticide product that is designed for use against fleas, ticks, their larvae, or their eggs but does not include products that are designed to be used exclusively on humans or animals and their bedding.
- 100.7.59 “Floor coating” means an opaque coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, garage floors, and other horizontal surfaces, which may be subjected to foot traffic.
- 100.7.60 “Floor polish or wax” means 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 products designed or labeled for unfinished wood floors or coatings subject to architectural coatings regulations. Floor polish or wax is divided into three categories: products for resilient flooring materials, products for nonresilient floor materials and wood floor wax. For the purposes of this section:
- (a) “Resilient flooring material” means flexible flooring material including, but is not limited, to asphalt, cork, linoleum, no-wax, rubber, seamless vinyl, and vinyl composite flooring.
 - (b) “Nonresilient flooring material” means flooring of a mineral content which is not flexible including, but not limited to, terrazzo, marble, slate, granite, brick, stone, ceramic tile, and concrete.
 - (c) “Wood floor wax” means wax-based products for use solely on wood floors.
- 100.7.61 “Floor seam sealer” means any product designed and labeled exclusively for bonding, fusing, or sealing (coating) seams between adjoining rolls of installed flexible sheet flooring.
- 100.7.62 “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. Floor wax stripper does not include aerosol floor wax strippers or products designed to remove floor wax

solely through abrasion.

- 100.7.63 “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. Flying bug insecticide does not include 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 is or products designed and labeled to protect fabrics from damage by moths, but does not also indicate the product is suitable for use against flying insects or other flying arthropods.
- 100.7.64 “Footwear or leather care product” means any product designed or labeled to be applied to footwear or to other leather articles/components, to maintain, enhance, clean, protect, or modify the appearance, durability, fit, or flexibility of the footwear or leather article/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/polycarbonate coating, rubber/vinyl protectant, fabric refresher, products solely for deodorizing or sealant products with adhesive properties used to create external protective layers greater than 2 millimeters thick.
- 100.7.65 “Fragrance” means a substance or complex mixture of aroma chemicals, natural essential oils, and other functional components with a combined vapor pressure not more than 2 millimeters of Mercury (mm Hg) at 20 degrees C, the sole purpose of which is to impart an odor or scent or to counteract a malodor.
- 100.7.66 “Furniture maintenance product” means a wax, polish, conditioner, or any other product labeled for the purpose of polishing, protecting, or enhancing finished wood surfaces, other than floors, and other furniture surfaces including, but not limited to, acrylics, ceramic, plastics, stone surfaces, metal surfaces, and fiberglass. Furniture maintenance product does not include dusting aids, wood cleaners, and products designed solely for the purpose of cleaning or products designed to leave a permanent finish such as stains, sanding sealers, and lacquers.
- 100.7.67 “Furniture coating” means any paint designed for application to room furnishings including, but not limited to, cabinets (kitchen, bath, and vanity), tables, chairs, beds, and sofas.
- 100.7.68 “Gel” means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, such as jelly.
- 100.7.69 “General purpose adhesive” means any non-aerosol adhesive designed for use on a variety of substrates. General purpose adhesive does not include

contact adhesives; construction, panel, and floor covering adhesives; adhesives designed exclusively for application on one specific category of substrates (i.e., substrates that are composed of similar materials, such as different types of metals, paper products, ceramics, plastics, rubbers, or vinyls); or adhesives designed exclusively for use on one specific category of articles (i.e., articles that may be composed of different materials but perform a specific function, such as gaskets, automotive trim, weatherstripping, or carpets).

- 100.7.70 “General purpose cleaner” means a product labeled to clean a variety of hard surfaces, including, but not limited to, products designed or labeled for general floor cleaning, kitchen, countertop, or sink cleaning, and cleaners designed or labeled to be used on a variety of hard surfaces such as stovetops, cooktops, or microwaves.
- 100.7.71 “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 does not include engine degreaser, general purpose cleaner, adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner, metal polish or cleanser, or oven or grill cleaner, products used exclusively in solvent cleaning tanks or related equipment or products that are exclusively sold directly or through distributors to establishments which manufacture or construct goods or commodities and labeled exclusively for “use in the manufacturing process only.” Solvent cleaning tanks or related equipment includes, 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.
- 100.7.72 “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 and includes, but is not limited to, hand or body washes, dual-purpose shampoo-body cleaners, shower or bath gels, and moisturizing cleaners or soaps. General-use hand or body cleaner or soap does not include prescription drug products, antimicrobial hand or body cleaner or soap, astringent/toner, facial cleaner or soap, hand dishwashing detergent (including antimicrobial), heavy-duty cleaner or soap, medicated astringent/medicated toner, or rubbing alcohol.
- 100.7.73 “Glass cleaner” means a cleaning product designed primarily for cleaning surfaces made of glass. Glass cleaner does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment, and photocopying machines.
- 100.7.74 “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 nonfabric substrates. Graffiti remover does not include paint remover or

