

*** DRAFT – NOT FOR FILING ***

3745-112-03 **Standards.**

[Comment: For dates on non-regulatory government publications, publications of recognized organizations and associations, federal rules, and federal statutory provisions referenced in this rule, see ~~the last~~ paragraph (C) of rule 3745-112-01 of the Administrative Code titled "~~Incorporation by reference~~Referenced Materials."]

(A) Except as provided in ~~rule~~rules 3745-112-04 and ~~rule~~ 3745-112-07 of the Administrative Code, no person shall sell, supply, offer for sale, or manufacture for sale in the state of Ohio any consumer product manufactured on or after January 1, 2009 that contains ~~VOC's~~ VOCs in excess of the VOC content limits specified in the following table of standards:

-Table 1: Table of standards-

Product Category	VOC Standard (per cent VOC, by weight)
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 <u>Banding</u>	60
Construction, Panel, and Floor	15
Contact	80
Contact General Purpose	55
Contact Special Purpose	80
General Purpose	10
Structural Waterproof	15
Adhesive Removers:	
Floor or wall-covering adhesive remover <u>Wall Covering Adhesive Remover</u>	5
Gasket or thread locking adhesive remover <u>Thread Locking Adhesive Remover</u>	50
General purpose adhesive remover <u>Purpose Adhesive Remover</u>	20
Specialty adhesive remover <u>Adhesive Remover</u>	70
Air Fresheners:	
Single-Phase Aerosol	30
Double-Phase Aerosol	25
Liquids/Pump Spray	18
Solids/ semisolids <u>Semisolids</u>	3

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Antiperspirants:	
Aerosol	40 HVOC 10 MVOC
Non-Aerosol	0 HVOC 0 MVOC
Anti-static Static Product: Non-Aerosol	11
Automotive Brake Cleaners	45
Automotive Rubbing or Polishing Compound	17
Automotive Wax, Polish, Sealant or Glaze:	
Hard Paste Waxes	45
Instant Detailers	3
All Other Forms	15
Automotive Windshield Washer Fluids	35
Bathroom and Tile Cleaners:	
Aerosol	7
All Other Forms	5
Bug and Tar Remover	40
Carburetor or Fuel-Injection Air Intake Cleaners	45
Carpet and Upholstery Cleaners:	
Aerosol	7
Non-Aerosol (Dilutables)	0.1
Non-Aerosol (Ready-to-Use)	3.0
Charcoal Lighter Fluid Material ¹	
Cooking Spray Aerosols	18
Deodorants:	
Aerosol	0 HVOC 10 MVOC
Non-Aerosol	0 HVOC 0 MVOC
Dusting Aids:	
Aerosol	25
All Other Forms	7
Electrical Cleaner	45
Electronic Cleaner	75
Engine Degreasers:	
Aerosol	35
Non-Aerosol	5
Fabric Protectants	60
Fabric Refresher:	
Aerosol	15
Non-Aerosol	6
Floor Polishes/Waxes:	
Products for Flexible Flooring Materials	7
Products for Non-Resilient Flooring	10

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Wood Floor Wax	90
Floor Wax Strippers, Non-Aerosol ²	
Footwear or Leather Care Products:	
Aerosol	75
Solid	55
Other Forms	15
Furniture Maintenance Products:	
Aerosol	17
All Other Forms Except Solid or Paste	7
General Purpose Cleaners:	
Aerosol	10
Non-Aerosol	4
General Purpose Degreasers:	
Aerosol	50
Non-Aerosol	4
Glass Cleaners:	
Aerosol	12
Non-Aerosol	4
Graffiti Remover:	
Aerosol	50
Non-Aerosol	30
Hair Mousses	6
Hair Shines	55
Hair Sprays	55
Hair Styling Gels	6
Hair Styling Product:	
Aerosols and Pump Sprays	6
All Other Forms	2
Heavy-Duty Hand Cleaner Soap	8
Insecticides:	
Crawling Bug (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 (Non-Aerosol)	3
Lawn and Garden (All Other Forms)	20
Wasp and Hornet	40
Laundry Pre-Wash:	
Aerosols/Solids	22
All Other Forms	5
Laundry Starch Products	5
Metal Polishes/Cleaners	30

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Multi Polishes Lubricant (Excluding Solid or Semi-Solid Products)	50
Nail Polish Remover	75
Non-Selective Terrestrial Herbicide, Non-Aerosol	3
Oven Cleaners:	
Aerosols/Pump Sprays	8
Liquids	5
Paint Remover or Strippers	50
Penetrants	50
Rubber and Vinyl Protectants:	
Non-Aerosol	3
Aerosol	10
Sealants and Caulking Compounds	4
Shaving Creams	5
Shaving Gel	7
Silicone-Based Multi-Purpose Lubricants (Excluding Solid or Semi-Solid Products)	60
Spot Removers:	
Aerosol	25
Non-Aerosol	8
Tire Sealants and Inflators	20
Under-coatings (Aerosols)	40
Wood Cleaner:	
Aerosol	17
Non-Aerosol	4

¹See paragraph ~~(G)~~(F) of [this rule 3745-112-03 of the Administrative Code](#) regarding charcoal lighter material standards.

