

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Standards and Limitations for Organic Material Emissions for Area Sources
- 2) Code Citation: 35 Ill. Adm. Code 223
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
223.201	Amended
223.203	Amended
223.205	Amended
223.207	Amended
223.208	Amended
223.211	New
223.305	Amended
- 4) Statutory Authority: 415 ILCS 5/10, 27, and 28
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking proposal filed by the Illinois Environmental Protection Agency seeks to add to Part 223 volatile organic material limitations applicable to several categories of consumer and consumer products: adhesive removers, anti-static products, contact adhesives, electrical cleaner, electronic cleaner, fabric refresher, footwear or leather care products, graffiti remover, hair styling product, shaving gel and wood cleaner. The proposal also seeks to clarify the applicability of Part 223 to containers of architectural and industrial maintenance coatings.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking:
 - a) California Air Resources Board: Initial Statement of Reasons for the Proposed Amendments to the California Aerosol Coating Products, Antiperspirants and Deodorants, and Consumer Products Regulations, Test Method 310, and Airborne Toxic Control Measure for Para-Dichlorobenzene Solid Air Fresheners and Toilet/Urinal Care Products, May 7, 2004.
 - b) Illinois Environmental Protection Agency, Illinois Ozone Emission Inventory for 2008, August 2010.
 - c) Ozone Transport Commission, Final Draft of the Model Rule for Consumer Products, September 13, 2006.

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- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: These proposed amendments do not create or enlarge a State mandate as defined in Section 3(b) of the State Mandates Act. [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:
The Board will accept written public comments on this proposal for a period of 45 days after the date of publication in the Illinois Register. Comments should refer to Docket R12-8 and be addressed to:
- John Therriault
Clerk's Office
Illinois Pollution Control Board
100 W. Randolph St., Suite 11-500
Chicago, IL 60601
- 312/814-3629
- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not for profit corporations affected: Any small business, small municipality, or not for-profit corporation manufacturing or selling consumer products within the product categories addressed in this rulemaking will be affected by the proposed amendments.
- B) Reporting, bookkeeping or other procedures required for compliance: Volatile organic material limits for additional product categories can be addressed through procedures for compliance with existing provisions of Part 223, which include product-dating, labeling, and reporting requirements.
- C) Types of Professional skills necessary for compliance: No professional skills beyond those currently required by existing state and federal air pollution control regulations applicable to affected sources will be required.

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- 14) Regulatory Agenda in which these amendments were summarized: January 2011
- 15) Do these amendments require the review of the Procurement Policy Board as specified in Section 5-25 of the Illinois Procurement Code? [30 ILCS 500/5-25]? No

The full text of the Proposed Amendments begins on the next page:

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE B: AIR POLLUTION
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
FOR STATIONARY SOURCES

PART 223
STANDARDS AND LIMITATIONS FOR ORGANIC
MATERIAL EMISSIONS FOR AREA SOURCES

SUBPART A: GENERAL PROVISIONS

Section
223.100 Severability
223.105 Abbreviations and Acronyms
223.120 Incorporations by Reference

SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS

Section
223.200 Purpose
223.201 Applicability
223.203 Definitions for Subpart B
223.205 Standards
223.206 Diluted Products
223.207 Products Registered under FIFRA
223.208 Requirements for Aerosol Adhesives
223.209 Requirements for Floor Wax Strippers
223.210 Products Containing Ozone-Depleting Compounds
223.211 Requirements for Adhesive Removers, Aerosol Adhesives, Contact
Adhesives, Electrical Cleaners, Electronic Cleaners, Footwear or Leather Care
Products, General Purpose Degreasers, and Graffiti Removers
223.220 Requirements for Charcoal Lighter Material
223.230 Exemptions
223.240 Innovative Product Exemption
223.245 Alternative Compliance Plans
223.250 Product Dating
223.255 Additional Product Dating Requirements
223.260 Most Restrictive Limit
223.265 Additional Labeling Requirements for Aerosol Adhesives, Adhesive
Removers,
Electronic Cleaners, Electrical Cleaners, Energized Electrical Cleaners, and
Contact Adhesives
223.270 Reporting Requirements
223.275 Special Recordkeeping Requirements for Consumer Products that
Contain Perchloroethylene or Methylene Chloride
223.280 Calculating Illinois Sales
223.285 Test Methods

SUBPART C: ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS

Section
223.300 Purpose
223.305 Applicability
223.307 Definitions for Subpart C
223.310 Standards
223.320 Container Labeling Requirements
223.330 Reporting Requirements

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223.340 Compliance Provisions and Test Methods
223.350 Alternative Test Methods
223.360 Methacrylate Traffic Coating Markings
223.370 Test Methods

AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28 of the Environmental Protection Act [415 ILCS 5/10, 27 and 28].

SOURCE: Adopted in R08-17 at 33 Ill. Reg. ~~25,8224~~, effective June 8, 2009; amended in ~~R12-809-19~~ at 35 Ill. Reg. 18846, effective October 25, 2011; amended at 36 Ill. Reg. _____, effective _____.

SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS

Section 223.201 Applicability

Except as provided in Section 223.230, unless another date is specified, this Subpart shall apply to any person who sells, supplies, offers for sale, or manufactures consumer products on or after July 1, 2009, for use in Illinois.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 223.203 Definitions for Subpart B

The definitions contained in this Section apply only to the provisions of this Subpart. Unless otherwise defined in this Section, the definitions of terms used in this Subpart shall have the meanings specified for those terms in 35 Ill. Adm. Code 211.

"Adhesive" means any product that is used to bond one surface to another by attachment. This does not include products used on humans and animals, adhesive tape, contact paper, wallpaper, shelf liners, or any other product with an adhesive incorporated onto or in an inert substrate. For "Contact Adhesive", adhesive does not include units of product, less packaging, that consist of more than one gallon. For "Construction, Panel, and Floor Covering Adhesive", and "General Purpose Adhesive", "Adhesive" does not include units of product, less packaging, that weigh more than one pound and consist of more than 16 fluid ounces. This limitation does not apply to aerosol adhesives.

"Adhesive Remover" means a product designed to remove adhesive from either a specific substrate or a variety of substrates. "Adhesive Remover" does not include products that remove adhesives intended exclusively for use on humans or animals.

For the purpose of this definition and the "Adhesive Remover" subcategories listed in this definition, the term "Adhesive" shall mean a substance used to bond one or more materials. Adhesive includes, but is not limited to, caulks, sealants, glues, or similar substances used for the purpose of forming a bond.

"Floor and Wall Covering Adhesive Remover" means a product designed or labeled to remove floor or wall coverings and associated adhesive from the underlying substrate.

"Gasket or Thread Locking Adhesive Remover" means a product designed or labeled to remove gaskets or thread locking adhesives. Products labeled for dual use as a paint stripper and gasket remover and/or thread locking adhesive remover are considered "Gasket or Thread Locking Adhesive Remover".

"General Purpose Adhesive Remover" means a product designed or labeled to remove cyanoacrylate adhesives as well as non-reactive adhesives or residue from a variety of substrates. "General Purpose Adhesive Remover" includes, but is not limited to, the following: products that remove thermoplastic adhesives, pressure sensitive adhesives, dextrine or starchbased adhesives, casein glues, rubber or latex-based adhesives, and products that remove stickers, decals, stencils, or similar materials. "General Purpose Adhesive Remover" does not include "Floor or Wall Covering Adhesive Remover".

"Specialty Adhesive Remover" means a product designed to remove reactive adhesives from a variety of substrates. Reactive adhesives include adhesives that require a hardener or catalyst in order for the bond to occur. Examples of reactive adhesives include, but are not limited to epoxies, urethanes, and silicones. "Specialty Adhesive Remover" does not include "Gasket or Thread Locking Adhesive Remover".

"Aerosol Adhesive" means an aerosol product in which the spray mechanism is permanently housed in a nonrefillable can designed for hand-held application without the need for ancillary hoses or spray equipment. This does not include "special purpose spray adhesives", "mist spray adhesives" and "web spray adhesives".

"Aerosol Cooking Spray" means any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food, or both.

"Aerosol Product" means a pressurized spray system that dispenses product ingredients by means of a propellant contained in a product or a product's container, or by means of a mechanically induced force. "Aerosol Product" does not include "Pump Spray".

"Agricultural Use" means the use of any pesticide or method or device for the control of pests in connection with the commercial production, storage, or processing of any animal or plant crop. This does not include the sale or use of pesticides in properly labeled packages or containers that are intended for home use, use in structural pest control, or industrial or institutional use. For the purposes of this definition only:

"Home Use" means use in a household or its immediate environment;

"Structural Pest Control" means a use requiring a license under the Structural Pest Control Act [225 ILCS 235];

"Industrial Use" means use for or in a manufacturing, mining, or chemical process or use in the operation of factories, processing plants, and similar sites; or

"Institutional Use" means use within the lines of, or on property necessary for the operation of, buildings such as hospitals, schools, libraries, auditoriums, and office complexes.

"Air Freshener" means any consumer product including, but not limited to, sprays, wicks, powders, and crystals, designed for the purpose of masking odors,

or freshening, cleaning, scenting, or deodorizing the air. "Air Freshener" does not include products that are used on the human body, products that function primarily as cleaning products as indicated on a product label, "Toilet/Urinal Care Products", disinfectant products claiming to deodorize by killing germs on surfaces, or institutional and industrial disinfectants when offered for sale solely through institutional and industrial channels of distribution. "Air Freshener" does include spray disinfectants and other products that are expressly represented for use as air fresheners, except institutional and industrial disinfectants when offered for sale through institutional and industrial channels of distribution. To determine whether a product is an air freshener, all verbal and visual representations regarding product use on the label or packaging and in the product's literature and advertising may be considered. The presence of, and representations about, a product's fragrance and ability to deodorize (resulting from surface application) shall not constitute a claim of air freshening.

"All Other Carbon-~~containing~~Containing Compounds" means all other compounds that contain at least one carbon atom and are not listed under Section 223.205(a) or are a "LVP-VOM-~~+~~".

"All Other Forms" means all consumer product forms for ~~that~~which no form-specific VOM standard is specified. Unless specified otherwise by the applicable VOM standard, "All Other Forms" include, but is not limited to, solids, liquids, wicks, powders, crystals, and cloth or paper wipes (towelettes).

"Alternative Control Plan" or "ACP" means any emissions averaging program approved by the Agency pursuant to the provisions of this Subpart.

"Antimicrobial Hand or Body Cleaner or Soap" means a cleaner or soap ~~which~~that is designed to reduce the level of microorganisms on the skin through germicidal activity. This includes, but is not limited to, antimicrobial hand or body washes/cleaners, foodhandler hand washes, healthcare personnel hand washes, pre-operative skin preparations and surgical scrubs. "Antimicrobial Hand or Body Cleaner or Soap" does not include prescription drug products, antiperspirants, "Astringent/Toner", deodorant, "Facial Cleaner or Soap", "General-use Hand or Body Cleaner or Soap", "Hand Dishwashing Detergent" (including antimicrobial), "Heavy-duty Hand Cleaner or Soap", "Medicated Astringent/Medicated Toner", or "Rubbing Alcohol".

"Antiperspirant" means any product, including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to be used to reduce perspiration in the human axilla by at least 20 percent in at least 50 percent of a target population.

"Anti-Static Product" means a product that is labeled to eliminate, prevent, or inhibit the accumulation of static electricity. "Anti-Static Product" does not include "Electronic Cleaner", "Floor Polish or Wax", "Floor Coating", and products that meet the definition of "Aerosol Coating Product" or "Architectural Coating".

"Appurtenance" means any accessory to a stationary structure coated at the site of installation, whether installed or detached, including, but not limited to, bathroom and kitchen fixtures, cabinets, concrete forms, doors, elevators, fences, hand railings, heating equipment, air conditioning equipment, and other fixed mechanical equipment or stationary tools, lampposts, partitions, pipes and

pipng systems, rain gutters and downspouts, stairways, fixed ladders, catwalks and fire escapes, and window screens.

"Architectural Coating" means a coating to be applied to stationary structures or the appurtenances at the site of installation, to portable buildings at the site of installation, to pavements, or to curbs. Coatings applied in shop applications or to non-stationary structures such as airplanes, ships, boats, railcars, and automobiles, and adhesives are not considered "Architectural Coatings" for the purposes of this Subpart.

"Astringent/Toner" means any product not regulated as a drug by the United States Food and Drug Administration (FDA) that is applied to the skin for the purpose of cleaning or tightening pores. This category also includes clarifiers and substrate-impregnated products. This category does not include any hand, face, or body cleaner or soap product, "Medicated Astringent/Medicated Toner", cold cream, lotion, or antiperspirant.

"Automotive Brake Cleaner" means a cleaning product designed to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms.

"Automotive Hard Paste Wax" means an automotive wax or polish that is designed to protect and improve the appearance of automotive paint surfaces, and is a solid at room temperature, and contains 0% water by formulation.

"Automotive Instant Detailer" means a product designed for use in a pump spray that is applied to the painted surface of automobiles and wiped off prior to the product being allowed to dry.

"Automotive Rubbing or Polishing Compound" means a product designed primarily to remove oxidation, old paint, scratches or swirl marks, and other defects from the painted surfaces of motor vehicles without leaving a protective barrier.

"Automotive Wax, Polish, Sealant, or Glaze" means a product designed to seal out moisture, increase gloss, or otherwise enhance a motor vehicle's painted surfaces. This includes, but is not limited to, products designed for use in autobody repair shops and drive-through car washes, as well as products designed for the general public. The term does not include "Automotive Rubbing or Polishing Compounds", automotive wash and wax products, surfactant-containing car wash products, and products designed for use on unpainted surfaces such as bare metal, chrome, glass, or plastic.

"Automotive Windshield Washer Fluid" means any liquid designed for use in a motor vehicle windshield washer system either as an antifreeze or for the purpose of cleaning, washing, or wetting the windshield. This does not include fluids placed by the manufacturer in a new vehicle.

"Bathroom and Tile Cleaner" means a product designed to clean tile or surfaces in bathrooms. The term does not include products designed primarily to clean toilet bowls, toilet tanks or urinals.

"Bug and Tar Remover" means a product labeled to remove either or both of the following from painted motor vehicle surfaces without causing damage to the finish: biological-type residues such as insect carcasses, tree sap and road grime such as road tar, roadway paint markings, and asphalt.

"Carburetor or Fuel-Injection Air Intake Cleaners" means a product designed to remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle body of a fuel-injection system, or associated linkages, excluding products designed exclusively to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor or fuel injectors.

"Carpet and Upholstery Cleaner" means a cleaning product designed for the purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor vehicles and/or on household furniture or objects upholstered or covered with fabrics such as wool, cotton, nylon or other synthetic fabrics. This includes, but is not limited to, products that make fabric protectant claims. The term does not include "General Purpose Cleaners", "Spot Removers", vinyl or leather cleaners, dry cleaning fluids, or products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.

"Charcoal Lighter Material" means any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition. The term does not include any of the following: electrical starters and probes, metallic cylinders using paper tinder, natural gas, propane, and fat wood.

"Colorant" means any pigment or coloring material used in a consumer product for an aesthetic effect or to dramatize an ingredient.

"Construction, Panel, and Floor Covering Adhesive" means any one-component adhesive that is designed exclusively for the installation, remodeling, maintenance, or repair of structural and building components that include, but are not limited to, beams, trusses, studs, paneling (including, but not limited to, drywall or drywall laminates, fiberglass reinforced plastic (FRP), plywood, particle board, insulation board, pre-decorated hardboard or tileboard), ceiling and acoustical tile, molding, fixtures, countertops or countertop laminates, cove or wall bases, flooring or subflooring, or floor or wall coverings (including, but not limited to, wood or simulated wood covering, carpet, carpet pad or cushion, vinyl-backed carpet, flexible flooring material, nonresilient flooring material, mirror tiles and other types of tiles, and artificial grass). The term does not include "Floor Seam Sealer".

"Consumer" means any person who purchases or acquires any consumer product for personal, family, household, or institutional use. Persons acquiring a consumer product for resale are not "consumers" for that product.

"Consumer Product" means a chemically formulated product used by household and institutional consumers including, but not limited to, detergents, cleaning compounds, polishes, floor finishes, cosmetics, personal care products, home lawn and garden products, disinfectants, sanitizers, aerosol paints, and automotive specialty products. "Consumer Product" does not include other paint products, furniture coatings, or architectural coatings. As used in this Subpart, "Consumer Product" shall also refer to "Aerosol Adhesive", including an "Aerosol Adhesive" used for consumer, industrial or commercial uses.

"Contact Adhesive" means an adhesive that is designed for application to both surfaces to be bonded together, and is allowed to dry before the two surfaces are placed in contact with each other, and forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces are placed in contact with each other, and does not need sustained pressure or clamping of surfaces after the adhesive-coated surfaces have been brought together using sufficient momentary pressure to establish full contact between

both surfaces. The term does not include rubber cements that are primarily intended for use on paper substrates. "Contact Adhesive" also does not include vulcanizing fluids that are designed and labeled for tire repair only.

"Contact Adhesive - General Purpose" means any contact adhesive that is not a "Contact Adhesive - Special Purpose".

"Contact Adhesive - Special Purpose" means a contact adhesive that is used to bond melamine-covered board, unprimed metal, unsupported vinyl, Teflon, ultra-high molecular weight polyethylene, rubber, or high pressure laminate or wood veneer 1/16 inch or less in thickness to any porous or nonporous surface, and is sold in units of product, less packaging, that contain more than eight fluid ounces, or is used in automotive applications that are either automotive under the hood applications requiring heat, oil or gasoline resistance or body-side molding, automotive weatherstrip or decorative trim.