stripper, nail polish remover, or spot remover. Products labeled for dual use as both a paint stripper and graffiti remover are considered graffiti remover.

- 100.7.75 “Hair mousse” means a hairstyling foam designed to facilitate styling of a coiffure and provide limited holding power.
- 100.7.76 “Hair shine” means any product designed for the primary purpose of creating a shine when applied to the hair and includes, but is not limited to, dual-use products designed primarily to impart a sheen to the hair. Hair shine does not include hair spray, hair mousse, hair styling product, hair styling gel, or products whose primary purpose is to condition or hold the hair.
- 100.7.77 “Hair spray” means a consumer product that is applied to styled hair and is designed or labeled to provide sufficient rigidity, to hold, retain, and/or (finish) the style of the hair for a period. 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 section, finish or finishing means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this section, styling means the forming, sculpting, and manipulating the hair to temporarily alter the hair’s shape.
- 100.7.78 “Hair styling product” means a consumer product that is designed or labeled for the application to wet, damp, or dry hair to aid in defining, shaping, lifting, styling, and/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, and/or conditioners that make styling claims. Hair styling product does not include hair mousse, hair shine, hair spray, or shampoos and/or conditioners that are rinsed from the hair prior to styling. For the purposes of this section, finish or finishing means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this section, styling means the forming, sculpting, and manipulating the hair to temporarily alter the hair’s shape.
- 100.7.79 “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 products, antimicrobial 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.
- 100.7.80 “Herbicide” means a pesticide product designed to kill or retard a plant’s growth but excludes products that are for agricultural use or restricted

materials that require a permit for use and possession.

- 100.7.81 “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).
- 100.7.82 “High volatility organic compound (HVOC)” means any volatile organic compound that exerts a vapor pressure greater than 80 mm Hg when measured at 20 degrees C.
- 100.7.83 “Household product” means any consumer product that is primarily designed to be used inside or outside of living quarters or residences that are occupied or intended for occupation by individuals, including the immediate surroundings.
- 100.7.84 “Industrial maintenance coating” means a high performance architectural coating, including primers, sealers, under-coaters, intermediate coats, and topcoats, formulated for application to substrates, including floors, and exposed to one or more of the following extreme environmental conditions: immersion in water, wastewater, or chemical solutions (aqueous and non-aqueous solutions), or chronic exposures of interior surfaces to moisture condensation; acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions; frequent exposure to temperatures above 121°C (250°F); frequent heavy abrasion, including mechanical wear and scrubbing with industrial solvents, cleansers, or scouring agents; or exterior exposure of metal structures and structural components. Industrial maintenance coating must be labeled “For industrial use only,” “For professional use only,” “Not for residential use,” or “Not intended for residential use.”
- 100.7.85 “Insecticide” means a pesticide product that is designed for use against insects or other arthropods. Insecticide does not include products that are for agricultural use, for a use which requires a structural pest control license, or restricted materials that require a permit for use and possession.
- 100.7.86 “Insecticide fogger” means any insecticide product designed to release all or most of its content as a fog or mist into indoor areas during a single application.
- 100.7.87 “Institutional product” or “industrial and institutional (I&I) product” means a consumer product that is designed for use in the maintenance or operation of an establishment (e.g., government agencies, factories, schools, hospitals, restaurants, hotels, stores) that manufactures, transports, or sells goods or commodities or provides services for profit or is engaged in the nonprofit promotion of a particular public, educational, or charitable cause. Institutional product does not include household products and products that are incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.

