

|->

Title 22@ Social Security

|->

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

|->

Chapter 55@ Safer Consumer Products

|->

Article 1@ General

|->

Section 69501@ Purpose and Applicability

69501 Purpose and Applicability

(a)

Safer Consumer Products Regulations. This chapter specifies the process for identifying and prioritizing Priority Products and their Chemicals of Concern, and identifying and analyzing alternatives to determine how best to eliminate or reduce potential exposures to, or the level of potential adverse impacts posed by, the Chemical(s) of Concern in Priority Products. This chapter also specifies the regulatory responses that will be imposed by operation of article 6 or that may be required by the Department following completion of an Alternatives Analysis.

(b)

Applicability and Non-Duplication. (1) Except as provided in paragraphs (2) and (3), this chapter applies to all consumer products placed into the stream of commerce in California. (2) This chapter does not apply to any product that is exempted from the definition of "consumer product" specified in Health and Safety Code section 25251. (3) (A) This chapter does not apply to a consumer product that the Department determines is regulated by one or more federal and/or California State regulatory programs, and/or applicable treaties or international agreements with the force of domestic law, that, in combination: 1. Address the same potential adverse impacts, potential exposure pathways, and potential adverse waste and end-of-life effects that could otherwise be the basis for the product being listed as a Priority Product; and 2. Provide a level of public

health and environmental protection that is equivalent to or greater than the protection that would potentially be provided if the product were listed as a Priority Product. (B) The Department may re-evaluate a determination previously made under this paragraph and rescind the determination if the Department finds that the facts and/or assumptions upon which the determination was based were not, or are no longer, valid.

(1)

Except as provided in paragraphs (2) and (3), this chapter applies to all consumer products placed into the stream of commerce in California.

(2)

This chapter does not apply to any product that is exempted from the definition of "consumer product" specified in Health and Safety Code section 25251.

(3)

(A) This chapter does not apply to a consumer product that the Department determines is regulated by one or more federal and/or California State regulatory programs, and/or applicable treaties or international agreements with the force of domestic law, that, in combination: 1. Address the same potential adverse impacts, potential exposure pathways, and potential adverse waste and end-of-life effects that could otherwise be the basis for the product being listed as a Priority Product; and 2. Provide a level of public health and environmental protection that is equivalent to or greater than the protection that would potentially be provided if the product were listed as a Priority Product. (B) The Department may re-evaluate a determination previously made under this paragraph and rescind the determination if the Department finds that the facts and/or assumptions upon which the determination was based were not, or are no longer, valid.

(A)

This chapter does not apply to a consumer product that the Department determines is regulated by one or more federal and/or California State regulatory programs, and/or applicable treaties or international agreements with the force of domestic law, that, in combination: 1. Address the same potential adverse impacts, potential exposure pathways, and potential adverse waste and end-of-life effects that could otherwise be the basis for the product being listed as a Priority Product; and 2. Provide a level of public health and environmental protection that is equivalent to or greater than the protection that would potentially be provided if the product were listed as a Priority Product.

1.

Address the same potential adverse impacts, potential exposure pathways, and potential adverse waste and end-of-life effects that could otherwise be the basis for the product being listed as a Priority Product; and

2.

Provide a level of public health and environmental protection that is equivalent to or greater than the protection that would potentially be provided if the product were listed as a Priority Product.

(B)

The Department may re-evaluate a determination previously made under this paragraph and rescind the determination if the Department finds that the facts and/or assumptions upon which the determination was based were not, or are no longer, valid.

(c)

Harmonization. Nothing in these regulations authorizes the Department to supersede the requirements of another California State or federal regulatory program.