"Container/Packaging" means the part or parts of the consumer or institutional product that serve only to contain, enclose, incorporate, deliver, dispense, wrap or store the chemically formulated substance or mixture of substances that is solely responsible for accomplishing the purposes for which the product was designed or intended. This includes any article onto or into which the principal display panel and other accompanying literature or graphics are incorporated, etched, printed or attached.

"Crawling Bug Insecticide" means any insecticide product that is designed for use against ants, cockroaches, or other household crawling arthropods, including, but not limited to, mites, silverfish or spiders, excluding products designed to be used exclusively on humans or animals, or any house dust mite product. For the purposes of this definition only:

"House dust mite product" means a product whose label, packaging, or accompanying literature states that the product is suitable for use against house dust mites, but does not indicate that the product is suitable for use against ants, cockroaches, or other household crawling arthropods.

"House dust mite" means mites that feed primarily on skin cells shed in the home by humans and pets and ~~which~~that belong to the phylum Arthropoda, the subphylum Chelicerata, the class Arachnida, the subclass Acari, the order Astigmata, and the family Pyroglyphidae.

"Date-Code" means the day, month and year on which the consumer product was manufactured, filled, or packaged, or a code indicating that date.

"Deodorant" means:

For products manufactured before July 1, 2009: any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles that is intended by the manufacturer to be used to minimize odor in the human axilla by retarding the growth of bacteria that cause the decomposition of perspiration.

For products manufactured on or after July 1, 2009: any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that indicates or depicts on the container or packaging, or on any sticker or label affixed to the container or packaging, that the product can be used on or applied to the human axilla to provide a scent and/or minimize odor. A "Deodorant Body Spray" product that indicates or depicts on the container or

packaging, or on any sticker or label affixed to the container or packaging ~~to the container or packaging~~, that it can be used on or applied to the human axilla, is a "Deodorant".

"Deodorant Body Spray" means:

For products manufactured before July 1, ~~2009~~-2009, a "Personal Fragrance Product" with 20 percent or less fragrance.

For products manufactured on or after July 1, ~~2009~~-2009, a "Personal Fragrance Product" with 20 percent or less fragrance, that is designed for application all over the human body to provide a scent. A "Deodorant Body Spray" product that indicates or depicts on the container or packaging, or on any sticker or label affixed to the container or packaging, that it can be used on or applied to the human axilla, is a "Deodorant".

"Device" means any instrument or contrivance (other than a firearm) designed for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life (other than man and other than bacterium, virus, or another microorganism on or in living man or other living animals), but not including equipment used for the application of pesticides when sold separately from the device.

"Disinfectant" means any product intended to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects and whose label is registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 USC 136 et seq.).

"Disinfectant" does not include any of the following products designed solely for use on humans or animals, products designed for agricultural use, products designed solely for use in swimming pools, therapeutic tubs, or hot tubs, products that, as indicated on the principal display panel or label, are designed primarily for use as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet bowl cleaners, or metal polishes.

"Double Phase Aerosol Air Freshener" means an aerosol air freshener with the liquid contents in two or more distinct phases that require the product container to be shaken before use to mix the phases, producing an emulsion.

"Dry Cleaning Fluid" means any non-aqueous liquid product designed and labeled exclusively for use on fabrics that are labeled "dry clean only", such as clothing or drapery or "S-coded" fabrics. This includes, but is not limited to, those products used by commercial dry cleaners and commercial businesses that clean fabrics such as draperies at the customer's residence or work place. The term does not include "Spot Remover" or "Carpet and Upholstery Cleaner". For the purposes of this definition, "S-coded fabric" means an upholstery fabric designed to be cleaned only with water-free spot cleaning products as specified by the Joint Industry Fabric Standards Committee.

"Dusting Aid" means a product designed to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone based coating. The term does not include "Pressurized Gas Duster".

"Electrical Cleaner" means a product labeled to remove heavy soils such as grease, grime, or oil from electrical equipment, including, but not limited to, electric motors, armatures, relays, electric panels, or generators. The term does not include "General Purpose Cleaner", "General Purpose Degreaser", "Dusting Aid", "Electronic Cleaner", "Energized Electrical Cleaner",

"Pressurized Gas Duster", "Engine Degreaser", "Anti-Static Product", or products designed to clean the casings or housings of electrical equipment.

"Electronic Cleaner" means a product labeled for the removal of dirt, moisture, dust, flux or oxides from the internal components of electronic or precision equipment such as circuit boards, and the internal components of electronic devices, including, but not limited to, radios, compact disc (CD) players, digital video disc (DVD) players, and computers. "Electronic Cleaner" does not include "General Purpose Cleaner", "General Purpose Degreaser", "Dusting Aid", "Pressurized Gas Duster", "Engine Degreaser", "Electrical Cleaner", "Energized Electrical Cleaner", "Anti-Static Product", or products designed to clean the casings or housings of electronic equipment.

"Energized Electrical Cleaner" means a product that meets both of the following criteria:

The product is labeled to clean and/or degrease electrical equipment, where cleaning and/or degreasing is accomplished when electrical current exists, or when there is a residual electrical potential from a component, such as a capacitor.

The product label clearly displays the statements: "Energized equipment use only. Not to be used for motorized vehicle maintenance, or their parts."

This does not include "Electronic Cleaner".

"Engine Degreaser" means a cleaning product designed to remove grease, grime, oil and other contaminants from the external surfaces of engines and other mechanical parts.

"Existing Product" means any formulation of the same product category and form sold, supplied, manufactured, or offered for sale in Illinois prior to the effective date in Section 223.205 ~~July 1, 2009~~, or any subsequently introduced identical formulation.

"Fabric Protectant" means a product designed to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of liquid into the fabric's fibers. The term does not include waterproofer, products designed for use solely on leather, or products designed for use solely on fabrics labeled "dry clean only" and sold in containers of 10 fluid ounces or less.

"Fabric Refresher" means a product labeled to neutralize or eliminate odors on non-laundered fabric including, but not limited to, soft household surfaces, rugs, carpeting, draperies, bedding, automotive interiors, footwear, athletic equipment, or clothing or on household furniture or objects upholstered or covered with fabrics such as, but not limited to, wool, cotton, or nylon. "Fabric Refresher" does not include "Anti-static Product", "Carpet and Upholstery Cleaner", "Soft Household Surface Sanitizers", "Footwear or Leather Care Product", "Spot Remover", or "Disinfectant", or products labeled for application to both fabric and human skin.

For the purposes of this definition only, "Soft Household Surface Sanitizer" means a product labeled to neutralize or eliminate odors on the listed surfaces above whose label is registered as a sanitizer under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 USC 136 et seq.).

"Facial Cleaner or Soap" means a cleaner or soap designed primarily to clean the face including, but not limited to, facial cleansing creams, semisolids, liquids, lotions, and substrate-impregnated forms. The term does not include prescription drug products, "Antimicrobial Hand or Body Cleaner or Soap", "Astringent/ Toner", "General-use Hand or Body Cleaner or Soap", "Medicated Astringent/Medicated Toner", or "Rubbing Alcohol".

"Fat Wood" means pieces of wood kindling with high naturally-occurring levels of sap or resin that enhance ignition of the kindling, excluding any kindling with substances added to enhance flammability, such as wax-covered or wax-impregnated wood-based products.

"Faux Finishing Coating" means a coating labeled and formulated as a stain or a glaze to create artistic effects including, but not limited to, dirt, old age, smoke damage, and simulated marble and wood grain.

"Flea and Tick Insecticide" means any insecticide product that is designed for use against fleas, ticks, their larvae, or their eggs. The term does not include products that are designed to be used exclusively on humans or animals and their bedding.

"Flexible Flooring Material" means asphalt, cork, linoleum, no-wax, rubber, seamless vinyl and vinyl composite flooring.

"Floor Coating" means an opaque coating that is labeled and formulated for application to flooring, including, but not limited to, decks, porches, steps, and other horizontal surfaces that may be subjected to foot traffic.

"Floor Polish or Wax" means a wax, polish, or any other product designed to polish, protect, or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished. The term does not include "Spray Buff Products", products designed solely for the purpose of cleaning floors, floor finish strippers, products designed for unfinished wood floors, and coatings subject to architectural coatings regulations.

"Floor Seam Sealer" means any product designed and labeled exclusively for bonding, fusing, or sealing (coating) seams between adjoining rolls of installed flexible sheet flooring.

"Floor Wax Stripper" means a product designed to remove natural or synthetic floor polishes or waxes through breakdown of the polish or wax polymers, or by dissolving or emulsifying the polish or wax. This does not include aerosol floor wax strippers or products designed to remove floor wax solely through abrasion.

"Flying Bug Insecticide" means any insecticide product that is designed for use against flying insects or other flying arthropods, including but not limited to flies, mosquitoes, moths, or gnats. The term does not include "Wasp and Hornet Insecticide", products that are designed to be used exclusively on humans or animals, or any moth-proofing product.

For purposes of this definition only, "Moth-Proofing Product" means a product whose label, packaging, or accompanying literature indicates that the product is designed to protect fabrics from damage by moths, but does not indicate that the product is suitable for use against flying insects or other flying arthropods.

"Footwear or Leather Care Product" means any product designed or labeled to be applied to footwear or to other leather articles/components to maintain, enhance, clean, protect, or modify the appearance, durability, fit, or flexibility of the footwear or leather article/component. Footwear includes both leather and non-leather foot apparel. "Footwear or Leather Care Product" does not include "Fabric Protectant", "General Purpose Adhesive", "Contact Adhesive", "Vinyl/Fabric/Leather/Polycarbonate Coating", "Rubber and Vinyl Protectant", "Fabric Refresher", products solely for deodorizing, or sealant products with adhesive properties used to create external protective layers greater than two millimeters thick.

"Fragrance" means a substance or complex mixture of aroma chemicals, natural essential oils, and other functional components with a combined vapor pressure not in excess of two mm of Hg at 20°C, the sole purpose of which is to impart an odor or scent, or to counteract a malodor.

"Furniture Maintenance Product" means a wax, polish, conditioner, or any other product designed for the purpose of polishing, protecting or enhancing finished wood surfaces other than floors. The term does not include "Dusting Aids", "Wood Cleaners", products designed solely for the purpose of cleaning, and products designed to leave a permanent finish such as stains, sanding sealers and lacquers.

"Furniture Coating" means any paint designed for application to room furnishings including, but not limited to, cabinets (kitchen, bath and vanity), tables, chairs, beds, and sofas.

"Gel" means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, such as jelly.

"General Purpose Adhesive" means any non-aerosol adhesive designed for use on a variety of substrates. The term does not include contact adhesives, construction, panel, and floor covering adhesives, adhesives designed exclusively for application on one specific category of substrates (i.e., substrates that are composed of similar materials, such as different types of metals, paper products, ceramics, plastics, rubbers, or vinyls), or adhesives designed exclusively for use on one specific category of articles (i.e., articles that may be composed of different materials but perform a specific function, such as gaskets, automotive trim, weather-stripping, or carpets).

"General Purpose Cleaner" means a product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations. This includes products designed for general floor cleaning, kitchen or countertop cleaning, and cleaners designed to be used on a variety of hard surfaces, and ~~does~~ does not include "General Purpose Degreasers" and "Electronic Cleaners".

"General Purpose Degreaser" means any product labeled to remove or dissolve grease, grime, oil and other oil-based contaminants from a variety of substrates, including automotive or miscellaneous metallic parts. This does not include "Engine Degreaser", "General Purpose Cleaner", "Adhesive Remover", "Electronic Cleaner", "Electrical Cleaner", "Energized Electrical Cleaner", "Metal Polish/Cleanser", products used exclusively in "Solvent Cleaning Tanks or Related Equipment", or products that are sold exclusively to establishments that manufacture or construct goods or commodities, and labeled "not for retail sale".

"Solvent Cleaning Tanks or Related Equipment" includes, but is not limited to, cold cleaners, vapor degreasers, conveyORIZED degreasers, film cleaning machines, or products designed to clean miscellaneous metallic parts by immersion in a container.

"General-Use Hand or Body Cleaner or Soap" means a cleaner or soap designed to be used routinely on the skin to clean or remove typical or common dirt and soils, including, but not limited to, hand or body washes, dual-purpose shampoo-body cleaners, shower or bath gels, and moisturizing cleaners or soaps. The term does not include prescription drug products, "Antimicrobial Hand or Body Cleaner or Soap", "Astringent/Toner", "Facial Cleaner or Soap", "Hand Dishwashing Detergent" (including antimicrobial), "Heavy-duty Hand Cleaner or Soap", "Medicated Astringent/Medicated Toner", or "Rubbing Alcohol".

"Glass Cleaner" means a cleaning product designed primarily for cleaning surfaces made of glass. The term does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment and photocopying machines.

"Graffiti Remover" means a product labeled to remove spray paint, ink, marker, crayon, lipstick, nail polish, or shoe polish from a variety of non-cloth or nonfabric substrates. The term does not include "Paint Remover or Stripper", "Nail Polish Remover", or "Spot Remover". Products labeled for dual use as both a paint stripper and graffiti remover are considered "Graffiti Removers".

"Hair Mousse" means a hairstyling foam designed to facilitate styling of a coiffure and provide limited holding power.

"Hair Shine" means any product designed for the primary purpose of creating a shine when applied to the hair. This includes, but is not limited to, dual-use products designed primarily to impart a sheen to the hair. The term does not include "Hair Spray", "Hair Mousse", "Hair Styling Product", "Hair Styling Gel", or products whose primary purpose is to condition or hold the hair.

"Hair Spray" means:

For products manufactured before July 1, ~~2009~~-2009, a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure that will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time.

For products manufactured on or after July 1, ~~2009~~-2009, a consumer product that is applied to styled hair and is designed or labeled to provide sufficient rigidity to hold, retain and/or finish the style of the hair for a period of time. This includes aerosol hair sprays, pump hair sprays, spray waxes; color, glitter, or sparkle hairsprays that make finishing claims; and products that are both a styling and finishing product. This does not include spray products that are intended to aid in styling but do not provide finishing of a hairstyle. For the purposes of this Subpart, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this Subpart, "styling" means forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

"Hair Styling Gel" means a consumer product manufactured before July 1, 2009 that is a high viscosity, often gelatinous, product that contains a resin and is designed for application to hair to aid in styling and sculpting of the hair coiffure.

"Hair Styling Product" means a consumer product manufactured on or after July 1, 2009 that is designed or labeled for application to wet, damp or dry hair to aid in defining, shaping, lifting, styling and/or sculpting of the hair. This includes, but is not limited to, hair balm, clay, cream, creme, curl straightener, gel, liquid, lotion, paste, pomade, putty, root lifter, serum, spray gel, stick, temporary hair straightener, wax, spray products that aid in styling but do not provide finishing of a hairstyle, and leave-in volumizers, detanglers and/or conditioners that make styling claims. This does not include "Hair Mousse", "Hair Shine", "Hair Spray", or shampoos and/or conditioners that are rinsed from the hair prior to styling. For the purposes of this Subpart, "finish" or "finishing" means the maintaining and/or holding of previously styled hair for a period of time. For the purposes of this Subpart, "styling" means forming, sculpting, or manipulating the hair to temporarily alter the hair's shape.

"Heavy-Duty Hand Cleaner or Soap" means a product designed to clean or remove difficult dirt and soils such as oil, grease, grime, tar, shellac, putty, printer's ink, paint, graphite, cement, carbon, asphalt, or adhesives from the hand with or without the use of water. The term does not include prescription drug products, "Antimicrobial Hand or Body Cleaner or Soap", "Astringent/Toner", "Facial Cleaner or Soap", "General-use Hand or Body Cleaner or Soap", "Medicated Astringent/Medicated Toner" or "Rubbing Alcohol".

"Herbicide" means a pesticide product designed to kill or retard a plant's growth, but excludes products that are for agricultural use, or restricted materials that require a permit for use and possession.

"High Volatility Organic Material" or "HVOM" or "High Volatility Organic Compound" or "HVOC" means any volatile organic material or volatile organic compound that exerts a vapor pressure greater than 80 millimeters of Mercury (mm Hg) when measured at 20°C.

"Household Product" means any consumer product that is primarily designed to be used inside or outside of living quarters or residences that are occupied or intended for occupation by individuals, including the immediate surroundings.

"Illinois Sales" means the sales (net pounds of product, less packaging and container, per year) in Illinois for either the calendar year immediately prior to the year that the registration is due or, if that data is not available, any consecutive 12 month period commencing no earlier than two years prior to the due date of the registration. If direct sales data for Illinois is not available, sales may be estimated by prorating national or regional sales data by population.

"Industrial Use" means use for or in a manufacturing, mining, or chemical process or use in the operation of factories, processing plants, and similar sites.

"Insecticide" means a pesticide product that is designed for use against insects or other arthropods, but excluding products that are for agricultural use or for a use that requires a structural pest control license under the Structural Pest Control Act [225 ILCS 235], or restricted materials that require a permit for use and possession.

"Insecticide Fogger" means any insecticide product designed to release all or most of its content, as a fog or mist, into indoor areas during a single application.

"Institutional Product" or "Industrial and Institutional (I&I) Product" means a consumer product that is designed for use in the maintenance or operation of an establishment that manufactures, transports, or sells goods or commodities, or provides services for profit, or is engaged in the nonprofit promotion of a particular public, educational, or charitable cause. "Establishments" include, but are not limited to, government agencies, factories, schools, hospitals, sanitariums, prisons, restaurants, hotels, stores, automobile service and parts centers, health clubs, theaters, or transportation companies. This does not include household products and products that are incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.

"Label" means any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed into, molded into, embossed on, or appearing upon any consumer product or consumer product package, for purposes of branding, identifying, or giving information with respect to the product or to the contents of the package.

"Lacquer" means a clear or opaque wood coating, including clear lacquer sanding sealers, formulated with cellulosic or synthetic resins to dry by evaporation without chemical reaction and to provide a solid, protective film.

"Laundry Prewash" means a product that is designed for application to a fabric prior to laundering and that supplements and contributes to the effectiveness of laundry detergents and/or provides specialized performance.