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- 100.7.88 "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 producer or to the contents of the package.
- 100.7.89 "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 and/or provides specialized performance.
- 100.7.90 "Laundry starch/sizing/fabric finish product" means a product that is labeled for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric. Laundry starch/sizing/fabric finish product includes, but is not limited to, starch, sizing, and fabric finish.
- 100.7.91 "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. Notwithstanding the requirements of Section 100.4.3 aerosol lawn and garden insecticides may claim to kill insects or other arthropods.
- 100.7.92 "Liquid" means a substance or mixture of substances which is capable of a visually detectable flow as determined under ASTM D-4359-90(2000)e1 (2012), including any subsequent amendments, but does not include powders or other materials that are composed entirely of solid particles.
- 100.7.93 "Lubricant" means a product designed to reduce friction, heat, noise, or wear between moving parts, or to loosen rusted or immovable parts or mechanisms. Lubricant does not include automotive power steering fluids; products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes; two cycle oils or other products designed to be added to fuels; products for use on the human body or animals or products that are exclusively sold directly or through distributors to establishments which manufacture or construct goods or commodities and labeled exclusively for "use in the manufacturing process only."
- 100.7.94 "LVP-VOC" means a chemical compound or mixture that contains at least one carbon atom and meets one of the following:
- (a) Has a vapor pressure less than 0.1 mm Hg at 20 degrees C, as determined by CARB Method 310.
 - (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 as verified by formulation data, and the vapor pressure and boiling point are unknown.

- (c) Is a chemical compound with a boiling point greater than 216 degrees C, as determined by CARB Method 310.
- (d) Is the weight percent of a chemical mixture that boils above 216 degrees C, as determined by CARB Method 310.

For the purposes of the definition of LVP-VOC, 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.

- 100.7.95 “Manufacturer” means any person who imports, manufactures, assembles, produces, packages, repackages, or relabels a consumer product.
- 100.7.96 “Medicated astringent/medicated toner” means any product regulated as a drug by the FDA which 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/medicated toner does not include hand, face, or body cleaner or soap products; personal fragrance product; astringent/toner; cold cream; lotion; antiperspirants; or products that must be purchased with a doctor’s prescription.
- 100.7.97 “Medium volatility organic compound (MVOC)” means any volatile organic compound that exerts a vapor pressure greater than 2 mm Hg and less than or equal to 80 mm Hg when measured at 20 degrees C.
- 100.7.98 “Metal polish/cleanser” means any product designed primarily to improve the appearance (e.g., remove or reduce stains) of finished metal, metallic, or metallized surfaces by physical or chemical action and includes, but is not limited to, metal polishes used on brass, silver, chrome, copper, stainless steel, and other ornamental metals. Metal polish/cleanser 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.
- 100.7.99 “Mist spray adhesive” means any aerosol which is not a special purpose spray adhesive, and which 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.
- 100.7.100 “Multi-purpose dry lubricant” means any lubricant which is 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 is designed for general purpose lubrication or for use in a wide variety of applications.
- 100.7.101 “Multi-purpose lubricant” means any lubricant designed for general purpose lubrication, or for use in a wide variety of applications. Multi-purpose lubricant does not include multi-purpose dry lubricants, penetrants, or silicone-based

multi-purpose lubricants.

- 100.7.102 “Multi-purpose solvent” means any liquid product designed or labeled to be used for dispersing, dissolving, or removing contaminants or other organic materials. Multi-purpose solvent also includes products that do not display specific use instructions on the product container or packaging; products that do not specify an end-use function or application on the product container or packaging; solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories; paint clean-up products (i.e., liquid product labeled for cleaning oil-based or water-based paint, lacquer, varnish, related coatings); and products labeled to prepare surfaces for painting. Multi-purpose solvent does not include solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines; solvents labeled exclusively for the clean-up of application equipment used for polyaspartic and polyurea coatings; solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment; products that are 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 a consumer product which qualifies under another definition in Section 100.7, such products are not multi-purpose solvents and are subject to the most restrictive limit provision of section 100.4.3.
- 100.7.103 “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 topcoats.
- 100.7.104 “Nail polish remover” means a product designed to remove nail polish and coatings from fingernails or toenails.
- 100.7.105 “Non-aerosol product” means any consumer product that is not dispensed by a pressurized spray system.
- 100.7.106 “Non-carbon containing product” means any compound which does not contain any carbon atoms.
- 100.7.107 “Non-selective terrestrial herbicide” means a terrestrial herbicide product that is toxic to plants without regard to species.
- 100.7.108 “Oven or grill cleaner” means a product labeled exclusively to remove baked on greases and/or deposits from food preparation and/or food cooking surfaces. A product that is labeled as an oven or grill cleaner that makes claims that it is suitable for degreasing other hard surfaces is a general-purpose degreaser. 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.