²See paragraph ~~(H)~~(H) of [this rule 3745-112-03 of the Administrative Code](#) regarding floor wax strippers.

(B) No person shall sell, supply, offer for sale, or manufacture for sale in the state of Ohio any antiperspirant or deodorant which contains any compound that has been identified by the CARB in [the "California Code of Regulations"](#), Title 17, ~~California Code of Regulations~~, ~~Division~~[division](#) 3, ~~Chapter~~[chapter](#) 1, ~~Subchapter~~[subchapter](#) 7, ~~Section~~[section](#) 93000 as a toxic air contaminant.

(C) Products that are diluted prior to use.

(1) 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 VOC content limits specified in the table of this rule shall apply to the product only after the minimum recommended dilution has taken place. For purposes of this rule, minimum recommended dilution

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shall not include recommendations for incidental use of a concentrated product to deal with limited special applications such as hard-to-remove soils or stains.

- (2) 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 VOC content limits specified in the table of this rule shall apply to the product only after the maximum recommended dilution has taken place.

(D) Sell-through of products.

Notwithstanding the provisions of paragraph (A) of this rule, a consumer product manufactured prior to January 1, 2009 may be sold, supplied, or offered for sale after January 1, 2009. This does not apply to 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 paragraph (A) of rule 3745-112-05 of the Administrative Code.

(E) Products registered under the Federal Insecticide, Fungicide, and Rodenticide Act.

For those consumer products that are registered under the Federal Insecticide, Fungicide, and Rodenticide Act, the effective date of the VOC standards [specified in the table of this rule](#) is January 1, 2010.

(F) Requirements for charcoal lighter materials.

No person shall sell, supply, or offer for sale after January 1, 2009 any charcoal lighter material product unless at the time of the transaction the manufacturer can demonstrate that the product has been issued a currently effective certification by the CARB. This certification remains in effect in the state of Ohio as long as the CARB certification remains in effect and the certification is approved by the director. Any manufacturer claiming such a certification on this basis must submit to the director a copy of the certification decision (i.e., the executive order), including all conditions established by CARB applicable to the certification.

(G) Requirements for aerosol adhesives.

- (1) The standards for aerosol adhesives apply to all uses of aerosol adhesives, including consumer, industrial, and commercial uses. Except as otherwise provided in rules 3745-112-04 and 3745-112-07 of the Administrative Code, no person shall sell, supply, offer for sale, use or manufacture for sale in the state of Ohio any aerosol adhesive which, at the time of sale, use, or manufacture, contains VOCs in excess of the limit specified in the table of this rule.
- (2) In order to qualify as a special purpose spray adhesive the product must meet one or more of the definitions specified in rule 3745-112-01 of the Administrative Code, but if the product label indicates that the product is suitable for use on any

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substrate or application not listed in this definition, 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 rule 3745-112-01 of the Administrative Code for a special purpose spray adhesive, and is not classified as a web spray adhesive or mist spray adhesive under [this](#) paragraph ~~(G)(2) of this rule~~, then the VOC content limit for the product shall be the lowest applicable VOC content limit specified in the table of this rule.

- (3) All aerosol adhesives must comply with the labeling requirements specified in rule 3745-112-05 of the Administrative Code.

(H) Requirements for floor wax strippers.

No person shall sell, supply, offer for sale, or manufacture for use in Ohio any floor wax stripper unless the following requirements are met:

- (1) The label of each non-aerosol floor wax stripper must specify a dilution ratio for light or medium build-up of polish that results in an as-used VOC concentration of three per cent, by weight, or less.
- (2) If a non-aerosol floor wax stripper is also intended to be used for removal of heavy build-up of polish, the label of that floor wax stripper must specify a dilution ratio for heavy build-up of polish that results in an as-used VOC concentration of twelve per cent, by weight, or less.
- (3) The terms light build-up, medium build-up or heavy build-up are not specifically required, as long as comparable terminology is used.