"Laundry Starch Product" means a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric. This includes, but is not limited to, fabric finish, sizing, and starch.

"Lawn and Garden Insecticide" means an insecticide product labeled primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods. Notwithstanding the requirements of Section 223.260, aerosol "Lawn and Garden Insecticides" may claim to kill insects or other arthropods.

"Liquid" means a substance or mixture of substances that is capable of a visually detectable flow as determined under ASTM D-4359-90, incorporated by reference in Section 223.120, or an equivalent method approved by the California Air Resources Board. This does not include powders or other materials that are composed entirely of solid particles.

"Lubricant" means a product designed to reduce friction, heat, noise, or wear between moving parts, or to loosen rusted or immovable parts or mechanisms. This does not include automotive power steering fluids; products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes; two cycle oils or other products designed to be added to fuels; products for use on the human body or animals; or products that are sold exclusively to establishments that manufacture or construct goods or commodities, and labeled "not for retail sale."

"LVP Content" means the total weight, in pounds, of LVP compounds in an ACP product multiplied by 100 and divided by the product's total net weight (in pounds, excluding container and packaging), expressed to the nearest 0.1.

"LVP-VOM" or "LVP-VOC" means a chemical material or mixture or compound that contains at least one carbon atom and meets one of the following:

Has a vapor pressure less than 0.1 mm Hg at 20°C, as determined by CARB Method 310, incorporated by reference in Section 223.120; or

Is a chemical material or compound with more than 12 carbon atoms, or a chemical mixture comprised solely of material or a compound with more than 12 carbon atoms as verified by formulation data, and the vapor pressure and boiling point are unknown; or

Is a chemical material or compound with a boiling point greater than 216°C, as determined by CARB Method 310, incorporated by reference in Section 223.120; or

Is the weight percent of a chemical mixture that boils above 216°C, as determined by CARB Method 310, incorporated by reference in Section 223.120.

For the purposes of ~~the~~this definition of ~~LVP-VOM~~, chemical material or compound means a molecule of definite chemical formula and isomeric structure, and chemical mixture means a substrate comprised of two or more chemical materials or compounds.

"Medicated Astringent /Medicated Toner" means any product regulated as a drug by the FDA that is applied to the skin for the purpose of cleaning or tightening pores. This includes, but is not limited to, clarifiers and substrate-impregnated products. The term does not include hand, face, or body cleaner or soap products, "Astringent/Toner", cold cream, lotion, antiperspirants, or products that must be purchased with a doctor's prescription.

"Medium Volatility Organic Material" or "MVOM" or "Medium Volatility Organic Compound" or "MVOC" means any volatile organic material or volatile organic compound that exerts a vapor pressure greater than two mm Hg and less than or equal to 80 mm Hg when measured at 20°C.

"Metal Polish /Cleanser" means any product designed primarily to improve the appearance of finished metal, or metallic, or metallized surfaces by physical or chemical action. To "improve the appearance" means to remove or reduce stains, impurities, or oxidation from surfaces or to make surfaces smooth and shiny. This includes, but is not limited to, metal polishes used on brass, silver, chrome, copper, stainless steel and other ornamental metals. The term does not include "Automotive Wax, Polish, Sealant or Glaze", wheel cleaner, "Paint Remover or Stripper", products designed and labeled exclusively for automotive and marine detailing, or products designed for use in degreasing tanks.

"Mist Spray Adhesive" means any aerosol ~~which~~that is not a special purpose spray adhesive and that delivers a particle or mist spray, resulting in the formation of fine, discrete particles that yield a generally uniform and smooth application of adhesive to the substrate.

"Multi-Purpose Dry Lubricant" means any lubricant designed and labeled to provide lubricity by depositing a thin film of graphite, molybdenum disulfide (moly), or polytetrafluoroethylene or closely related fluoropolymer (Teflon) on

surfaces, and designed for general purpose lubrication or for use in a wide variety of applications.

"Multi-Purpose Lubricant" means any lubricant designed for general purpose lubrication, or for use in a wide variety of applications. The term does not include "Multi-purpose Dry Lubricants", "Penetrants", or "Silicone-based Multi-purpose Lubricants".

"Multi-Purpose Solvent" means any organic liquid designed to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing or dissolving other organic materials. This includes solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories. This does not include solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.

"Nail Polish" means any clear or colored coating designed for application to the fingernails or toenails, including but not limited to lacquers, enamels, acrylics, base coats and top coats.

"Nail Polish Remover" means a product designed to remove nail polish and coatings from fingernails or toenails.

"Non-Aerosol Product" means any consumer product that is not dispensed by a pressurized spray system.

"Non-Carbon Containing Compound" means any compound that does not contain any carbon atoms.

"Nonresilient Flooring" means flooring of a mineral content that is not flexible. This includes terrazzo, marble, slate, granite, brick, stone, ceramic tile and concrete.

"Non-Selective Terrestrial Herbicide" means a terrestrial herbicide product that is toxic to plants without regard to species.

"Oven Cleaner" means any cleaning product designed to clean and to remove dried food deposits from oven walls.

"Paint" means any pigmented liquid or liquefiable or mastic composition designed for application to a substrate in a thin layer that is converted to an opaque solid film after application and is used for protection, decoration or identification, or to serve some functional purpose such as the filling or concealing of surface irregularities or the modification of light and heat radiation characteristics.

"Paint Remover or Stripper" means any product designed to strip or remove paints or other related coatings, by chemical action, from a substrate without markedly affecting the substrate. This does not include "Multi-purpose Solvents", ~~paintbrush~~ paint brush cleaners, products designed and labeled exclusively as "Graffiti Removers", and hand cleaner products that claim to remove paints and other related coatings from skin.

"Penetrant" means a lubricant designed and labeled primarily to loosen metal parts that have bonded together due to rusting, oxidation, or other causes. The

term does not include "Multi-purpose Lubricants" that claim to have penetrating qualities, but are not labeled primarily to loosen bonded parts.

"Personal Fragrance Product" means any product that is applied to the human body or clothing for the primary purpose of adding a scent or masking a malodor, including cologne, perfume, aftershave, and toilet water. This does not include "Deodorant"; medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body; mouthwashes and breath fresheners and deodorizers; lotions, moisturizers, powders or other skin care products used primarily to alleviate skin conditions such as dryness and irritations; products designed exclusively for use on human genitalia; soaps, shampoos, and products primarily used to clean the human body; and fragrance products designed to be used exclusively on non-human animals.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, or intended for use in preventing, destroying, repelling or mitigating any pest, or any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator, provided that the term "Pesticide" will not include any substance, mixture of substances, or device the United States Environmental Protection Agency does not consider to be a pesticide.

"Photograph Coating" means a coating designed and labeled exclusively to be applied to finished photographs to allow corrective retouching, protection of the image or changes in gloss level, or to cover fingerprints.

"Pressurized Gas Duster" means a pressurized product labeled to remove dust from a surface solely by means of mass air or gas flow, including surfaces such as photographs, photographic film negatives, computer keyboards, and other types of surfaces that cannot be cleaned with solvents. This does not include "Dusting Aid".

"Principal Display Panel or Panels" means that part, or those parts, of a label that are so designed as to most likely be displayed, presented, shown or examined under normal and customary conditions of display or purchase. Whenever a principal display panel appears more than once, all requirements pertaining to the "Principal Display Panel" shall pertain to all such "Principal Display Panels".

"Product Brand Name" means the name of the product exactly as it appears on the principal display panel of the product.

"Product Category" means the applicable category, defined in this Section and limited in Section 223.205(a), ~~which~~that best describes the product.

"Product Form" for the purpose of complying with Section 223.270 only, means the applicable form that most accurately describes the product's dispensing form, as follows:

A = Aerosol ~~Product~~

~~S = Solid~~P = Pump ~~Product~~S = Solid~~P = Pump~~ ~~Spray~~

~~L = Liquid~~

~~SS = Semisolid~~O = Other ~~Spray~~L = Liquid~~SS = Semisolid~~O = Other

"Product Line" means a group of products of identical form and function belonging to the same product category or categories.

"Pump Spray" means a packaging system in which the product ingredients within the container are not under pressure and in which the product is expelled only while a pumping action is applied to a button, trigger or other actuator.

"Responsible ACP Party" means the company, firm or establishment listed on the ACP product's label. If the label lists two or more companies, firms, or establishments, the "Responsible ACP Party" is the party the ACP product was "manufactured for" or "distributed by", as noted on the label.

"Restricted Materials" means pesticides established as restricted materials under applicable Illinois statutes or regulations.

"Roll-On Product" means any antiperspirant or deodorant that dispenses active ingredients by rolling a wetted ball or wetted cylinder on the affected area.

"Rubber and Vinyl Protectant" means any product designed to protect, preserve or renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, and household products such as vinyl covers, clothing, and accessories. This does not include products primarily designed to clean the wheel rim, such as aluminum or magnesium wheel cleaners, and tire cleaners that do not leave an appearance-enhancing or protective substance on the tire.

"Rubbing Alcohol" means any product containing isopropyl alcohol (also called isopropanol) or denatured ethanol and labeled for topical use, usually to decrease germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient, and for massage.

"Rust Preventive Coating" means a coating formulated exclusively for nonindustrial use to prevent the corrosion of metal surfaces and labeled as specified in Section 223.320(f).

"Sanding Sealer" means a clear or semi-transparent wood coating labeled and formulated for application to bare wood to seal the wood and to provide a coat that can be abraded to create a smooth surface for subsequent applications of coatings. A "Sanding Sealer" that also meets the definition of a "Lacquer" is not included in this category, but it is included in the "Lacquer" category.

"Sealant and Caulking Compound" means any product with adhesive properties that is designed to fill, seal, waterproof, or weatherproof gaps or joints between two surfaces. This does not include roof cements and roof sealants, insulating foams, removable caulking compounds, ~~Clear~~clear/paintable/water resistant caulking compounds, floor seam sealers, products designed exclusively for automotive uses, or sealers that are applied as continuous coatings. The term also does not include units of product, less packaging, that weigh more than one pound and consist of more than 16 fluid ounces.

For the purposes of this definition only, "removable caulking ~~compounds~~compound" means a compound that temporarily seals windows or doors for three to six month time intervals. "Clear/paintable/water resistant caulking compound" means a compound that contains no appreciable level of opaque fillers or pigments; transmits most or all visible light through the caulk when cured; is paintable; and is immediately resistant to precipitation upon application.

"Semisolid" means a product that, at room temperature, will not pour, but will spread or deform easily, including but not limited to gels, pastes, and greases.

"Shaving Cream" means an aerosol product that dispenses a foam lather intended to be used with a blade or cartridge razor, or other wet-shaving system, in the removal of facial or other body hair. The term does not include "Shaving Gel".

"Shaving Gel" means an aerosol product ~~which~~that dispenses a post-foaming semisolid designed to be used with a blade, cartridge razor, or other shaving system in the removal of facial or other body hair. This does not include "Shaving Cream".

"Silicone-Based Multi-Purpose Lubricant" means any lubricant designed and labeled to provide lubricity primarily through the use of silicone compounds including, but not limited to, polydimethylsiloxane, and designed and labeled for general purpose lubrication, or for use in a wide variety of applications. The term does not include products designed and labeled exclusively to release manufactured products from molds.

"Single Phase Aerosol Air Freshener" means an aerosol air freshener with the liquid contents in a single homogeneous phase and that does not require that the product container be shaken before use.

"Solid" means a substance or mixture of substances that, either whole or subdivided (such as the particles comprising a powder), is not capable of visually detectable flow as determined under ASTM D4359-90, incorporated by reference in Section 223.120, or an equivalent method approved by the California Air Resources Board.

"Special Purpose Spray Adhesive" means an aerosol adhesive that meets any of the following definitions:

"Mounting Adhesive" means an aerosol adhesive designed to permanently mount photographs, artwork, and any other drawn or printed media to a backing (paper, board, cloth, etc.) without causing discoloration to the artwork.

"Flexible Vinyl Adhesive" means an aerosol adhesive designed to bond flexible vinyl to substrates. Flexible vinyl means a nonrigid polyvinyl chloride plastic with at least five percent, by weight, of plasticizer content. A plasticizer is a material, such as a high boiling point organic solvent, that is incorporated into a plastic to increase its flexibility, workability, or distensibility, and may be determined using ASTM E260-96, incorporated by reference in Section 223.120, or from product formulation data or an equivalent method approved by the CARB.

"Polystyrene Foam Adhesive" means an aerosol adhesive designed to bond polystyrene foam to substrates.

"Automobile Headliner Adhesive" means an aerosol adhesive designed to bond together layers in motor vehicle headliners.

"Polyolefin Adhesive" means an aerosol adhesive designed to bond polyolefins to substrates.

"Laminate Repair/Edgebanding Adhesive" means an aerosol adhesive designed for:

The touch-up or repair of items laminated with high pressure laminates (e.g., lifted edges, delaminates, etc.); or

The touch-up, repair, or attachment of edgbanding materials, including but not limited to other laminates, synthetic marble, veneers, wood molding, and decorative metals.

For the purposes of this definition "high pressure laminate" means sheet materials that consist of paper, fabric, or other core material that have been laminated at temperatures exceeding 265~~?~~°F, and at pressures between 1,000 and 1,400 psi.

"Automotive Engine Compartment Adhesive" means an aerosol adhesive designed for use in motor vehicle under-the-hood applications ~~which~~that require oil and plasticizer resistance, as well as high shear strength, at temperatures of 200 to 275~~?~~°F.

"Spot Remover" means any product labeled to clean localized areas, or remove localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, and clothing, that does not require subsequent laundering to achieve stain removal. This does not include "Dry Cleaning Fluid", "Laundry Prewash", or "Multi-Purpose Solvent~~-~~".

"Spray Buff Product" means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.

"Stick Product" means any antiperspirant or deodorant that contains active ingredients in a solid matrix form~~-~~ and that dispenses the active ingredients by frictional action on the affected area.

"Structural Waterproof Adhesive" means an adhesive whose bond lines are resistant to conditions of continuous immersion in fresh or salt water and that conforms with Federal Specification MMM-A-181D (Type 1, Grade A), incorporated by reference in Section 223.120, and MIL-A-4605 (Type A, Grade A and Grade C), per the Federal Consumer Products Regulation (40 CFR 59, subpart C), incorporated by reference in Section 223.120.

"Terrestrial" means to live on or grow from land.

"Tire Sealant and Inflation" means any pressurized product that is designed to temporarily inflate and seal a leaking tire.

"Toilet/Urinal Care Product" means any product designed or labeled to clean and/or to deodorize toilet bowls, toilet tanks, or urinals. Toilet bowls, toilet tanks, or urinals include, but are not limited to, toilets or urinals connected to permanent plumbing in buildings and other structures, portable toilets or urinals placed at temporary or remote locations, and toilets or urinals in vehicles such as buses, recreational motor homes, boats, ships, and aircraft. This does not include "Bathroom and Tile Cleaner" or "General Purpose Cleaner~~-~~".

"Type A Propellant" means a compressed gas, such as CO₂, N₂, N₂O, or compressed air~~.~~ that is used as a propellant~~-~~ and is either incorporated with the product or contained in a separate chamber within the product's packaging.

"Type B Propellant" means any halocarbon that is used as a propellant~~.~~ including chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and hydrofluorocarbons (HFCs).

"Type C Propellant" means any propellant that is not a Type A or Type B propellant, including propane, isobutane, n-butane, and dimethyl ether (also known as dimethyl oxide).

"Undercoating" means any aerosol product designed to impart a protective, non-paint layer to the undercarriage, trunk interior, and/or firewall of motor vehicles to prevent the formation of rust or to deaden sound. This includes, but is not limited to, rubberized, mastic, or asphaltic products.

"Usage Directions" means the text or graphics on the product's principal display panel, label, or accompanying literature that describes to the end user how and in what quantity the product is to be used.

"Vinyl/Fabric/Leather/Polycarbonate Coating" means a coating designed and labeled exclusively to coat vinyl, fabric, leather, or polycarbonate substrates.

"VOM Content" means, for purposes of this Subpart, except for charcoal lighter products, the total weight of VOM in a product expressed as a percentage of the product weight (exclusive of the container or packaging), as determined pursuant to Section 223.285(a) and (b).

For charcoal lighter material products only,

~~Certified Emissions~~ = CertifiedEmissions The emissions level for products approved by the Agency under Section 223.220, as determined pursuant to South Coast Air Quality Management District Rule 1174, Ignition Method Compliance Certification Protocol (February 27, 1991), incorporated by reference ~~in~~at Section 223.120, expressed to the nearest 0.001 pound CH₂ per start.

~~Certified Use~~ CertifiedUse Rate = The usage level for products approved by the Agency under Section 223.220, as determined pursuant to South Coast Air Quality Management District Rule 1174, Ignition Method Compliance Certification Protocol (February 27, 1991), incorporated by reference ~~in~~at Section 223.120, expressed to the nearest 0.001 pound certified product used per start. For purposes of Subpart C of this Part, "VOM Content" means the weight of VOM per volume of coating, calculated according to the procedures specified in Section 223.340(a).

"Wasp and Hornet Insecticide" means any insecticide product that is designed for use against wasps, hornets, yellow jackets or bees by allowing the user to spray from a distance a directed stream or burst at the intended insects, or their hiding place.

"Waterproofer" means a product designed and labeled exclusively to repel water from fabric or leather substrates, excluding "Fabric Protectants".

"Wax" means a material or synthetic thermoplastic substance generally of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol and high polymers (plastics). This includes, but is not limited to, substances derived from the secretions of plants and animals such as carnuba wax and beeswax, substances of a mineral origin such as ozocerite and paraffin, and synthetic polymers such as polyethylene.

"Web Spray Adhesive" means any aerosol adhesive that is not a mist spray or special purpose spray adhesive.