100.7.109 "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.

100.7.110 "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 multi-purpose solvents, paint brush cleaners, products designed and labeled exclusively as graffiti removers, and hand cleaner products that claim to remove paints and other related coatings from skin.

100.7.111 "Paint thinner" means 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:

- (a) Artist's solvent/thinner;
- (b) Products that are sold in containers with a capacity of five (5) gallons or more and are labeled exclusively for the thinning of industrial maintenance coatings, zinc-rich primers, or high temperature coatings;
- (c) Products 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;
- (d) Products that meet both of the following criteria:
 - (1) The principle display panel of the product 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), language that the product is used exclusively for the thinning of industrial maintenance coatings, zinc-rich primers, or high temperature coatings, and
 - (2) 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.

100.7.112 "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.

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- 100.7.113 "Person" means any individual, public, or private corporation, political subdivision, government agency, department or bureau of the State, municipality, industry, copartnership, association, firm, trust, estate or any legal entity whatsoever.
- 100.7.114 "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 deodorant; medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body; mouthwashes, breath fresheners and deodorizers; lotions, moisturizers, powders, or other skin care products used primarily to alleviate skin conditions such as dryness and irritations; products designed exclusively for use on human genitalia; soaps, shampoos, and products primarily used to clean the human body; and fragrance products designed to be used exclusively on non-human animals.
- 100.7.115 "Pesticide" means and includes 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, provided that the term "pesticide" will not include any substance, mixture of substances, or device which the United States Environmental Protection Agency does not consider to be a pesticide.
- 100.7.116 "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 aid.
- 100.7.117 "Principal display panel or panels" means that part, or those parts of a label that are so designed as to most likely be displayed, presented, shown or examined under normal and customary conditions of display or purchase. Whenever a principal display panel appears more than once, all requirements pertaining to the principal display panel shall pertain to all such principal display panels.
- 100.7.118 "Product brand name" means the name of the product exactly as it appears on the principal display panel of the product.
- 100.7.119 "Product category" means the applicable category which best describes the product as listed in the definitions and Table 100.2.1.
- 100.7.120 "Product form" means the applicable form that most accurately describes the product's dispensing form:
- (a) A = aerosol product

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- (b) S = solid
- (c) P = pump spray
- (d) L = liquid
- (e) SS = semi-solid
- (f) O = other

100.7.121 "Product line" means a group of products of identical form and function belonging to the same product category(ies).

100.7.122 "Propellant" means a liquefied or compressed gas that is used in whole or in part, such as a cosolvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.

100.7.123 "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.

100.7.124 "Responsible party" means the company, firm, or establishment which is listed on the product's label. If the label lists two companies, firms, or establishments, the responsible party is the party which the product was "manufactured for" or "distributed by," as noted on the label.

100.7.125 "Restricted materials" means pesticides established as restricted materials under applicable Nevada Laws or Regulations.

100.7.126 "Retailer" means any person who sells, supplies, or offers consumer products for sale directly to consumers.

100.7.127 "Retail Outlet" means any establishment at which consumer products are sold, supplied, or offered for sale directly to consumers.

100.7.128 "Roll-on product" means any antiperspirant or deodorant that dispenses active ingredients by rolling a wetted ball or wetted cylinder on the affected area.

100.7.129 "Rubber/vinyl protectant" means any product labeled to protect, preserve, or renew vinyl, or rubber on vehicles, tires, luggage, furniture, and/or household products such as vinyl covers, clothing, or accessories. Rubber/vinyl protectant does not include products labeled to clean the wheel rim, such as aluminum or magnesium wheel cleaners; tire cleaners that do not leave an appearance-enhancing or protective substance on the tire; pigmented products designed or labeled to be used primarily for coloring; products used for construction, reconstruction, modification, or structural maintenance or repair of rubber or vinyl substrates; or products, other than those labeled to be

used on vehicle tires, qualifying as either clear coating or vinyl/fabric/leather/polycarbonate coating.

