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TITLE 7.3. SOLID WASTE MANAGEMENT, RESOURCE RECOVERY, AND RECYCLING [66799 - 66799.4] (*Heading of Title 7.3 amended by Stats. 1982, Ch. 1054, Sec. 1.)*

CHAPTER 3. Enforcement Program [66799 - 66799.4] (*Chapter 3 added by Stats. 1976, Ch. 1309.)*

ARTICLE 10. Household Toxic Products Disclosure [66799 - 66799.4] (*Article 10 added November 8, 1988, by initiative Proposition 105, Sec. 2.)*

66799. (a) Any business which advertises a household toxic product intended for use by the general public shall provide clear and reasonable warning that the product should not be placed in the trash unless completely empty, or poured down the drain.

(b) "Advertises" means mass-media advertisements such as electronic media, print, outdoor, and direct mail, but not including posters or displays in a retail store.

(c) "Clear and reasonable warning" may be provided by general methods such as labels on household toxic products, posting of notices, placing notices in public news media, and similar methods. The warning may refer to the specific product, or to household toxic products in general. The warning shall notify consumers that they may call the Department of Health Service's toll-free number for information about proper disposal of household toxic products, and shall state the number.

(Added November 8, 1988, by initiative Proposition 105. Operative January 1, 1990. Invalidated in 1991 by court decision.)

66799.1. This section shall not apply to household use pesticides subject to storage and labelling requirements pursuant to the Food and Agricultural Code or the Federal Insecticide, Fungicide, and Rodenticide Act.

(Added November 8, 1988, by initiative Proposition 105. Operative January 1, 1990. Invalidated in 1991 by court decision.)

66799.2. Small or incidental advertisers of household toxic products are exempt from this Article provided that any advertiser with an annual California advertising budget for household toxic products of fifty thousand dollars (\$50,000.00) or more shall not be exempted.

(Added November 8, 1988, by initiative Proposition 105. Operative January 1, 1990. Invalidated in 1991 by court decision.)

66799.3. The Department of Health Services shall issue regulations to implement this Article, including but not limited to defining "household toxic products" (Section 66799), defining the nature and quantity of warnings required (Section 66799(c)) and defining small advertisers (Section 66799.2).

(Added November 8, 1988, by initiative Proposition 105. Operative January 1, 1990. Invalidated in 1991 by court decision. Note: See this section as modified in Governor's Reorganization Plan No. 1 of 1991.)

66799.4. The remedies for violations of this Article are as provided in Government Code Section 12269.

(Added November 8, 1988, by initiative Proposition 105. Operative January 1, 1990. Invalidated in 1991 by court decision.)