"Wood Cleaner" means a product labeled to clean wooden materials, including but not limited to decking, fences, flooring, logs, cabinetry, and furniture. The term does not include "Dusting Aid", "General Purpose Cleaner", "Furniture Maintenance Product", "Floor Wax Stripper", "Floor Polish or Wax", or products designed and labeled exclusively to preserve or color wood.

"Wood Floor Wax" means wax-based products for use solely on wood floors.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 223.205 Standards

a) Except as provided in Section 223.207, 223.230, 223.240, or 223.245, no person shall sell, supply, offer for sale, or manufacture for sale in Illinois any consumer product manufactured on or after the date specified ~~below July 1, 2009~~ that contains VOMS in excess of the limits specified in this subsection:

	July 1, 2009	July 1, 2012
	% VOM	% VOM
	1, 2009 %VOM	Product July

~~1) Adhesive Removers~~

~~By Weight July 1, 2012 %VOM~~

~~A) By Weight 1) Adhesives - Removers A) Floor or Wall Covering~~

	5	
	50	
	C) General Purpose	20
	D) Specialty	70
	2) Adhesives - Spray	

	65	
	B) Web Spray	55
	C) Special Purpose Spray Adhesives	
	i) Adhesives i) Mounting, Automotive Engine	

	70	
	ii) Polystyrene Foam and	65
	iii) Polyolefin and Laminate	60

~~3) Adhesives - Construction, Panel, and Floor Contact~~

~~4) Adhesive Removers~~

	55	
	A) General Purpose	80
	B) Special Purpose	

53) <u>5)</u>	Adhesives - General Purpose	10	
64) <u>6)</u>	Adhesives - Structural Waterproof	15	
75) <u>7)</u>	Air Fresheners		
A) Single-	Phase Aerosol	30	
	B) Double Phase Aerosol		25
	C) Liquids / Pump Sprays		18
	D) Solids / Gel		3
86) <u>8)</u>	Antiperspirants		
A) Aerosol		40 HVOM	
		10 MVOM	
<u>10 MVOM</u>	B) Non-Aerosol	0 HVOM	<u>0 HVOM</u>
			0 MVOM
9) Anti-static Product, Non-Aerosol			11
107) <u>10)</u>	Automotive Brake Cleaners	45	
118) <u>11)</u>	Automotive Rubbing or Polishing Compound	17	
129) <u>12)</u>	Automotive Wax, Polish, Sealant, or Glaze		
A) Hard Paste Waxes		45	
	B) Instant Detailers		3
	C) All Other Forms		15
1310) <u>13)</u>	Automotive Windshield Washer Fluids	35	
1411) <u>14)</u>	Bathroom and Tile Cleaners		
A) Aerosol		7	
	B) All Other Forms		5
1512) <u>15)</u>	Bug and Tar Remover	40	
1613) <u>16)</u>	Carburetor or Fuel-Injection Air Intake Cleaners	45	
1714) <u>17)</u>	Carpet and Upholstery Cleaners		
A) Aerosol		7	
	B) Non-Aerosol (Dilutables)		
0.1			
	C) Non-Aerosol (Ready-to-Use)		
3.0			
1815) <u>18)</u>	Charcoal Lighter Material		
see <u>Material</u> see	Section 223.220		
1916) <u>19)</u>	Cooking Spray - Aerosol	18	

~~2017)~~ 20) Deodorants

A) Aerosol 0 HVOM
~~10 MVOM~~

10 MVOM

B) Non-Aerosol 0 ~~HVOM~~ ~~MVOM~~ HVOM
0 MVOM

~~21)~~ 21) Dusting Aids

A) Aerosol 25
B) All Other Forms 7

22) Electrical Cleaner 45

23) Electronic Cleaner 75

~~24)~~ 24) Engine Degreasers

A) Aerosol 35
B) Non-Aerosol 5

~~25)~~ 25) Fabric Protectants 60
26) Fabric Refresher

~~A) Aerosol 15~~

~~B) Non-Aerosol 6~~

A) Aerosol 15 B) Non-Aerosol 6

~~27)~~ 27) Floor Polishes / Waxes

A) Products for Flexible Flooring Materials 7
B) Products for Nonresilient Flooring 10
C) Wood Floor Wax 90

~~28)~~ 28) Floor Wax ~~Strippers~~

see Strippers see Section 223.209

29) Footwear or Leather Care Products

A) Aerosol 75

55

B) Solid

C) Other Forms

15

~~30)~~ 30) Furniture Maintenance Products

A) Aerosol 17
B) All Other Forms Except Solid or Paste 7

~~3124~~31) General Purpose Cleaners

A) Aerosol 10
B) Non-Aerosol 4

~~3225~~32) General Purpose Degreasers

A) Aerosol 50
B) Non-Aerosol 4

~~3326~~33) Glass Cleaners

A) Aerosol 12
B) Non-Aerosol 4

34) Glass Cleaners

~~34)~~ Graffiti Remover

A) Aerosol 50
B) Non-Aerosol

30

~~3527)~~ 35) Hair Mousses 6

~~3628)~~ 36) Hairshines 55

~~3729)~~ 37) Hairsprays 55

~~3830)~~ 38) Hair Styling Gels 6

39) Hair Styling Products

A) Aerosol and Pump Sprays 6
B) All Other Forms 2

~~4031)~~ 40) Heavy Duty Hand Cleaner or Soap 8

~~4132~~41) Insecticides

A) Crawling Bug (Aerosol) 15
B) Crawling Bug (All Other Forms) 20
C) Flea and Tick 25
D) Flying Bug (Aerosol) 25
E) Flying Bug (All Other Forms) 35
F) Foggers 45
G) Lawn and Garden (Aerosol) 20
H) Lawn and Garden (All Other Forms) 3
I) Wasp and Hornet 40

~~4233~~42) Laundry Prewash

A) Aerosols / Solids 22
B) All Other Forms 5

4334) <u>43)</u> Laundry Starch Products	5	
4435) <u>44)</u> Metal Polishes / Cleansers	30	
4536) <u>45)</u> Multi-Purpose Lubricant (Excluding Solid or Semi-Solid Products)	50	
4637) <u>46)</u> Nail Polish Removers	75	
4738) <u>47)</u> Non-Selective Terrestrial Herbicide - Non-Aerosol		3
4839) <u>48)</u> Oven Cleaners		
A) Aerosols / Pump Sprays	8	
B) Liquids		5
4940) <u>49)</u> Paint Removers or Strippers		50
5041) <u>50)</u> Penetrants		50
5142) <u>51)</u> Rubber and Vinyl Protectants		
A) Aerosol	10	
B) Non-Aerosol		3
5243) <u>52)</u> Sealants and Caulking Compounds		4
5344) <u>53)</u> Shaving Creams	5	
54) Shaving Gel		7
5545) <u>55)</u> Silicone-Based Multi-Purpose Lubricants (Excluding Solid or Semi-Solid Products)	60	
5646) <u>56)</u> Spot Removers		
A) Aerosol	25	
<u>23</u> B) Non-Aerosol		8
5747) <u>57)</u> Tire Sealants and Inflators		20
5848) <u>58)</u> Undercoatings - Aerosols	40	
59) Wood Cleaner		
A) Aerosol		17
B) Non-Aerosol		

4

b) No person shall sell, supply, offer for sale, or manufacture for sale in Illinois, on or after July 1, 2009, any antiperspirant or deodorant that contains any compound listed ~~below:~~ in this subsection (b):

Benzene

Ethylene Dibromide

Ethylene Dichloride

Hexavalent Chromium

Asbestos

Cadmium (metallic cadmium and cadmium compounds)

Carbon Tetrachloride

Trichloroethylene

Chloroform

Vinyl Chloride

Inorganic Arsenic

Nickel (metallic nickel and inorganic nickel compounds)

Perchloroethylene

Formaldehyde

1,3-Butadiene

Inorganic Lead

Dibenzo-p-dioxins and dibenzofurans chlorinated in the 2,3,7 and 8 positions and containing 4,5,6 or 7 chlorine atoms

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 223.207 Products Registered under FIFRA

For those consumer products that are registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 USC 136 through 136y), incorporated by reference in Section 223.120, the effective date of the VOM standards will be

one year after the effective date specified in Section ~~223.205~~ July 1, ~~2010~~-223.205.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 223.208 Requirements for Aerosol Adhesives

a) As specified in California Code ~~§~~Section 41712(h)(2), incorporated by reference in Section 223.120, the standards for aerosol adhesives apply to all uses of aerosol adhesives, including consumer, industrial, and commercial uses. Except as otherwise provided in Sections 223.207, 223.230, 223.240, and 223.245, no person shall sell, supply, offer for sale, use or manufacture for sale in Illinois any aerosol adhesive that, at the time of sale, use, or manufacture, contains VOMs in excess of the specified standard.

b) Special Purpose Spray Adhesive.

1) In order to qualify as a Special Purpose Spray Adhesive the product must meet one or more of the definitions for Special Purpose Spray Adhesive specified in Section 223.203, but if the product label indicates that the product is suitable for use on any substrate or application not listed in one of the definitions for Special Purpose Spray Adhesive, then the product shall be classified as either a Web Spray Adhesive or a Mist Spray Adhesive.

2) If a product meets more than one of the definitions specified in Section 223.203 for Special Purpose Spray Adhesive and is not classified as a Web Spray Adhesive or Mist Spray Adhesive under Section 223.203, then the VOC limit for the product shall be the lowest applicable VOM limit specified in Section 223.205(a).

c) Effective July 1, 2009, no person shall sell, supply, offer for sale, or manufacture for use in Illinois any aerosol adhesive that contains any of the following compounds: methylene chloride, perchloroethylene, or trichloroethylene. These requirements do not apply to any Aerosol Adhesive containing methylene chloride, perchloroethylene, or trichloroethylene that is present as an impurity in a combined amount equal to or less than 0.01% by weight.

d) All aerosol adhesives must comply with the labeling requirements specified in Section 223.265.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

Section 223.211 Requirements for Adhesive Removers, Aerosol Adhesives, Contact Adhesives, Electrical Cleaners, Electronic Cleaners, Footwear or Leather Care Products, General Purpose Degreasers, and Graffiti Removers

a) No person shall sell, supply, offer for sale, or manufacture for use in Illinois any Adhesive Removers, Contact Adhesives, Electrical Cleaners, Electronic Cleaners, Footwear or Leather Care Products, General Purpose Degreasers, ~~and~~ Graffiti Removers manufactured on or after July 1, ~~2012~~, 2012

that contain any of the following compounds: methylene chloride, perchloroethylene, or trichloroethylene.

b) Impurities

The requirements of ~~Section 211~~ subsection (a) do not apply to any Adhesive Removers, Contact Adhesives, Electrical Cleaners, Electronic Cleaners, Footwear or Leather Care Products, General Purpose Degreasers, ~~and/or~~ Graffiti Removers containing methylene chloride, perchloroethylene, or trichloroethylene that is present as an impurity in a combined amount equal to or less than 0.01% by weight.

(Source: Added at 36 Ill. Reg. _____, effective _____)

SUBPART C: ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS

Section 223.305 Applicability

This Subpart is applicable to any person who supplies, sells, offers for sale, or manufactures any architectural coating for use within the State of Illinois, as well as any person who applies or solicits the application of any architectural coating within Illinois. This Subpart does not apply to:

a) Any architectural coating that is sold or manufactured for use outside of the State of Illinois or for shipment to other manufacturers for reformulation or repackaging.

b) Any aerosol coating product.

c) Any architectural coating that is sold in a container with a volume of one liter (1.057 quart) or less. For the purposes of this subsection, the volume of architectural coating in a container shall be considered the total volume of coating that is packaged as a unit of retail sale or for use by the consumer.

(Source: Amended at 36 Ill. Reg. _____, effective _____)

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~~POLLUTION CONTROL BOARD~~

~~NOTICE PROPOSED AMENDMENTS~~

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Legend:	
<u>Insertion</u>	
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Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	134
Deletions	143
Moved from	0
Moved to	0
Style change	0
Format changed	0
Total changes	277

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1 TITLE 35: ENVIRONMENTAL PROTECTION
2 SUBTITLE B: AIR POLLUTION
3 CHAPTER I: POLLUTION CONTROL BOARD
4 SUBCHAPTER c: EMISSION STANDARDS AND LIMITATIONS
5 FOR STATIONARY SOURCES
6

7 PART 223
8 STANDARDS AND LIMITATIONS FOR ORGANIC
9 MATERIAL EMISSIONS FOR AREA SOURCES
10

11 SUBPART A: GENERAL PROVISIONS
12

- 13 Section
14 223.100 Severability
15 223.105 Abbreviations and Acronyms
16 223.120 Incorporations by Reference
17

18 SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS

- 19 Section
20 223.200 Purpose
21 223.201 Applicability
22 223.203 Definitions for Subpart B
23 223.205 Standards
24 223.206 Diluted Products
25 223.207 Products Registered under FIFRA
26 223.208 Requirements for Aerosol Adhesives
27 223.209 Requirements for Floor Wax Strippers
28 223.210 Products Containing Ozone-Depleting Compounds
29 223.211 Requirements for Adhesive Removers, Aerosol Adhesives, Contact Adhesives,
30 Electrical Cleaners, Electronic Cleaners, Footwear or Leather Care Products,
31 General Purpose Degreasers, and Graffiti Removers
32 223.220 Requirements for Charcoal Lighter Material
33 223.230 Exemptions
34 223.240 Innovative Product Exemption
35 223.245 Alternative Compliance Plans
36 223.250 Product Dating
37 223.255 Additional Product Dating Requirements
38 223.260 Most Restrictive Limit
39 223.265 Additional Labeling Requirements for Aerosol Adhesives, Adhesive Removers,
40 Electronic Cleaners, Electrical Cleaners, Energized Electrical Cleaners, and
41 Contact Adhesives
42 223.270 Reporting Requirements

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- 43 223.275 Special Recordkeeping Requirements for Consumer Products that Contain
- 44 Perchloroethylene or Methylene Chloride
- 45 223.280 Calculating Illinois Sales
- 46 223.285 Test Methods

47
48 SUBPART C: ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS

- 49
- 50 Section
- 51 223.300 Purpose
- 52 223.305 Applicability
- 53 223.307 Definitions for Subpart C
- 54 223.310 Standards
- 55 223.320 Container Labeling Requirements
- 56 223.330 Reporting Requirements
- 57 223.340 Compliance Provisions and Test Methods
- 58 223.350 Alternative Test Methods
- 59 223.360 Methacrylate Traffic Coating Markings
- 60 223.370 Test Methods

61
62 AUTHORITY: Implementing Section 10 and authorized by Sections 27 and 28 of the
63 Environmental Protection Act [415 ILCS 5/10, 27 and 28].

64
65 SOURCE: Adopted in R08-17 at 33 Ill. Reg. 8224, effective June 8, 2009; amended in R09-19
66 at 35 Ill. Reg. 18846, effective October 25, 2011; amended at 36 Ill. Reg. _____, effective
67 _____.

68
69 SUBPART B: CONSUMER AND COMMERCIAL PRODUCTS

70
71 **Section 223.201 Applicability**

72
73 Except as provided in Section 223.230, unless another date is specified, this Subpart shall apply
74 to any person who sells, supplies, offers for sale, or manufactures consumer products on or after
75 July 1, 2009, for use in Illinois.

76
77 (Source: Amended at 36 Ill. Reg. _____, effective _____)

78
79 **Section 223.203 Definitions for Subpart B**

80
81 The definitions contained in this Section apply only to the provisions of this Subpart. Unless
82 otherwise defined in this Section, the definitions of terms used in this Subpart shall have the
83 meanings specified for those terms in 35 Ill. Adm. Code 211.

84

85 "Adhesive" means any product that is used to bond one surface to another by
86 attachment. This does not include products used on humans and animals,
87 adhesive tape, contact paper, wallpaper, shelf liners, or any other product with an
88 adhesive incorporated onto or in an inert substrate. For "Contact Adhesive",
89 adhesive does not include units of product, less packaging, that consist of more
90 than one gallon. For "Construction, Panel, and Floor Covering Adhesive", and
91 "General Purpose Adhesive", "Adhesive" does not include units of product, less
92 packaging, that weigh more than one pound and consist of more than 16 fluid
93 ounces. This limitation does not apply to aerosol adhesives.
94

95 "Adhesive Remover" means a product designed to remove adhesive from either a
96 specific substrate or a variety of substrates. "Adhesive Remover" does not
97 include products that remove adhesives intended exclusively for use on humans or
98 animals.
99

100 For the purpose of this definition and the "Adhesive Remover"
101 subcategories listed in this definition, the term "Adhesive" shall mean a
102 substance used to bond one or more materials. Adhesive includes, but is
103 not limited to, caulks, sealants, glues, or similar substances used for the
104 purpose of forming a bond.
105

106 "Floor and Wall Covering Adhesive Remover" means a product designed
107 or labeled to remove floor or wall coverings and associated adhesive from
108 the underlying substrate.
109

110 "Gasket or Thread Locking Adhesive Remover" means a product designed
111 or labeled to remove gaskets or thread locking adhesives. Products
112 labeled for dual use as a paint stripper and gasket remover and/or thread
113 locking adhesive remover are considered "Gasket or Thread Locking
114 Adhesive Remover".
115

116 "General Purpose Adhesive Remover" means a product designed or
117 labeled to remove cyanoacrylate adhesives as well as non-reactive
118 adhesives or residue from a variety of substrates. "General Purpose
119 Adhesive Remover" includes, but is not limited to, the following: products
120 that remove thermoplastic adhesives, pressure sensitive adhesives,
121 dextrine or starchbased adhesives, casein glues, rubber or latex-based
122 adhesives, and products that remove stickers, decals, stencils, or similar
123 materials. "General Purpose Adhesive Remover" does not include "Floor
124 or Wall Covering Adhesive Remover".
125

126 "Specialty Adhesive Remover" means a product designed to remove
127 reactive adhesives from a variety of substrates. Reactive adhesives

128 include adhesives that require a hardener or catalyst in order for the bond
129 to occur. Examples of reactive adhesives include, but are not limited to
130 epoxies, urethanes, and silicones. "Specialty Adhesive Remover" does not
131 include "Gasket or Thread Locking Adhesive Remover".