- 100.7.130 “Rubbing alcohol” means any product containing isopropyl alcohol (also called isopropanol) 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, and for massage.
- 100.7.131 “Sanitizer” means a product that is labeled as a sanitizer or a product registered as a sanitizer under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. 136, et seq.) to reduce, but not necessary eliminate, microorganisms in the air, on surfaces, or on inanimate objects. Products that are labeled both sanitizer and disinfectant are considered disinfectants. Sanitizer does not include disinfectants; products labeled solely for use on humans or animals; products labeled solely for agricultural use; products labeled solely for use in swimming, therapeutic tubs, or hot tubs; products which are labeled to be used on heat sensitive critical or semi-critical medical devices or medical equipment surfaces; products which are pre-moistened wipes or towelettes sold exclusively to medical, convalescent or veterinary establishments; products which are labeled to be applied to food-contact surfaces and are not required to be rinsed prior to contact with food; or other products which are labeled as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet/urinal care products, metal polishers, carpet cleaners, or fabric refreshers that may also make sanitizing or anti-microbial claims on the label.
- 100.7.132 “Sealant and caulking compound” mean any product with adhesive properties that is designed to fill, seal, waterproof, or weatherproof gaps or joints between two surfaces. Sealant and caulking compound does not include roof cements and roof sealants; insulating foams; removable caulking compounds; clear/paintable/water resistant caulking compounds; floor seam sealers; products designed exclusively for automotive uses; sealers that are applied as continuous coatings. Sealant and caulking compound also does not include units of product, less packaging, which weigh more than one pound and consist of more than 16 fluid ounces. For the purposes of this definition only, removable caulking compounds means a compound which temporarily seals windows and doors for three to six month time intervals, and clear/paintable/water resistant caulking compounds means a compound which 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.
- 100.7.133 “Semi-solid” means a product that, at room temperature, will not pour, but will spread or deform easily, including but not limited to gels, pastes, and greases.
- 100.7.134 “Shaving cream” means an aerosol product which dispenses a foam lather intended to be used with a blade, cartridge razor, or other wet-shaving system

in the removal of facial or other bodily hair. Shaving cream does not include shaving gel.

100.7.135 “Shaving gel” means an aerosol product which dispenses a post-foaming semisolid designed to be used with a blade, cartridge razor, or other shaving system in the removal of facial or other bodily hair. Shaving gel does not include shaving cream.

100.7.136 “Silicone-based multi-purpose lubricant” means any lubricant which is designed and labeled to provide lubricity primarily using silicone compounds including, but not limited to, polydimethylsiloxane and is designed and labeled for general purpose lubrication or for use in a wide variety of applications. Silicone-based multi-purpose lubricant does not include products designed and labeled exclusively to release manufactured products from molds.

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

100.7.138 “Solid” means a substance or mixture of substances which, either whole or subdivided (such as the particles comprising a powder), is not capable of visually detectable flow as determined under ASTM D-4359-90(2000)e1 (2012), including any subsequent amendments.

100.7.139 “Special purpose spray adhesive” means an aerosol adhesive that meets any of the following definitions:

- (a) Mounting adhesive means an aerosol adhesive designed to permanently mount photographs, artwork, and any other drawn or printed media to a backing (e.g., paper, board, cloth) without causing discoloration to the artwork.
- (b) Flexible vinyl adhesive means an aerosol adhesive designed to bond flexible vinyl to substrates. Flexible vinyl means a nonrigid polyvinyl chloride plastic with at least five percent, by weight, of plasticizer content. A plasticizer is a material, such as a high boiling point organic solvent, that is incorporated into a plastic to increase its flexibility, workability, or distensibility, and may be determined using ASTM Method E260-91 (2011), including any subsequent amendments, or from product formulation data.
- (c) Polystyrene foam adhesive means an aerosol adhesive designed to bond polystyrene foam to substrates.
- (d) Automobile headliner adhesive means an aerosol adhesive designed to bond together layers in motor vehicle headliners.
- (e) Polyolefin adhesive means an aerosol adhesive designed to bond

polyolefins to substrates.

- (f) "Laminate repair/edge-banding adhesive" means an aerosol adhesive designed for:
- (1) The touch-up or repair of items laminated with high pressure laminates (e.g., lifted edges, de-laminations) or for;
 - (2) The touch-up, repair, or attachment of edge-banding materials, including but not limited to, other laminates, synthetic marble, veneers, wood molding, and decorative metals.

For the purposes of this definition "high pressure laminate" means sheet materials which consist of paper, fabric or other core material that have been laminated at temperatures exceeding 265°F and at pressures between 1,000 and 1,400 psi.

