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**HEALTH AND SAFETY CODE - HSC**

**DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406]** ( *Division 104 added by Stats. 1995, Ch. 415, Sec. 6. )*

**PART 3. PRODUCT SAFETY [108040 - 109052]** ( *Part 3 added by Stats. 1995, Ch. 415, Sec. 6. )*

**CHAPTER 6. Poison Prevention Packaging Act [108675 - 108725]** ( *Chapter 6 added by Stats. 1995, Ch. 415, Sec. 6. )*

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**ARTICLE 3. Marketing of Conventional Packages [108715 - 108725]** ( *Article 3 added by Stats. 1995, Ch. 415, Sec. 6. )*

**108715.** For the purposes of making any household substance that is subject to a standard established under Section 108685 readily available to elderly or handicapped persons unable to use the substance when packaged in compliance with the standard, the manufacturer or packer, may package any household substance, subject to the standard in packaging of a single size that does not comply with that standard if both of the following are present:

- (a) The manufacturer or packer also supplies the substance in packages that comply with the standards.
- (b) The packages of the substance, that do not meet the standard, shall bear conspicuous labeling stating: "This package for household without young children." The department regulation may prescribe a substitute statement to the same effect for packaging too small to accommodate the labeling.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

**108720.** If a household substance subject to such a standard is dispensed pursuant to an order of a physician, dentist, or other licensed medical practitioner authorized to prescribe the substance, then it may be dispensed in noncomplying packages only when directed in the order or when requested by the purchaser.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

**108725.** If a household substance subject to such a standard is packaged pursuant to subdivision (b) of Section 108715 in a noncomplying package, and the department determines that the substance is not also being supplied by a manufacturer or packer in popular size packages that comply with the standard, the department may, after giving the manufacturer or packer an opportunity to comply with the purposes of this chapter, require by order that the substance be packaged by the manufacturer or packer exclusively in special packaging complying with the standard if it finds, after opportunity for hearing, that the exclusive use of a special packaging is necessary to accomplish the purposes of this chapter.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)