132
133 "Aerosol Adhesive" means an aerosol product in which the spray mechanism is
134 permanently housed in a nonrefillable can designed for hand-held application
135 without the need for ancillary hoses or spray equipment. This does not include
136 "special purpose spray adhesives", "mist spray adhesives" and "web spray
137 adhesives".

138
139 "Aerosol Cooking Spray" means any aerosol product designed either to reduce
140 sticking on cooking and baking surfaces or to be applied on food, or both.

141
142 "Aerosol Product" means a pressurized spray system that dispenses product
143 ingredients by means of a propellant contained in a product or a product's
144 container, or by means of a mechanically induced force. "Aerosol Product" does
145 not include "Pump Spray".

146
147 "Agricultural Use" means the use of any pesticide or method or device for the
148 control of pests in connection with the commercial production, storage, or
149 processing of any animal or plant crop. This does not include the sale or use of
150 pesticides in properly labeled packages or containers that are intended for home
151 use, use in structural pest control, or industrial or institutional use. For the
152 purposes of this definition only:

153
154 "Home Use" means use in a household or its immediate environment;

155
156 "Structural Pest Control" means a use requiring a license under the
157 Structural Pest Control Act [225 ILCS 235];

158
159 "Industrial Use" means use for or in a manufacturing, mining, or chemical
160 process or use in the operation of factories, processing plants, and similar
161 sites; or

162
163 "Institutional Use" means use within the lines of, or on property necessary
164 for the operation of, buildings such as hospitals, schools, libraries,
165 auditoriums, and office complexes.

166
167 "Air Freshener" means any consumer product including, but not limited to,
168 sprays, wicks, powders, and crystals, designed for the purpose of masking odors,
169 or freshening, cleaning, scenting, or deodorizing the air. "Air Freshener" does not
170 include products that are used on the human body, products that function

171 primarily as cleaning products as indicated on a product label, "Toilet/Urinal Care
 172 Products", disinfectant products claiming to deodorize by killing germs on
 173 surfaces, or institutional and industrial disinfectants when offered for sale solely
 174 through institutional and industrial channels of distribution. "Air Freshener" does
 175 include spray disinfectants and other products that are expressly represented for
 176 use as air fresheners, except institutional and industrial disinfectants when offered
 177 for sale through institutional and industrial channels of distribution. To determine
 178 whether a product is an air freshener, all verbal and visual representations
 179 regarding product use on the label or packaging and in the product's literature and
 180 advertising may be considered. The presence of, and representations about, a
 181 product's fragrance and ability to deodorize (resulting from surface application)
 182 shall not constitute a claim of air freshening.
 183

184 "All Other Carbon-Containing Compounds" means all other compounds that
 185 contain at least one carbon atom and are not listed under Section 223.205(a) or are
 186 a "LVP-VOM".
 187

188 "All Other Forms" means all consumer product forms for which no form-specific
 189 VOM standard is specified. Unless specified otherwise by the applicable VOM
 190 standard, "All Other Forms" include, but is not limited to, solids, liquids, wicks,
 191 powders, crystals, and cloth or paper wipes (towelettes).
 192

193 "Alternative Control Plan" or "ACP" means any emissions averaging program
 194 approved by the Agency pursuant to the provisions of this Subpart.
 195

196 "Antimicrobial Hand or Body Cleaner or Soap" means a cleaner or soap that is
 197 designed to reduce the level of microorganisms on the skin through germicidal
 198 activity. This includes, but is not limited to, antimicrobial hand or body
 199 washes/cleaners, foodhandler hand washes, healthcare personnel hand washes,
 200 pre-operative skin preparations and surgical scrubs. "Antimicrobial Hand or
 201 Body Cleaner or Soap" does not include prescription drug products,
 202 antiperspirants, "Astringent/Toner", deodorant, "Facial Cleaner or Soap",
 203 "General-use Hand or Body Cleaner or Soap", "Hand Dishwashing Detergent"
 204 (including antimicrobial), "Heavy-duty Hand Cleaner or Soap", "Medicated
 205 Astringent/Medicated Toner", or "Rubbing Alcohol".
 206

207 "Antiperspirant" means any product, including, but not limited to, aerosols, roll-
 208 ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the
 209 manufacturer to be used to reduce perspiration in the human axilla by at least 20
 210 percent in at least 50 percent of a target population.
 211

212 "Anti-Static Product" means a product that is labeled to eliminate, prevent, or
 213 inhibit the accumulation of static electricity. "Anti-Static Product" does not

214 include "Electronic Cleaner", "Floor Polish or Wax", "Floor Coating", and
215 products that meet the definition of "Aerosol Coating Product" or "Architectural
216 Coating".
217

218 "Appurtenance" means any accessory to a stationary structure coated at the site of
219 installation, whether installed or detached, including, but not limited to, bathroom
220 and kitchen fixtures, cabinets, concrete forms, doors, elevators, fences, hand
221 railings, heating equipment, air conditioning equipment, and other fixed
222 mechanical equipment or stationary tools, lampposts, partitions, pipes and piping
223 systems, rain gutters and downspouts, stairways, fixed ladders, catwalks and fire
224 escapes, and window screens.
225

226 "Architectural Coating" means a coating to be applied to stationary structures or
227 the appurtenances at the site of installation, to portable buildings at the site of
228 installation, to pavements, or to curbs. Coatings applied in shop applications or to
229 non-stationary structures such as airplanes, ships, boats, railcars, and automobiles,
230 and adhesives are not considered "Architectural Coatings" for the purposes of this
231 Subpart.
232

233 "Astringent/Toner" means any product not regulated as a drug by the United
234 States Food and Drug Administration (FDA) that is applied to the skin for the
235 purpose of cleaning or tightening pores. This category also includes clarifiers and
236 substrate-impregnated products. This category does not include any hand, face, or
237 body cleaner or soap product, "Medicated Astringent/Medicated Toner", cold
238 cream, lotion, or antiperspirant.
239

240 "Automotive Brake Cleaner" means a cleaning product designed to remove oil,
241 grease, brake fluid, brake pad material or dirt from motor vehicle brake
242 mechanisms.
243

244 "Automotive Hard Paste Wax" means an automotive wax or polish that is
245 designed to protect and improve the appearance of automotive paint surfaces, and
246 is a solid at room temperature, and contains 0% water by formulation.
247

248 "Automotive Instant Detailer" means a product designed for use in a pump spray
249 that is applied to the painted surface of automobiles and wiped off prior to the
250 product being allowed to dry.
251

252 "Automotive Rubbing or Polishing Compound" means a product designed
253 primarily to remove oxidation, old paint, scratches or swirl marks, and other
254 defects from the painted surfaces of motor vehicles without leaving a protective
255 barrier.
256

257 "Automotive Wax, Polish, Sealant, or Glaze" means a product designed to seal
 258 out moisture, increase gloss, or otherwise enhance a motor vehicle's painted
 259 surfaces. This includes, but is not limited to, products designed for use in
 260 autobody repair shops and drive-through car washes, as well as products designed
 261 for the general public. The term does not include "Automotive Rubbing or
 262 Polishing Compounds", automotive wash and wax products, surfactant-containing
 263 car wash products, and products designed for use on unpainted surfaces such as
 264 bare metal, chrome, glass, or plastic.

265
 266 "Automotive Windshield Washer Fluid" means any liquid designed for use in a
 267 motor vehicle windshield washer system either as an antifreeze or for the purpose
 268 of cleaning, washing, or wetting the windshield. This does not include fluids
 269 placed by the manufacturer in a new vehicle.

270
 271 "Bathroom and Tile Cleaner" means a product designed to clean tile or surfaces in
 272 bathrooms. The term does not include products designed primarily to clean toilet
 273 bowls, toilet tanks or urinals.

274
 275 "Bug and Tar Remover" means a product labeled to remove either or both of the
 276 following from painted motor vehicle surfaces without causing damage to the
 277 finish: biological-type residues such as insect carcasses, tree sap and road grime
 278 such as road tar, roadway paint markings, and asphalt.

279
 280 "Carburetor or Fuel-Injection Air Intake Cleaners" means a product designed to
 281 remove fuel deposits, dirt, or other contaminants from a carburetor, choke, throttle
 282 body of a fuel-injection system, or associated linkages, excluding products
 283 designed exclusively to be introduced directly into the fuel lines or fuel storage
 284 tank prior to introduction into the carburetor or fuel injectors.

285
 286 "Carpet and Upholstery Cleaner" means a cleaning product designed for the
 287 purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor
 288 vehicles and/or on household furniture or objects upholstered or covered with
 289 fabrics such as wool, cotton, nylon or other synthetic fabrics. This includes, but is
 290 not limited to, products that make fabric protectant claims. The term does not
 291 include "General Purpose Cleaners", "Spot Removers", vinyl or leather cleaners,
 292 dry cleaning fluids, or products designed exclusively for use at industrial facilities
 293 engaged in furniture or carpet manufacturing.

294
 295 "Charcoal Lighter Material" means any combustible material designed to be
 296 applied on, incorporated in, added to, or used with charcoal to enhance ignition.
 297 The term does not include any of the following: electrical starters and probes,
 298 metallic cylinders using paper tinder, natural gas, propane, and fat wood.

299

300 "Colorant" means any pigment or coloring material used in a consumer product
 301 for an aesthetic effect or to dramatize an ingredient.
 302

303 "Construction, Panel, and Floor Covering Adhesive" means any one-component
 304 adhesive that is designed exclusively for the installation, remodeling,
 305 maintenance, or repair of structural and building components that include, but are
 306 not limited to, beams, trusses, studs, paneling (including, but not limited to,
 307 drywall or drywall laminates, fiberglass reinforced plastic (FRP), plywood,
 308 particle board, insulation board, pre-decorated hardboard or tileboard), ceiling and
 309 acoustical tile, molding, fixtures, countertops or countertop laminates, cove or
 310 wall bases, flooring or subflooring, or floor or wall coverings (including, but not
 311 limited to, wood or simulated wood covering, carpet, carpet pad or cushion, vinyl-
 312 backed carpet, flexible flooring material, nonresilient flooring material, mirror
 313 tiles and other types of tiles, and artificial grass). The term does not include
 314 "Floor Seam Sealer".
 315

316 "Consumer" means any person who purchases or acquires any consumer product
 317 for personal, family, household, or institutional use. Persons acquiring a
 318 consumer product for resale are not "consumers" for that product.
 319

320 "Consumer Product" means a chemically formulated product used by household
 321 and institutional consumers including, but not limited to, detergents, cleaning
 322 compounds, polishes, floor finishes, cosmetics, personal care products, home
 323 lawn and garden products, disinfectants, sanitizers, aerosol paints, and automotive
 324 specialty products. "Consumer Product" does not include other paint products,
 325 furniture coatings, or architectural coatings. As used in this Subpart, "Consumer
 326 Product" shall also refer to "Aerosol Adhesive", including an "Aerosol Adhesive"
 327 used for consumer, industrial or commercial uses.
 328

329 "Contact Adhesive" means an adhesive that is designed for application to both
 330 surfaces to be bonded together, and is allowed to dry before the two surfaces are
 331 placed in contact with each other, and forms an immediate bond that is
 332 impossible, or difficult, to reposition after both adhesive-coated surfaces are
 333 placed in contact with each other, and does not need sustained pressure or
 334 clamping of surfaces after the adhesive-coated surfaces have been brought
 335 together using sufficient momentary pressure to establish full contact between
 336 both surfaces. The term does not include rubber cements that are primarily
 337 intended for use on paper substrates. "Contact Adhesive" also does not include
 338 vulcanizing fluids that are designed and labeled for tire repair only.
 339

340 "Contact Adhesive – General Purpose" means any contact adhesive that is not a
 341 "Contact Adhesive – Special Purpose".
 342

343 "Contact Adhesive – Special Purpose" means a contact adhesive that is used to
344 bond melamine-covered board, unprimed metal, unsupported vinyl, Teflon, ultra-
345 high molecular weight polyethylene, rubber, or high pressure laminate or wood
346 veneer 1/16 inch or less in thickness to any porous or nonporous surface, and is
347 sold in units of product, less packaging, that contain more than eight fluid ounces,
348 or is used in automotive applications that are either automotive under the hood
349 applications requiring heat, oil or gasoline resistance or body-side molding,
350 automotive weatherstrip or decorative trim.

351
352 "Container/Packaging" means the part or parts of the consumer or institutional
353 product that serve only to contain, enclose, incorporate, deliver, dispense, wrap or
354 store the chemically formulated substance or mixture of substances that is solely
355 responsible for accomplishing the purposes for which the product was designed or
356 intended. This includes any article onto or into which the principal display panel
357 and other accompanying literature or graphics are incorporated, etched, printed or
358 attached.

359
360 "Crawling Bug Insecticide" means any insecticide product that is designed for use
361 against ants, cockroaches, or other household crawling arthropods, including, but
362 not limited to, mites, silverfish or spiders, excluding products designed to be used
363 exclusively on humans or animals, or any house dust mite product. For the
364 purposes of this definition only:

365
366 "House dust mite product" means a product whose label, packaging, or
367 accompanying literature states that the product is suitable for use against
368 house dust mites, but does not indicate that the product is suitable for use
369 against ants, cockroaches, or other household crawling arthropods.

370
371 "House dust mite" means mites that feed primarily on skin cells shed in
372 the home by humans and pets and that belong to the phylum Arthropoda,
373 the subphylum Chelicerata, the class Arachnida, the subclass Acari, the
374 order Astigmata, and the family Pyroglyphidae.

375
376 "Date-Code" means the day, month and year on which the consumer product was
377 manufactured, filled, or packaged, or a code indicating that date.

378
379 "Deodorant" means:

380
381 For products manufactured before July 1, 2009: any product including, but
382 not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and
383 squeeze-bottles that is intended by the manufacturer to be used to
384 minimize odor in the human axilla by retarding the growth of bacteria that
385 cause the decomposition of perspiration.

386
387 For products manufactured on or after July 1, 2009: any product including,
388 but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and
389 squeeze-bottles that indicates or depicts on the container or packaging, or
390 on any sticker or label affixed to the container or packaging, that the
391 product can be used on or applied to the human axilla to provide a scent
392 and/or minimize odor. A "Deodorant Body Spray" product that indicates
393 or depicts on the container or packaging, or on any sticker or label affixed
394 to the container or packaging, that it can be used on or applied to the
395 human axilla is a "Deodorant".
396

397 "Deodorant Body Spray" means:

398
399 For products manufactured before July 1, 2009, a "Personal Fragrance
400 Product" with 20 percent or less fragrance.
401

402 For products manufactured on or after July 1, 2009, a "Personal Fragrance
403 Product" with 20 percent or less fragrance, that is designed for application
404 all over the human body to provide a scent. A "Deodorant Body Spray"
405 product that indicates or depicts on the container or packaging, or on any
406 sticker or label affixed to the container or packaging, that it can be used on
407 or applied to the human axilla, is a "Deodorant".
408

409 "Device" means any instrument or contrivance (other than a firearm) designed for
410 trapping, destroying, repelling, or mitigating any pest or any other form of plant
411 or animal life (other than man and other than bacterium, virus, or another
412 microorganism on or in living man or other living animals), but not including
413 equipment used for the application of pesticides when sold separately from the
414 device.
415

416 "Disinfectant" means any product intended to destroy or irreversibly inactivate
417 infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces
418 or inanimate objects and whose label is registered under the Federal Insecticide,
419 Fungicide, and Rodenticide Act (FIFRA, 7 USC 136 et seq.). "Disinfectant" does
420 not include any of the following products designed solely for use on humans or
421 animals, products designed for agricultural use, products designed solely for use
422 in swimming pools, therapeutic tubs, or hot tubs, products that, as indicated on the
423 principal display panel or label, are designed primarily for use as bathroom and
424 tile cleaners, glass cleaners, general purpose cleaners, toilet bowl cleaners, or
425 metal polishes.
426

427 "Double Phase Aerosol Air Freshener" means an aerosol air freshener with the
 428 liquid contents in two or more distinct phases that require the product container to
 429 be shaken before use to mix the phases, producing an emulsion.

430
 431 "Dry Cleaning Fluid" means any non-aqueous liquid product designed and labeled
 432 exclusively for use on fabrics that are labeled "dry clean only", such as clothing or
 433 drapery or "S-coded" fabrics. This includes, but is not limited to, those products
 434 used by commercial dry cleaners and commercial businesses that clean fabrics
 435 such as draperies at the customer's residence or work place. The term does not
 436 include "Spot Remover" or "Carpet and Upholstery Cleaner". For the purposes of
 437 this definition, "S-coded fabric" means an upholstery fabric designed to be
 438 cleaned only with water-free spot cleaning products as specified by the Joint
 439 Industry Fabric Standards Committee.

440
 441 "Dusting Aid" means a product designed to assist in removing dust and other soils
 442 from floors and other surfaces without leaving a wax or silicone based coating.
 443 The term does not include "Pressurized Gas Duster".

444
 445 "Electrical Cleaner" means a product labeled to remove heavy soils such as
 446 grease, grime, or oil from electrical equipment, including, but not limited to,
 447 electric motors, armatures, relays, electric panels, or generators. The term does
 448 not include "General Purpose Cleaner", "General Purpose Degreaser", "Dusting
 449 Aid", "Electronic Cleaner", "Energized Electrical Cleaner", "Pressurized Gas
 450 Duster", "Engine Degreaser", "Anti-Static Product", or products designed to clean
 451 the casings or housings of electrical equipment.