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

100.7.140 "Spot remover" means any product labeled to clean localized areas or remove localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, and clothing that does not require subsequent laundering to achieve stain removal. Spot remover does not include dry cleaning fluid, laundry prewash or multi-purpose solvent.

100.7.141 "Spray buff product" means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.

100.7.142 "Table B compound" means any carbon-containing compound listed as an exception to the definition of VOC.

100.7.143 "Temporary hair color" means 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/balding areas. Temporary hair color does not include hair spray, hair styling product, or hair mousse.

100.7.144 "Terrestrial" means to live on or grow from land.

100.7.145 "Tire sealant and inflation" means any pressurized product that is designed to temporarily inflate and seal a leaking tire.

100.7.146 "Toilet/urinal care product" means any product designed or labeled to clean and/or to deodorize toilet bowls, toilet tanks, or urinals. Toilet bowls, toilet tanks, or urinals includes, but is not limited to, toilets or urinals connected to

permanent plumbing in buildings and other structures, portable toilets or urinals placed at temporary or remote locations, and toilet or urinals in vehicles such as buses, recreational motor homes, boats, ships, and aircraft. Toilet/urinal care product does not include bathroom and tile cleaner or general purpose cleaner.

- 100.7.147 "Type A propellant" means a compressed gas such as CO₂, N₂, N₂O, or compressed air which is used as a propellant and is either incorporated with the product or contained in a separate chamber within the product's packaging.
- 100.7.148 "Type B propellant" means any halocarbon which is used as a propellant including chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and hydrofluorocarbons (HFCs).
- 100.7.149 "Type C propellant" means any propellant which is not a Type A or Type B propellant, including propane, isobutane, n-butane, and dimethyl ether (also known as dimethyl oxide).
- 100.7.150 "Undercoating" means any aerosol product designed to impart a protective, non-paint layer to the undercarriage, trunk interior, and/or firewall of motor vehicles to prevent the formation of rust or to deaden sound and includes, but is not limited to, rubberized, mastic, or asphaltic products. Undercoating includes, but is not limited to, rubberized, mastic, or asphaltic products.
- 100.7.151 "Usage directions" means the text or graphics on the product label or accompanying literature that describes to the end user how and in what quantity the product is to be used.
- 100.7.152 "Vinyl/fabric/leather/polycarbonate coating" means a coating designed and labeled exclusively to coat vinyl, fabric, leather, or polycarbonate substrates.
- 100.7.153 "VOC Content" means, except for charcoal lighter products, the total weight of VOC in a product expressed as a percentage of the product weight (exclusive of the container or packaging), as determined pursuant to Section 100.5.1.

For charcoal lighter material products only,

$$\text{VOC Content} = \frac{(\text{Certified Emissions} \times 100)}{\text{Certified Use Rate}}$$

Certified Emissions = the emissions level for products approved by the Division under Section 100.2(e), as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. 27, 1991), including subsequent amendments, expressed to the nearest 0.0001 pound CH₂ per start.

Certified Use Rate = the usage level for products approved by the Division

under Section 100.2(e), as determined pursuant to South Coast Air Quality Management District Rule 1174 Ignition Method Compliance Certification Protocol (Feb. 27, 1991), including subsequent amendments, expressed to the nearest 0.0001 pound certified product used per start.

- 100.7.154 “Wasp and hornet insecticide” means any insecticide product that is designed for use against wasps, hornets, yellow jackets, or bees by allowing the user to spray from a distance a directed stream or burst at the intended insects or their hiding place.
- 100.7.155 “Waterproofer” means a product designed and labeled exclusively to repel water from fabric or leather substrates. Waterproofer does not include fabric protectants.
- 100.7.156 “Wax” means a material or synthetic thermoplastic substance generally of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol and high polymers (plastics) and includes, but is 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.
- 100.7.157 “Web spray adhesive” means any aerosol adhesive that is not a mist spray adhesive or special purpose spray adhesive.
- 100.7.158 “Wood cleaner” means a product labeled to clean wooden materials and includes, but is not limited to, decking, fences, flooring, logs, cabinetry, and furniture. Wood cleaner does not include 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.
- 100.7.159 “Zinc-rich primer” means a coating that contains at least 65 percent metallic zinc powder or zinc dust by weight of total solids and 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.”.

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