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Title 22@ Social Security

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Division 4.5@ Environmental Health Standards for the Management of Hazardous Waste

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Chapter 55@ Safer Consumer Products

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Article 1@ General

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Section 69501.4@ Chemical and Product Information

69501.4 Chemical and Product Information

(a)

Information Gathering. (1) The Department shall seek to obtain and/or review information that it determines is necessary to implement this chapter using one or more of the following approaches: (A) Obtain and/or review information in the public domain that is readily available in a usable format, without a subscription or other charge; (B) Obtain and/or review information in the public domain that is readily available in a usable format, with a subscription or other charge, to the extent resources are available to pay the required costs; (C) Request one or more product or chemical manufacturers, importers, assemblers, and/or retailers to make existing information available to the Department, in accordance with a schedule specified by the Department for each person from whom information is requested; and/or (D) Request one or more product or chemical manufacturers, importers, assemblers, and/or retailers to generate new information and provide it to the Department, in accordance with a schedule specified by the Department for each person from whom information is requested. (2) For purposes of this section, the terms "manufacturer", "importer", "assembler", and "retailer", mean the manufacturer, importer, assembler, and retailer of any product or chemical, not just Priority Products or Candidate Chemicals, except for those products exempted from the definition of "consumer product" specified in Health and Safety Code section 25251.

(1)

The Department shall seek to obtain and/or review information that it determines is necessary to implement this chapter using one or more of the following approaches:

(A) Obtain and/or review information in the public domain that is readily available in a usable format, without a subscription or other charge; (B) Obtain and/or review information in the public domain that is readily available in a usable format, with a subscription or other charge, to the extent resources are available to pay the required costs; (C) Request one or more product or chemical manufacturers, importers, assemblers, and/or retailers to make existing information available to the Department, in accordance with a schedule specified by the Department for each person from whom information is requested; and/or (D) Request one or more product or chemical manufacturers, importers, assemblers, and/or retailers to generate new information and provide it to the Department, in accordance with a schedule specified by the Department for each person from whom information is requested.

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Obtain and/or review information in the public domain that is readily available in a usable format, without a subscription or other charge;

(B)

Obtain and/or review information in the public domain that is readily available in a usable format, with a subscription or other charge, to the extent resources are available to pay the required costs;

(C)

Request one or more product or chemical manufacturers, importers, assemblers, and/or retailers to make existing information available to the Department, in accordance with a schedule specified by the Department for each person from whom information is requested; and/or

(D)

Request one or more product or chemical manufacturers, importers, assemblers, and/or retailers to generate new information and provide it to the Department, in accordance with a schedule specified by the Department for each person from whom information is requested.

(2)

For purposes of this section, the terms "manufacturer", "importer", "assembler", and "retailer", mean the manufacturer, importer, assembler, and retailer of any product or chemical, not just Priority Products or Candidate Chemicals, except for those products exempted from the definition of "consumer product" specified in Health and Safety Code section 25251.

(b)

Information Requests. The Department may request that information be made available to it under this section by either or both of the following methods: (1) Correspondence sent to an individual person electronically or by United States mail; and/or (2) Information call-ins that, unless otherwise specified, apply to all manufacturers, importers, assemblers, and retailers, as applicable, of a specific chemical or product or group of chemicals or products. The Department shall post information call-ins on its website, and provide notice to persons on the electronic mailing list(s) established by the Department related to this chapter.

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website, and provide notice to persons on the electronic mailing list(s) established by the Department related to this chapter.

(c)

Response Status List. (1) The Department shall maintain and post on its website a Response Status List. The Response Status List shall be used to provide notice that a person, who has been requested to provide information to the Department under this section, or someone acting on behalf of or in the stead of that person, has done one of the following: (A) Made the information requested under this section available to the Department within the time specified by the Department; (B) Failed to make the information requested under this section available to the Department by the due date specified by the Department; or (C) Demonstrated to the Department's satisfaction that it does not have and is unable to produce the requested information. (2) The information posted on the Response Status List shall include identification of the person and the chemical or product that is the subject of the request. (3) The Department shall update information on its website upon determining that a person has taken action to change its status under paragraph (1).

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The Department shall maintain and post on its website a Response Status List. The Response Status List shall be used to provide notice that a person, who has been requested to provide information to the Department under this section, or someone acting on behalf of or in the stead of that person, has done one of the following: (A) Made the information requested under this section available to the Department within the time specified by the Department; (B) Failed to make the information requested under this section available to the Department by the due date specified by the Department; or (C) Demonstrated to the Department's satisfaction that it does not

have and is unable to produce the requested information.

(A)

Made the information requested under this section available to the Department within the time specified by the Department;

(B)

Failed to make the information requested under this section available to the Department by the due date specified by the Department; or

(C)

Demonstrated to the Department's satisfaction that it does not have and is unable to produce the requested information.

(2)

The information posted on the Response Status List shall include identification of the person and the chemical or product that is the subject of the request.

(3)

The Department shall update information on its website upon determining that a person has taken action to change its status under paragraph (1).

(d)

Safer Consumer Products Partner Recognition List. The Department may maintain and post on its website a Safer Consumer Products Partner Recognition List identifying persons that have voluntarily provided the Department with information that advances the quest for safer consumer products. Persons identified on this list may include, but are not limited to, persons that have done the following: (1) Voluntarily completed an Alternatives Analysis on a consumer product that has not been listed as a Priority Product; and/or (2) Voluntarily provided information that is helpful to the Department in implementing this chapter.

(1)

Voluntarily completed an Alternatives Analysis on a consumer product that has not been listed as a Priority Product; and/or

(2)

Voluntarily provided information that is helpful to the Department in implementing this chapter.