452
 453 "Electronic Cleaner" means a product labeled for the removal of dirt, moisture,
 454 dust, flux or oxides from the internal components of electronic or precision
 455 equipment such as circuit boards, and the internal components of electronic
 456 devices, including, but not limited to, radios, compact disc (CD) players, digital
 457 video disc (DVD) players, and computers. "Electronic Cleaner" does not include
 458 "General Purpose Cleaner", "General Purpose Degreaser", "Dusting Aid",
 459 "Pressurized Gas Duster", "Engine Degreaser", "Electrical Cleaner", "Energized
 460 Electrical Cleaner", "Anti-Static Product", or products designed to clean the
 461 casings or housings of electronic equipment.

462
 463 "Energized Electrical Cleaner" means a product that meets both of the following
 464 criteria:

465
 466 The product is labeled to clean and/or degrease electrical equipment,
 467 where cleaning and/or degreasing is accomplished when electrical current
 468 exists, or when there is a residual electrical potential from a component,
 469 such as a capacitor.

470
471 The product label clearly displays the statements: "Energized equipment
472 use only. Not to be used for motorized vehicle maintenance, or their
473 parts."

474
475 This does not include "Electronic Cleaner".

476
477 "Engine Degreaser" means a cleaning product designed to remove grease, grime,
478 oil and other contaminants from the external surfaces of engines and other
479 mechanical parts.

480
481 "Existing Product" means any formulation of the same product category and form
482 sold, supplied, manufactured, or offered for sale in Illinois prior to the effective
483 date in Section 223.205~~July 1, 2009~~ or any subsequently introduced identical
484 formulation.

485
486 "Fabric Protectant" means a product designed to be applied to fabric substrates to
487 protect the surface from soiling from dirt and other impurities or to reduce
488 absorption of liquid into the fabric's fibers. The term does not include
489 waterproofers, products designed for use solely on leather, or products designed
490 for use solely on fabrics labeled "dry clean only" and sold in containers of 10
491 fluid ounces or less.

492
493 "Fabric Refresher" means a product labeled to neutralize or eliminate odors on
494 non-laundered fabric including, but not limited to, soft household surfaces, rugs,
495 carpeting, draperies, bedding, automotive interiors, footwear, athletic equipment,
496 or clothing or on household furniture or objects upholstered or covered with
497 fabrics such as, but not limited to, wool, cotton, or nylon. "Fabric Refresher" does
498 not include "Anti-static Product", "Carpet and Upholstery Cleaner", "Soft
499 Household Surface Sanitizers", "Footwear or Leather Care Product", "Spot
500 Remover", or "Disinfectant", or products labeled for application to both fabric and
501 human skin.

502
503 For the purposes of this definition only, "Soft Household Surface
504 Sanitizer" means a product labeled to neutralize or eliminate odors on the
505 listed surfaces above whose label is registered as a sanitizer under the
506 Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 USC 136
507 et seq.).

508
509 "Facial Cleaner or Soap" means a cleaner or soap designed primarily to clean the
510 face including, but not limited to, facial cleansing creams, semisolids, liquids,
511 lotions, and substrate-impregnated forms. The term does not include prescription
512 drug products, "Antimicrobial Hand or Body Cleaner or Soap", "Astringent/

513 Toner", "General-use Hand or Body Cleaner or Soap", "Medicated
514 Astringent/Medicated Toner", or "Rubbing Alcohol".
515
516 "Fat Wood" means pieces of wood kindling with high naturally-occurring levels
517 of sap or resin that enhance ignition of the kindling, excluding any kindling with
518 substances added to enhance flammability, such as wax-covered or wax-
519 impregnated wood-based products.
520
521 "Faux Finishing Coating" means a coating labeled and formulated as a stain or a
522 glaze to create artistic effects including, but not limited to, dirt, old age, smoke
523 damage, and simulated marble and wood grain.
524
525 "Flea and Tick Insecticide" means any insecticide product that is designed for use
526 against fleas, ticks, their larvae, or their eggs. The term does not include products
527 that are designed to be used exclusively on humans or animals and their bedding.
528
529 "Flexible Flooring Material" means asphalt, cork, linoleum, no-wax, rubber,
530 seamless vinyl and vinyl composite flooring.
531
532 "Floor Coating" means an opaque coating that is labeled and formulated for
533 application to flooring, including, but not limited to, decks, porches, steps, and
534 other horizontal surfaces that may be subjected to foot traffic.
535
536 "Floor Polish or Wax" means a wax, polish, or any other product designed to
537 polish, protect, or enhance floor surfaces by leaving a protective coating that is
538 designed to be periodically replenished. The term does not include "Spray Buff
539 Products", products designed solely for the purpose of cleaning floors, floor finish
540 strippers, products designed for unfinished wood floors, and coatings subject to
541 architectural coatings regulations.
542
543 "Floor Seam Sealer" means any product designed and labeled exclusively for
544 bonding, fusing, or sealing (coating) seams between adjoining rolls of installed
545 flexible sheet flooring.
546
547 "Floor Wax Stripper" means a product designed to remove natural or synthetic
548 floor polishes or waxes through breakdown of the polish or wax polymers, or by
549 dissolving or emulsifying the polish or wax. This does not include aerosol floor
550 wax strippers or products designed to remove floor wax solely through abrasion.
551
552 "Flying Bug Insecticide" means any insecticide product that is designed for use
553 against flying insects or other flying arthropods, including but not limited to flies,
554 mosquitoes, moths, or gnats. The term does not include "Wasp and Hornet

555 Insecticide", products that are designed to be used exclusively on humans or
556 animals, or any moth-proofing product.

557
558 For purposes of this definition only, "Moth-Proofing Product" means a
559 product whose label, packaging, or accompanying literature indicates that
560 the product is designed to protect fabrics from damage by moths, but does
561 not indicate that the product is suitable for use against flying insects or
562 other flying arthropods.

563
564 "Footwear or Leather Care Product" means any product designed or labeled to be
565 applied to footwear or to other leather articles/components to maintain, enhance,
566 clean, protect, or modify the appearance, durability, fit, or flexibility of the
567 footwear or leather article/component. Footwear includes both leather and non-
568 leather foot apparel. "Footwear or Leather Care Product" does not include
569 "Fabric Protectant", "General Purpose Adhesive", "Contact Adhesive",
570 "Vinyl/Fabric/Leather/Polycarbonate Coating", "Rubber and Vinyl Protectant",
571 "Fabric Refresher", products solely for deodorizing, or sealant products with
572 adhesive properties used to create external protective layers greater than two
573 millimeters thick.

574
575 "Fragrance" means a substance or complex mixture of aroma chemicals, natural
576 essential oils, and other functional components with a combined vapor pressure
577 not in excess of two mm of Hg at 20°C, the sole purpose of which is to impart an
578 odor or scent, or to counteract a malodor.

579
580 "Furniture Maintenance Product" means a wax, polish, conditioner, or any other
581 product designed for the purpose of polishing, protecting or enhancing finished
582 wood surfaces other than floors. The term does not include "Dusting Aids",
583 "Wood Cleaners", products designed solely for the purpose of cleaning, and
584 products designed to leave a permanent finish such as stains, sanding sealers and
585 lacquers.

586
587 "Furniture Coating" means any paint designed for application to room furnishings
588 including, but not limited to, cabinets (kitchen, bath and vanity), tables, chairs,
589 beds, and sofas.

590
591 "Gel" means a colloid in which the disperse phase has combined with the
592 continuous phase to produce a semisolid material, such as jelly.

593
594 "General Purpose Adhesive" means any non-aerosol adhesive designed for use on
595 a variety of substrates. The term does not include contact adhesives, construction,
596 panel, and floor covering adhesives, adhesives designed exclusively for
597 application on one specific category of substrates (i.e., substrates that are

598 composed of similar materials, such as different types of metals, paper products,
 599 ceramics, plastics, rubbers, or vinyls), or adhesives designed exclusively for use
 600 on one specific category of articles (i.e., articles that may be composed of
 601 different materials but perform a specific function, such as gaskets, automotive
 602 trim, weather-stripping, or carpets).

603
 604 "General Purpose Cleaner" means a product designed for general all-purpose
 605 cleaning, in contrast to cleaning products designed to clean specific substrates in
 606 certain situations. This includes products designed for general floor cleaning,
 607 kitchen or countertop cleaning, and cleaners designed to be used on a variety of
 608 hard surfaces, and does not include "General Purpose Degreasers" and "Electronic
 609 Cleaners".

610
 611 "General Purpose Degreaser" means any product labeled to remove or dissolve
 612 grease, grime, oil and other oil-based contaminants from a variety of substrates,
 613 including automotive or miscellaneous metallic parts. This does not include
 614 "Engine Degreaser", "General Purpose Cleaner", "Adhesive Remover",
 615 "Electronic Cleaner", "Electrical Cleaner", "Energized Electrical Cleaner", "Metal
 616 Polish/Cleanser", products used exclusively in "Solvent Cleaning Tanks or
 617 Related Equipment", or products that are sold exclusively to establishments that
 618 manufacture or construct goods or commodities, and labeled "not for retail sale".

619
 620 "Solvent Cleaning Tanks or Related Equipment" includes, but is not
 621 limited to, cold cleaners, vapor degreasers, conveyORIZED degreasers, film
 622 cleaning machines, or products designed to clean miscellaneous metallic
 623 parts by immersion in a container.

624
 625 "General-Use Hand or Body Cleaner or Soap" means a cleaner or soap designed
 626 to be used routinely on the skin to clean or remove typical or common dirt and
 627 soils, including, but not limited to, hand or body washes, dual-purpose shampoo-
 628 body cleaners, shower or bath gels, and moisturizing cleaners or soaps. The term
 629 does not include prescription drug products, "Antimicrobial Hand or Body
 630 Cleaner or Soap", "Astringent/Toner", "Facial Cleaner or Soap", "Hand
 631 Dishwashing Detergent" (including antimicrobial), "Heavy-duty Hand Cleaner or
 632 Soap", "Medicated Astringent/Medicated Toner", or "Rubbing Alcohol".

633
 634 "Glass Cleaner" means a cleaning product designed primarily for cleaning
 635 surfaces made of glass. The term does not include products designed solely for
 636 the purpose of cleaning optical materials used in eyeglasses, photographic
 637 equipment, scientific equipment and photocopying machines.

638
 639 "Graffiti Remover" means a product labeled to remove spray paint, ink, marker,
 640 crayon, lipstick, nail polish, or shoe polish from a variety of non-cloth or

641 nonfabric substrates. The term does not include "Paint Remover or Stripper",
642 "Nail Polish Remover", or "Spot Remover". Products labeled for dual use as both
643 a paint stripper and graffiti remover are considered "Graffiti Removers".
644

645 "Hair Mousse" means a hairstyling foam designed to facilitate styling of a
646 coiffure and provide limited holding power.
647

648 "Hair Shine" means any product designed for the primary purpose of creating a
649 shine when applied to the hair. This includes, but is not limited to, dual-use
650 products designed primarily to impart a sheen to the hair. The term does not
651 include "Hair Spray", "Hair Mousse", "Hair Styling Product", "Hair Styling Gel",
652 or products whose primary purpose is to condition or hold the hair.
653

654 "Hair Spray" means:

655
656 For products manufactured before July 1, 2009, a consumer product
657 designed primarily for the purpose of dispensing droplets of a resin on and
658 into a hair coiffure that will impart sufficient rigidity to the coiffure to
659 establish or retain the style for a period of time.
660

661 For products manufactured on or after July 1, 2009, a consumer product
662 that is applied to styled hair and is designed or labeled to provide
663 sufficient rigidity to hold, retain and/or finish the style of the hair for a
664 period of time. This includes aerosol hair sprays, pump hair sprays, spray
665 waxes; color, glitter, or sparkle hairsprays that make finishing claims; and
666 products that are both a styling and finishing product. This does not
667 include spray products that are intended to aid in styling but do not
668 provide finishing of a hairstyle. For the purposes of this Subpart, "finish"
669 or "finishing" means the maintaining and/or holding of previously styled
670 hair for a period of time. For the purposes of this Subpart, "styling" means
671 forming, sculpting, or manipulating the hair to temporarily alter the hair's
672 shape.
673

674 "Hair Styling Gel" means a consumer product manufactured before July 1, 2009
675 that is a high viscosity, often gelatinous, product that contains a resin and is
676 designed for application to hair to aid in styling and sculpting of the hair coiffure.
677

678 "Hair Styling Product" means a consumer product manufactured on or after July
679 1, 2009 that is designed or labeled for application to wet, damp or dry hair to aid
680 in defining, shaping, lifting, styling and/or sculpting of the hair. This includes,
681 but is not limited to, hair balm, clay, cream, creme, curl straightener, gel, liquid,
682 lotion, paste, pomade, putty, root lifter, serum, spray gel, stick, temporary hair
683 straightener, wax, spray products that aid in styling but do not provide finishing of

684 a hairstyle, and leave-in volumizers, detanglers and/or conditioners that make
 685 styling claims. This does not include "Hair Mousse", "Hair Shine", "Hair Spray",
 686 or shampoos and/or conditioners that are rinsed from the hair prior to styling. For
 687 the purposes of this Subpart, "finish" or "finishing" means the maintaining and/or
 688 holding of previously styled hair for a period of time. For the purposes of this
 689 Subpart, "styling" means forming, sculpting, or manipulating the hair to
 690 temporarily alter the hair's shape.

691
 692 "Heavy-Duty Hand Cleaner or Soap" means a product designed to clean or
 693 remove difficult dirt and soils such as oil, grease, grime, tar, shellac, putty,
 694 printer's ink, paint, graphite, cement, carbon, asphalt, or adhesives from the hand
 695 with or without the use of water. The term does not include prescription drug
 696 products, "Antimicrobial Hand or Body Cleaner or Soap", "Astringent/Toner",
 697 "Facial Cleaner or Soap", "General-use Hand or Body Cleaner or Soap",
 698 "Medicated Astringent/Medicated Toner" or "Rubbing Alcohol".

699
 700 "Herbicide" means a pesticide product designed to kill or retard a plant's growth,
 701 but excludes products that are for agricultural use, or restricted materials that
 702 require a permit for use and possession.

703
 704 "High Volatility Organic Material" or "HVOM" or "High Volatility Organic
 705 Compound" or "HVOC" means any volatile organic material or volatile organic
 706 compound that exerts a vapor pressure greater than 80 millimeters of Mercury
 707 (mm Hg) when measured at 20°C.

708
 709 "Household Product" means any consumer product that is primarily designed to
 710 be used inside or outside of living quarters or residences that are occupied or
 711 intended for occupation by individuals, including the immediate surroundings.

712
 713 "Illinois Sales" means the sales (net pounds of product, less packaging and
 714 container, per year) in Illinois for either the calendar year immediately prior to the
 715 year that the registration is due or, if that data is not available, any consecutive 12
 716 month period commencing no earlier than two years prior to the due date of the
 717 registration. If direct sales data for Illinois is not available, sales may be
 718 estimated by prorating national or regional sales data by population.

719
 720 "Industrial Use" means use for or in a manufacturing, mining, or chemical process
 721 or use in the operation of factories, processing plants, and similar sites.

722
 723 "Insecticide" means a pesticide product that is designed for use against insects or
 724 other arthropods, but excluding products that are for agricultural use or for a use
 725 that requires a structural pest control license under the Structural Pest Control Act

726 [225 ILCS 235], or restricted materials that require a permit for use and
727 possession.

728
729 "Insecticide Fogger" means any insecticide product designed to release all or most
730 of its content, as a fog or mist, into indoor areas during a single application.

731
732 "Institutional Product" or "Industrial and Institutional (I&I) Product" means a
733 consumer product that is designed for use in the maintenance or operation of an
734 establishment that manufactures, transports, or sells goods or commodities, or
735 provides services for profit, or is engaged in the nonprofit promotion of a
736 particular public, educational, or charitable cause. "Establishments" include, but
737 are not limited to, government agencies, factories, schools, hospitals, sanitariums,
738 prisons, restaurants, hotels, stores, automobile service and parts centers, health
739 clubs, theaters, or transportation companies. This does not include household
740 products and products that are incorporated into or used exclusively in the
741 manufacture or construction of the goods or commodities at the site of the
742 establishment.

743
744 "Label" means any written, printed, or graphic matter affixed to, applied to,
745 attached to, blown into, formed into, molded into, embossed on, or appearing
746 upon any consumer product or consumer product package, for purposes of
747 branding, identifying, or giving information with respect to the product or to the
748 contents of the package.

749
750 "Lacquer" means a clear or opaque wood coating, including clear lacquer sanding
751 sealers, formulated with cellulosic or synthetic resins to dry by evaporation
752 without chemical reaction and to provide a solid, protective film.

753
754 "Laundry Prewash" means a product that is designed for application to a fabric
755 prior to laundering and that supplements and contributes to the effectiveness of
756 laundry detergents and/or provides specialized performance.

757
758 "Laundry Starch Product" means a product that is designed for application to a
759 fabric, either during or after laundering, to impart and prolong a crisp, fresh look
760 and may also act to help ease ironing of the fabric. This includes, but is not
761 limited to, fabric finish, sizing, and starch.

762
763 "Lawn and Garden Insecticide" means an insecticide product labeled primarily to
764 be used in household lawn and garden areas to protect plants from insects or other
765 arthropods. Notwithstanding the requirements of Section 223.260, aerosol "Lawn
766 and Garden Insecticides" may claim to kill insects or other arthropods.

767

768 "Liquid" means a substance or mixture of substances that is capable of a visually
769 detectable flow as determined under ASTM D-4359-90, incorporated by reference
770 in Section 223.120, or an equivalent method approved by the California Air
771 Resources Board. This does not include powders or other materials that are
772 composed entirely of solid particles.

773
774 "Lubricant" means a product designed to reduce friction, heat, noise, or wear
775 between moving parts, or to loosen rusted or immovable parts or mechanisms.
776 This does not include automotive power steering fluids; products for use inside
777 power generating motors, engines, and turbines, and their associated power-
778 transfer gearboxes; two cycle oils or other products designed to be added to fuels;
779 products for use on the human body or animals; or products that are sold
780 exclusively to establishments that manufacture or construct goods or
781 commodities, and labeled "not for retail sale".

782
783 "LVP Content" means the total weight, in pounds, of LVP compounds in an ACP
784 product multiplied by 100 and divided by the product's total net weight (in
785 pounds, excluding container and packaging), expressed to the nearest 0.1.

786
787 "LVP-VOM" or "LVP-VOC" means a chemical material or mixture or compound
788 that contains at least one carbon atom and meets one of the following:

789
790 Has a vapor pressure less than 0.1 mm Hg at 20°C, as determined by
791 CARB Method 310, incorporated by reference in Section 223.120; or

792
793 Is a chemical material or compound with more than 12 carbon atoms, or a
794 chemical mixture comprised solely of material or a compound with more
795 than 12 carbon atoms as verified by formulation data, and the vapor
796 pressure and boiling point are unknown; or

797
798 Is a chemical material or compound with a boiling point greater than
799 216°C, as determined by CARB Method 310, incorporated by reference in
800 Section 223.120; or

801
802 Is the weight percent of a chemical mixture that boils above 216°C, as
803 determined by CARB Method 310, incorporated by reference in Section
804 223.120.

805
806 For the purposes of this definition, chemical material or compound means
807 a molecule of definite chemical formula and isomeric structure, and
808 chemical mixture means a substrate comprised of two or more chemical
809 materials or compounds.

810

811 "Medicated Astringent/Medicated Toner" means any product regulated as a drug
 812 by the FDA that is applied to the skin for the purpose of cleaning or tightening
 813 pores. This includes, but is not limited to, clarifiers and substrate-impregnated
 814 products. The term does not include hand, face, or body cleaner or soap products,
 815 "Astringent/Toner", cold cream, lotion, antiperspirants, or products that must be
 816 purchased with a doctor's prescription.

817
 818 "Medium Volatility Organic Material" or "MVOM" or "Medium Volatility
 819 Organic Compound" or "MVOC" means any volatile organic material or volatile
 820 organic compound that exerts a vapor pressure greater than two mm Hg and less
 821 than or equal to 80 mm Hg when measured at 20°C.

822
 823 "Metal Polish/Cleanser" means any product designed primarily to improve the
 824 appearance of finished metal or metallic or metallized surfaces by physical or
 825 chemical action. To "improve the appearance" means to remove or reduce stains,
 826 impurities, or oxidation from surfaces or to make surfaces smooth and shiny.
 827 This includes, but is not limited to, metal polishes used on brass, silver, chrome,
 828 copper, stainless steel and other ornamental metals. The term does not include
 829 "Automotive Wax, Polish, Sealant or Glaze", wheel cleaner, "Paint Remover or
 830 Stripper", products designed and labeled exclusively for automotive and marine
 831 detailing, or products designed for use in degreasing tanks.

832
 833 "Mist Spray Adhesive" means any aerosol that is not a special purpose spray
 834 adhesive and that delivers a particle or mist spray, resulting in the formation of
 835 fine, discrete particles that yield a generally uniform and smooth application of
 836 adhesive to the substrate.

837
 838 "Multi-Purpose Dry Lubricant" means any lubricant designed and labeled to
 839 provide lubricity by depositing a thin film of graphite, molybdenum disulfide
 840 (moly), or polytetrafluoroethylene or closely related fluoropolymer (Teflon) on
 841 surfaces, and designed for general purpose lubrication or for use in a wide variety
 842 of applications.

843
 844 "Multi-Purpose Lubricant" means any lubricant designed for general purpose
 845 lubrication, or for use in a wide variety of applications. The term does not include
 846 "Multi-purpose Dry Lubricants", "Penetrants", or "Silicone-based Multi-purpose
 847 Lubricants".

848
 849 "Multi-Purpose Solvent" means any organic liquid designed to be used for a
 850 variety of purposes, including cleaning or degreasing of a variety of substrates, or
 851 thinning, dispersing or dissolving other organic materials. This includes solvents
 852 used in institutional facilities, except for laboratory reagents used in analytical,
 853 educational, research, scientific or other laboratories. This does not include

854 solvents used in cold cleaners, vapor degreasers, conveyORIZED degreasers or film
855 cleaning machines, or solvents that are incorporated into, or used exclusively in
856 the manufacture or construction of the goods or commodities at the site of the
857 establishment.

858
859 "Nail Polish" means any clear or colored coating designed for application to the
860 fingernails or toenails, including but not limited to lacquers, enamels, acrylics,
861 base coats and top coats.

862
863 "Nail Polish Remover" means a product designed to remove nail polish and
864 coatings from fingernails or toenails.

865
866 "Non-Aerosol Product" means any consumer product that is not dispensed by a
867 pressurized spray system.

868
869 "Non-Carbon Containing Compound" means any compound that does not contain
870 any carbon atoms.

871
872 "Nonresilient Flooring" means flooring of a mineral content that is not flexible.
873 This includes terrazzo, marble, slate, granite, brick, stone, ceramic tile and
874 concrete.

875
876 "Non-Selective Terrestrial Herbicide" means a terrestrial herbicide product that is
877 toxic to plants without regard to species.

878
879 "Oven Cleaner" means any cleaning product designed to clean and to remove
880 dried food deposits from oven walls.

881
882 "Paint" means any pigmented liquid or liquefiable or mastic composition designed
883 for application to a substrate in a thin layer that is converted to an opaque solid
884 film after application and is used for protection, decoration or identification, or to
885 serve some functional purpose such as the filling or concealing of surface
886 irregularities or the modification of light and heat radiation characteristics.

887
888 "Paint Remover or Stripper" means any product designed to strip or remove paints
889 or other related coatings, by chemical action, from a substrate without markedly
890 affecting the substrate. This does not include "Multi-purpose Solvents", paint
891 brush cleaners, products designed and labeled exclusively as "Graffiti Removers",
892 and hand cleaner products that claim to remove paints and other related coatings
893 from skin.

894
895 "Penetrant" means a lubricant designed and labeled primarily to loosen metal
896 parts that have bonded together due to rusting, oxidation, or other causes. The

897 term does not include "Multi-purpose Lubricants" that claim to have penetrating
898 qualities, but are not labeled primarily to loosen bonded parts.
899

900 "Personal Fragrance Product" means any product that is applied to the human
901 body or clothing for the primary purpose of adding a scent or masking a malodor,
902 including cologne, perfume, aftershave, and toilet water. This does not include
903 "Deodorant"; medicated products designed primarily to alleviate fungal or
904 bacterial growth on feet or other areas of the body; mouthwashes and breath
905 fresheners and deodorizers; lotions, moisturizers, powders or other skin care
906 products used primarily to alleviate skin conditions such as dryness and
907 irritations; products designed exclusively for use on human genitalia; soaps,
908 shampoos, and products primarily used to clean the human body; and fragrance
909 products designed to be used exclusively on non-human animals.
910

911 "Pesticide" means and includes any substance or mixture of substances labeled,
912 designed, or intended for use in preventing, destroying, repelling or mitigating
913 any pest, or any substance or mixture of substances labeled, designed, or intended
914 for use as a defoliant, desiccant, or plant regulator, provided that the term
915 "Pesticide" will not include any substance, mixture of substances, or device the
916 United States Environmental Protection Agency does not consider to be a
917 pesticide.
918

919 "Photograph Coating" means a coating designed and labeled exclusively to be
920 applied to finished photographs to allow corrective retouching, protection of the
921 image or changes in gloss level, or to cover fingerprints.
922

923 "Pressurized Gas Duster" means a pressurized product labeled to remove dust
924 from a surface solely by means of mass air or gas flow, including surfaces such as
925 photographs, photographic film negatives, computer keyboards, and other types of
926 surfaces that cannot be cleaned with solvents. This does not include "Dusting
927 Aid".
928

929 "Principal Display Panel or Panels" means that part, or those parts, of a label that
930 are so designed as to most likely be displayed, presented, shown or examined
931 under normal and customary conditions of display or purchase. Whenever a
932 principal display panel appears more than once, all requirements pertaining to the
933 "Principal Display Panel" shall pertain to all such "Principal Display Panels".
934

935 "Product Brand Name" means the name of the product exactly as it appears on the
936 principal display panel of the product.
937

938 "Product Category" means the applicable category, defined in this Section and
939 limited in Section 223.205(a), that best describes the product.

940
941 "Product Form" for the purpose of complying with Section 223.270 only, means
942 the applicable form that most accurately describes the product's dispensing form,
943 as follows:
944

- A = Aerosol Product
- S = Solid
- P = Pump Spray
- L = Liquid
- SS = Semisolid
- O = Other

945
946 "Product Line" means a group of products of identical form and function
947 belonging to the same product category or categories.
948

949 "Pump Spray" means a packaging system in which the product ingredients within
950 the container are not under pressure and in which the product is expelled only
951 while a pumping action is applied to a button, trigger or other actuator.
952

953 "Responsible ACP Party" means the company, firm or establishment listed on the
954 ACP product's label. If the label lists two or more companies, firms, or
955 establishments, the "Responsible ACP Party" is the party the ACP product was
956 "manufactured for" or "distributed by", as noted on the label.
957

958 "Restricted Materials" means pesticides established as restricted materials under
959 applicable Illinois statutes or regulations.
960

961 "Roll-On Product" means any antiperspirant or deodorant that dispenses active
962 ingredients by rolling a wetted ball or wetted cylinder on the affected area.
963

964 "Rubber and Vinyl Protectant" means any product designed to protect, preserve or
965 renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, and
966 household products such as vinyl covers, clothing, and accessories. This does not
967 include products primarily designed to clean the wheel rim, such as aluminum or
968 magnesium wheel cleaners, and tire cleaners that do not leave an appearance-
969 enhancing or protective substance on the tire.
970

971 "Rubbing Alcohol" means any product containing isopropyl alcohol (also called
972 isopropanol) or denatured ethanol and labeled for topical use, usually to decrease
973 germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient,
974 and for massage.
975

976 "Rust Preventive Coating" means a coating formulated exclusively for
 977 nonindustrial use to prevent the corrosion of metal surfaces and labeled as
 978 specified in Section 223.320(f).
 979

980 "Sanding Sealer" means a clear or semi-transparent wood coating labeled and
 981 formulated for application to bare wood to seal the wood and to provide a coat
 982 that can be abraded to create a smooth surface for subsequent applications of
 983 coatings. A "Sanding Sealer" that also meets the definition of a "Lacquer" is not
 984 included in this category, but it is included in the "Lacquer" category.
 985

986 "Sealant and Caulking Compound" means any product with adhesive properties
 987 that is designed to fill, seal, waterproof, or weatherproof gaps or joints between
 988 two surfaces. This does not include roof cements and roof sealants, insulating
 989 foams, removable caulking compounds, clear/paintable/water resistant caulking
 990 compounds, floor seam sealers, products designed exclusively for automotive
 991 uses, or sealers that are applied as continuous coatings. The term also does not
 992 include units of product, less packaging, that weigh more than one pound and
 993 consist of more than 16 fluid ounces.
 994

995 For the purposes of this definition only, "removable caulking compound"
 996 means a compound that temporarily seals windows or doors for three to
 997 six month time intervals. "Clear/paintable/water resistant caulking
 998 compound" means a compound that contains no appreciable level of
 999 opaque fillers or pigments; transmits most or all visible light through the
 1000 caulk when cured; is paintable; and is immediately resistant to
 1001 precipitation upon application.
 1002

1003 "Semisolid" means a product that, at room temperature, will not pour, but will
 1004 spread or deform easily, including but not limited to gels, pastes, and greases.
 1005

1006 "Shaving Cream" means an aerosol product that dispenses a foam lather intended
 1007 to be used with a blade or cartridge razor, or other wet-shaving system, in the
 1008 removal of facial or other body hair. The term does not include "Shaving Gel".
 1009

1010 "Shaving Gel" means an aerosol product that dispenses a post-foaming semisolid
 1011 designed to be used with a blade, cartridge razor, or other shaving system in the
 1012 removal of facial or other body hair. This does not include "Shaving Cream".
 1013

1014 "Silicone-Based Multi-Purpose Lubricant" means any lubricant designed and
 1015 labeled to provide lubricity primarily through the use of silicone compounds
 1016 including, but not limited to, polydimethylsiloxane, and designed and labeled for
 1017 general purpose lubrication, or for use in a wide variety of applications. The term

1018 does not include products designed and labeled exclusively to release
1019 manufactured products from molds.

1020
1021 "Single Phase Aerosol Air Freshener" means an aerosol air freshener with the
1022 liquid contents in a single homogeneous phase and that does not require that the
1023 product container be shaken before use.

1024
1025 "Solid" means a substance or mixture of substances that, either whole or
1026 subdivided (such as the particles comprising a powder), is not capable of visually
1027 detectable flow as determined under ASTM D4359-90, incorporated by reference
1028 in Section 223.120, or an equivalent method approved by the California Air
1029 Resources Board.

1030
1031 "Special Purpose Spray Adhesive" means an aerosol adhesive that meets any of
1032 the following definitions:

1033
1034 "Mounting Adhesive" means an aerosol adhesive designed to permanently
1035 mount photographs, artwork, and any other drawn or printed media to a
1036 backing (paper, board, cloth, etc.) without causing discoloration to the
1037 artwork.

1038
1039 "Flexible Vinyl Adhesive" means an aerosol adhesive designed to bond
1040 flexible vinyl to substrates. Flexible vinyl means a nonrigid polyvinyl
1041 chloride plastic with at least five percent, by weight, of plasticizer content.
1042 A plasticizer is a material, such as a high boiling point organic solvent,
1043 that is incorporated into a plastic to increase its flexibility, workability, or
1044 distensibility, and may be determined using ASTM E260-96, incorporated
1045 by reference in Section 223.120, or from product formulation data or an
1046 equivalent method approved by the CARB.

1047
1048 "Polystyrene Foam Adhesive" means an aerosol adhesive designed to
1049 bond polystyrene foam to substrates.

1050
1051 "Automobile Headliner Adhesive" means an aerosol adhesive designed to
1052 bond together layers in motor vehicle headliners.

1053
1054 "Polyolefin Adhesive" means an aerosol adhesive designed to bond
1055 polyolefins to substrates.

1056
1057 "Laminate Repair/Edgebanding Adhesive" means an aerosol adhesive
1058 designed for:

1059

1060 The touch-up or repair of items laminated with high pressure
1061 laminates (e.g., lifted edges, delaminates, etc.); or
1062

1063 The touch-up, repair, or attachment of edgbanding materials,
1064 including but not limited to other laminates, synthetic marble,
1065 veneers, wood molding, and decorative metals.
1066

1067 For the purposes of this definition "high pressure laminate" means
1068 sheet materials that consist of paper, fabric, or other core material
1069 that have been laminated at temperatures exceeding 265°F, and at
1070 pressures between 1,000 and 1,400 psi.
1071

1072 "Automotive Engine Compartment Adhesive" means an aerosol adhesive
1073 designed for use in motor vehicle under-the-hood applications that require
1074 oil and plasticizer resistance, as well as high shear strength, at
1075 temperatures of 200 to 275°F.
1076

1077 "Spot Remover" means any product labeled to clean localized areas, or remove
1078 localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, and
1079 clothing, that does not require subsequent laundering to achieve stain removal.
1080 This does not include "Dry Cleaning Fluid", "Laundry Prewash", or "Multi-
1081 Purpose Solvent".
1082

1083 "Spray Buff Product" means a product designed to restore a worn floor finish in
1084 conjunction with a floor buffing machine and special pad.
1085

1086 "Stick Product" means any antiperspirant or deodorant that contains active
1087 ingredients in a solid matrix form and that dispenses the active ingredients by
1088 frictional action on the affected area.
1089

1090 "Structural Waterproof Adhesive" means an adhesive whose bond lines are
1091 resistant to conditions of continuous immersion in fresh or salt water and that
1092 conforms with Federal Specification MMM-A-181D (Type 1, Grade A),
1093 incorporated by reference in Section 223.120, and MIL-A-4605 (Type A, Grade A
1094 and Grade C), per the Federal Consumer Products Regulation (40 CFR 59,
1095 subpart C), incorporated by reference in Section 223.120.
1096

1097 "Terrestrial" means to live on or grow from land.
1098

1099 "Tire Sealant and Inflation" means any pressurized product that is designed to
1100 temporarily inflate and seal a leaking tire.
1101

1102 "Toilet/Urinal Care Product" means any product designed or labeled to clean
 1103 and/or to deodorize toilet bowls, toilet tanks, or urinals. Toilet bowls, toilet tanks,
 1104 or urinals include, but are not limited to, toilets or urinals connected to permanent
 1105 plumbing in buildings and other structures, portable toilets or urinals placed at
 1106 temporary or remote locations, and toilets or urinals in vehicles such as buses,
 1107 recreational motor homes, boats, ships, and aircraft. This does not include
 1108 "Bathroom and Tile Cleaner" or "General Purpose Cleaner".
 1109

1110 "Type A Propellant" means a compressed gas, such as CO₂, N₂, N₂O, or
 1111 compressed air, that is used as a propellant and is either incorporated with the
 1112 product or contained in a separate chamber within the product's packaging.
 1113

1114 "Type B Propellant" means any halocarbon that is used as a propellant, including
 1115 chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and
 1116 hydrofluorocarbons (HFCs).
 1117

1118 "Type C Propellant" means any propellant that is not a Type A or Type B
 1119 propellant, including propane, isobutane, n-butane, and dimethyl ether (also
 1120 known as dimethyl oxide).
 1121

1122 "Undercoating" means any aerosol product designed to impart a protective, non-
 1123 paint layer to the undercarriage, trunk interior, and/or firewall of motor vehicles to
 1124 prevent the formation of rust or to deaden sound. This includes, but is not limited
 1125 to, rubberized, mastic, or asphaltic products.
 1126

1127 "Usage Directions" means the text or graphics on the product's principal display
 1128 panel, label, or accompanying literature that describes to the end user how and in
 1129 what quantity the product is to be used.
 1130

1131 "Vinyl/Fabric/Leather/Polycarbonate Coating" means a coating designed and
 1132 labeled exclusively to coat vinyl, fabric, leather, or polycarbonate substrates.
 1133

1134 "VOM Content" means, for purposes of this Subpart, except for charcoal lighter
 1135 products, the total weight of VOM in a product expressed as a percentage of the
 1136 product weight (exclusive of the container or packaging), as determined pursuant
 1137 to Section 223.285(a) and (b).
 1138

1139 For charcoal lighter material products only,
 1140

$$1141 \text{ VOC Content} = \frac{(\text{Certified Emissions} \times 100)}{\text{Certified Use Rate}}$$

1142 Certified

Emissions = The emissions level for products approved by the Agency under Section 223.220, as determined pursuant to South Coast Air Quality Management District Rule 1174, Ignition Method Compliance Certification Protocol (February 27, 1991), incorporated by reference at Section 223.120, expressed to the nearest 0.001 pound CH₂ per start.

Certified

Use Rate = The usage level for products approved by the Agency under Section 223.220, as determined pursuant to South Coast Air Quality Management District Rule 1174, Ignition Method Compliance Certification Protocol (February 27, 1991), incorporated by reference at Section 223.120, expressed to the nearest 0.001 pound certified product used per start.

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1171

For purposes of Subpart C of this Part, "VOM Content" means the weight of VOM per volume of coating, calculated according to the procedures specified in Section 223.340(a).

"Wasp and Hornet Insecticide" means any insecticide product that is designed for use against wasps, hornets, yellow jackets or bees by allowing the user to spray from a distance a directed stream or burst at the intended insects, or their hiding place.

"Waterproofer" means a product designed and labeled exclusively to repel water from fabric or leather substrates, excluding "Fabric Protectants".

"Wax" means a material or synthetic thermoplastic substance generally of high molecular weight hydrocarbons or high molecular weight esters of fatty acids or alcohols, except glycerol and high polymers (plastics). This includes, but is not limited to, substances derived from the secretions of plants and animals such as carnuba wax and beeswax, substances of a mineral origin such as ozocerite and paraffin, and synthetic polymers such as polyethylene.

"Web Spray Adhesive" means any aerosol adhesive that is not a mist spray or special purpose spray adhesive.

"Wood Cleaner" means a product labeled to clean wooden materials, including but not limited to decking, fences, flooring, logs, cabinetry, and furniture. The term does not include "Dusting Aid", "General Purpose Cleaner", "Furniture Maintenance Product", "Floor Wax Stripper", "Floor Polish or Wax", or products designed and labeled exclusively to preserve or color wood.

1172 "Wood Floor Wax" means wax-based products for use solely on wood floors.

1173

1174 (Source: Amended at 36 Ill. Reg. _____, effective _____)

1175

1176 **Section 223.205 Standards**

1177

1178 a) Except as provided in Section 223.207, 223.230, 223.240, or 223.245, no person
 1179 shall sell, supply, offer for sale, or manufacture for sale in Illinois any consumer
 1180 product manufactured on or after the date specified July 1, 2009 that contains
 1181 VOMs in excess of the limits specified in this subsection:

1182

1183

1184

Affected Product	% VOM by Weight	
<u>Affected Product</u>	<u>July 1, 2009</u> <u>%VOM</u> <u>By Weight</u>	<u>July 1, 2012</u> <u>%VOM</u> <u>By Weight</u>
1) <u>Adhesives – Removers</u>		
A) <u>Floor or Wall Covering</u>		<u>5</u>
B) <u>Gasket or Thread Locking</u>		<u>50</u>
C) <u>General Purpose</u>		<u>20</u>
D) <u>Specialty</u>		<u>70</u>
2) <u>Adhesives – Spray</u>		
A) Mist Spray	65	
B) Web Spray	55	
C) Special Purpose Spray Adhesives		
i) Mounting, Automotive Engine Compartment, and Flexible Vinyl	70	
ii) Polystyrene Foam and Automotive Headliner	65	
iii) Polyolefin and Laminate Repair/Edgebanding	60	

1185

1186

1187

1188

1189	3)	Adhesives – Construction, Panel, and Floor Covering	15	
1190	4)	<u>Adhesive Removers</u>		
1191		A) <u>General Purpose</u>		<u>55</u>
		B) <u>Special Purpose</u>		<u>80</u>
1192	53)	Adhesives – General Purpose	10	
1193	64)	Adhesives – Structural Waterproof	15	
1194	75)	Air Fresheners		
1195		A) Single Phase Aerosol	30	
1196		B) Double Phase Aerosol	25	
		C) Liquids/Pump Sprays	18	
		D) Solids/Gel	3	
1197	86)	Antiperspirants		
1198		A) Aerosol	40 HVOM	
1199			10 <u>MVOM</u>	
			HVOM	
		B) Non-Aerosol	0 <u>HVOM</u>	
			MVOM	
			0 MVOM	
1200	9)	<u>Anti-static Product, Non-Aerosol</u>		<u>11</u>
1201	107)	Automotive Brake Cleaners	45	
1202	118)	Automotive Rubbing or Polishing Compound	17	
1203	129)	Automotive Wax, Polish, Sealant, or Glaze		
1204		A) Hard Paste Waxes	45	
1205		B) Instant Detailers	3	

1206	C)	All Other Forms	15	
1207	<u>1310)</u>	Automotive Windshield Washer Fluids	35	
1208	<u>1411)</u>	Bathroom and Tile Cleaners		
1209	A)	Aerosol	7	
	B)	All Other Forms	5	
1210	<u>1512)</u>	Bug and Tar Remover	40	
1211	<u>1613)</u>	Carburetor or Fuel-Injection Air Intake Cleaners	45	
1212	<u>1714)</u>	Carpet and Upholstery Cleaners		
1213	A)	Aerosol	7	
1214	B)	Non-Aerosol (Dilutables)	0.1	
	C)	Non-Aerosol (Ready-to-Use)	3.0	
1215	<u>1815)</u>	Charcoal Lighter Material	see Section 223.220	
1216	<u>1916)</u>	Cooking Spray – Aerosol	18	
1217	<u>2017)</u>	Deodorants		
1218	A)	Aerosol	0 HVOM 10 <u>MVOM</u> HVOM	
1219	B)	Non-Aerosol	0 <u>HVOM</u> MVOM 0 MVOM	
1220	<u>2118)</u>	Dusting Aids		
1221	A)	Aerosol	25	
1222	B)	All Other Forms	7	
1223	<u>22)</u>	<u>Electrical Cleaner</u>		<u>45</u>
1224				

1225	<u>23)</u>	<u>Electronic Cleaner</u>		<u>75</u>
1226	<u>2419)</u>	Engine Degreasers		
1227		A) Aerosol	35	
		B) Non-Aerosol	5	
1228	<u>2520)</u>	Fabric Protectants	60	
1229	<u>26)</u>	<u>Fabric Refresher</u>		
1230		A) <u>Aerosol</u>		<u>15</u>
1231		B) <u>Non-Aerosol</u>		<u>6</u>
1232	<u>2721)</u>	Floor Polishes/Waxes		
1233		A) Products for Flexible Flooring Materials	7	
1234		B) Products for Nonresilient Flooring	10	
		C) Wood Floor Wax	90	
1235	<u>2822)</u>	Floor Wax Strippers	see Section 223.209	
1236	<u>29)</u>	<u>Footwear or Leather Care Products</u>		
1237		A) <u>Aerosol</u>		<u>75</u>
1238		B) <u>Solid</u>		<u>55</u>
		C) <u>Other Forms</u>		<u>15</u>
1239	<u>3023)</u>	Furniture Maintenance Products		
1240		A) Aerosol	17	
1241		B) All Other Forms Except Solid or Paste	7	
1242	<u>3124)</u>	General Purpose Cleaners		
1243				
1244				

		A) Aerosol	10	
		B) Non-Aerosol	4	
1245				
1246	<u>3225)</u>	General Purpose Degreasers		
1247				
		A) Aerosol	50	
		B) Non-Aerosol	4	
1248				
1249	<u>3326)</u>	Glass Cleaners		
1250				
		A) Aerosol	12	
		B) Non-Aerosol	4	
1251				
1252	<u>34)</u>	<u>Glass Cleaners</u>		
1253				
		<u>A) Aerosol</u>		<u>50</u>
		<u>B) Non-Aerosol</u>		<u>30</u>
1254				
	<u>3527)</u>	Hair Mousses	6	
1255				
	<u>3628)</u>	Hairshines	55	
1256				
	<u>3729)</u>	Hairsprays	55	
1257				
	<u>3830)</u>	Hair Styling Gels	6	
1258				
1259	<u>39)</u>	<u>Hair Styling Products</u>		
1260				
		<u>A) Aerosol and Pump Sprays</u>		<u>6</u>
		<u>B) All Other Forms</u>		<u>2</u>
1261				
	<u>4031)</u>	Heavy Duty Hand Cleaner or Soap	8	
1262				
1263	<u>4132)</u>	Insecticides		
1264				
		A) Crawling Bug (Aerosol)	15	
		B) Crawling Bug (All Other Forms)	20	
		C) Flea and Tick	25	

	D)	Flying Bug (Aerosol)	25
	E)	Flying Bug (All Other Forms)	35
	F)	Foggers	45
	G)	Lawn and Garden (Aerosol)	20
	H)	Lawn and Garden (All Other Forms)	3
	I)	Wasp and Hornet	40
1265			
1266	<u>4233)</u>	Laundry Prewash	
1267			
	A)	Aerosols/Solids	22
	B)	All Other Forms	5
1268			
	<u>4334)</u>	Laundry Starch Products	5
1269			
	<u>4435)</u>	Metal Polishes/Cleansers	30
1270			
	<u>4536)</u>	Multi-Purpose Lubricant (Excluding Solid or Semi-Solid Products)	50
1271			
	<u>4637)</u>	Nail Polish Removers	75
1272			
	<u>4738)</u>	Non-Selective Terrestrial Herbicide -- Non-Aerosol	3
1273			
1274	<u>4839)</u>	Oven Cleaners	
1275			
	A)	Aerosols/Pump Sprays	8
	B)	Liquids	5
1276			
	<u>4940)</u>	Paint Removers or Strippers	50
1277			
	<u>5041)</u>	Penetrants	50
1278			
1279	<u>5142)</u>	Rubber and Vinyl Protectants	
1280			
	A)	Aerosol	10
	B)	Non-Aerosol	3

1281			
	<u>5243)</u>	Sealants and Caulking Compounds	4
1282			
	<u>5344)</u>	Shaving Creams	5
1283			
	<u>54)</u>	<u>Shaving Gel</u>	<u>7</u>
1284			
	<u>5545)</u>	Silicone-Based Multi-Purpose Lubricants (Excluding Solid or Semi-Solid Products)	60
1285			
1286	<u>5646)</u>	Spot Removers	
1287		A) Aerosol	23
		B) Non-Aerosol	8
1288			
	<u>5747)</u>	Tire Sealants and Inflators	20
1289			
	<u>5848)</u>	Undercoatings – Aerosols	40
1290			
1291	<u>59)</u>	<u>Wood Cleaner</u>	
1292		A) <u>Aerosol</u>	<u>17</u>
		B) <u>Non-Aerosol</u>	<u>4</u>
1293			
1294	b)	No person shall sell, supply, offer for sale, or manufacture for sale in Illinois, on	
1295		or after July 1, 2009, any antiperspirant or deodorant that contains any compound	
1296		listed <u>in this subsection (b) below:</u>	
1297			
1298		Benzene	
1299			
1300		Ethylene Dibromide	
1301			
1302		Ethylene Dichloride	
1303			
1304		Hexavalent Chromium	
1305			
1306		Asbestos	
1307			
1308		Cadmium (metallic cadmium and cadmium compounds)	
1309			
1310		Carbon Tetrachloride	

- 1311
- 1312 Trichloroethylene
- 1313
- 1314 Chloroform
- 1315
- 1316 Vinyl Chloride
- 1317
- 1318 Inorganic Arsenic
- 1319
- 1320 Nickel (metallic nickel and inorganic nickel compounds)
- 1321
- 1322 Perchloroethylene
- 1323
- 1324 Formaldehyde
- 1325
- 1326 1,3-Butadiene
- 1327
- 1328 Inorganic Lead
- 1329
- 1330 Dibenzo-p-dioxins and dibenzofurans chlorinated in the 2,3,7 and 8 positions and
- 1331 containing 4,5,6 or 7 chlorine atoms
- 1332

1333 (Source: Amended at 36 Ill. Reg. _____, effective _____)

1334

1335 **Section 223.207 Products Registered under FIFRA**

1336

1337 For those consumer products that are registered under the Federal Insecticide, Fungicide, and

1338 Rodenticide Act (FIFRA, 7 USC 136 through 136y), incorporated by reference in Section

1339 223.120, the effective date of the VOM standards will be one year after the effective date

1340 specified in Section 223.205 July 1, 2010.

1341

1342 (Source: Amended at 36 Ill. Reg. _____, effective _____)

1343

1344 **Section 223.208 Requirements for Aerosol Adhesives**

1345

- 1346 a) As specified in California Code Section 41712(h)(2), incorporated by reference in
- 1347 Section 223.120, the standards for aerosol adhesives apply to all uses of aerosol
- 1348 adhesives, including consumer, industrial, and commercial uses. Except as
- 1349 otherwise provided in Sections 223.207, 223.230, 223.240, and 223.245, no
- 1350 person shall sell, supply, offer for sale, use or manufacture for sale in Illinois any
- 1351 aerosol adhesive that, at the time of sale, use, or manufacture, contains VOMs in
- 1352 excess of the specified standard.
- 1353

- 1354 b) Special Purpose Spray Adhesive.
1355
1356 1) In order to qualify as a Special Purpose Spray Adhesive the product must
1357 meet one or more of the definitions for Special Purpose Spray Adhesive
1358 specified in Section 223.203, but if the product label indicates that the
1359 product is suitable for use on any substrate or application not listed in one
1360 of the definitions for Special Purpose Spray Adhesive, then the product
1361 shall be classified as either a Web Spray Adhesive or a Mist Spray
1362 Adhesive.
1363
1364 2) If a product meets more than one of the definitions specified in Section
1365 223.203 for Special Purpose Spray Adhesive and is not classified as a
1366 Web Spray Adhesive or Mist Spray Adhesive under Section 223.203, then
1367 the VOC limit for the product shall be the lowest applicable VOM limit
1368 specified in Section 223.205(a).
1369
1370 c) Effective July 1, 2009, no person shall sell, supply, offer for sale, or manufacture
1371 for use in Illinois any aerosol adhesive that contains any of the following
1372 compounds: methylene chloride, perchloroethylene, or trichloroethylene. These
1373 requirements do not apply to any Aerosol Adhesive containing methylene
1374 chloride, perchloroethylene, or trichloroethylene that is present as an impurity in a
1375 combined amount equal to or less than 0.01% by weight.
1376
1377 d) All aerosol adhesives must comply with the labeling requirements specified in
1378 Section 223.265.
1379

1380 (Source: Amended at 36 Ill. Reg. _____, effective _____)
1381

1382 **Section 223.211 Requirements for Adhesive Removers, Aerosol Adhesives, Contact**
1383 **Adhesives, Electrical Cleaners, Electronic Cleaners, Footwear or Leather Care Products,**
1384 **General Purpose Degreasers, and Graffiti Removers**
1385

- 1386 a) No person shall sell, supply, offer for sale, or manufacture for use in Illinois any
1387 Adhesive Removers, Contact Adhesives, Electrical Cleaners, Electronic Cleaners,
1388 Footwear or Leather Care Products, General Purpose Degreasers, or Graffiti
1389 Removers manufactured on or after July 1, 2012 that contain any of the following
1390 compounds: methylene chloride, perchloroethylene, or trichloroethylene.
1391
1392 b) Impurities
1393 The requirements of subsection (a) do not apply to any Adhesive Removers,
1394 Contact Adhesives, Electrical Cleaners, Electronic Cleaners, Footwear or Leather
1395 Care Products, General Purpose Degreasers, or Graffiti Removers containing

1396 methylene chloride, perchloroethylene, or trichloroethylene that is present as an
1397 impurity in a combined amount equal to or less than 0.01% by weight.
1398

1399 (Source: Added at 36 Ill. Reg. _____, effective _____)
1400

1401 SUBPART C: ARCHITECTURAL AND INDUSTRIAL MAINTENANCE COATINGS
1402

1403 **Section 223.305 Applicability**
1404

1405 This Subpart is applicable to any person who supplies, sells, offers for sale, or manufactures any
1406 architectural coating for use within the State of Illinois, as well as any person who applies or
1407 solicits the application of any architectural coating within Illinois. This Subpart does not apply
1408 to:

- 1409
- 1410 a) Any architectural coating that is sold or manufactured for use outside of the State
1411 of Illinois or for shipment to other manufacturers for reformulation or
1412 repackaging.
 - 1413
 - 1414 b) Any aerosol coating product.
 - 1415
 - 1416 c) Any architectural coating that is sold in a container with a volume of one liter
1417 (1.057 quart) or less. For the purposes of this subsection, the volume of
1418 architectural coating in a container shall be considered the total volume of coating
1419 that is packaged as a unit of retail sale or for use by the consumer.
1420

1421 (Source: Amended at 36 Ill. Reg. _____, effective _____)