

ARTICLE 8. VOLATILE ORGANIC COMPOUND RULES  
Rule 15. Standards for Consumer and Commercial Products

326 IAC 8-15-7 Administrative requirements  
Authority: IC 13-14-8; IC 13-17-3-4  
Affected: IC 13-12

Sec. 7. (a) Each manufacturer of a consumer product subject to this rule shall clearly display on each consumer product container or package, the day, month, and year that the product was manufactured, or a code indicating the date according to the following requirements:

(1) A manufacturer who uses the following code to indicate the date of manufacture shall not be subject to the requirements of subsection (b) if the code is represented separately from other codes on the product container so that it is easily recognizable:

YY DDD = year year day day day

Where: YY = two (2) digits representing the year in which the product was manufactured; and  
DDD = three (3) digits representing the day of the year on which the product was manufactured, with 001 representing the first day of the year, 002 representing the second day of the year, and so forth, that is, the Julian date.

(2) The date or code shall be displayed on each consumer product container or package not later than June 1, 2011.

(3) The date or code information shall be located on the container or inside the cover or cap so that it is readily observable or obtainable without irreversibly disassembling any part of the container or packaging. For the purpose of this subdivision, information may be displayed on the bottom of a container as long as it is clearly legible without removing any product packaging.

(4) The requirements of this subsection shall not apply to product containing no VOCs or containing VOCs at one-tenth percent (0.10%) by weight or less.

(b) Additional product dating requirements are as follows:

(1) If a manufacturer uses a code indicating the date of manufacture, for any consumer product subject to this rule, an explanation of the date portion of the code shall be filed with the department no later than June 1, 2011.

(2) If a manufacturer changes any code indicating the date of manufacture for any product subject to subdivision (1), an explanation of the modified code shall be submitted to the department before any products displaying the modified code are sold, supplied, or offered for sale in Indiana.

(3) No person shall:

- (A) erase;
- (B) alter;
- (C) deface;
- (D) otherwise remove; or
- (E) make illegible;

any date or code indicating the date of manufacture from any regulated product container without the express authorization of the manufacturer.

(4) Date code explanations for codes indicating the date of manufacture:

- (A) are public information; and
- (B) may not be claimed as confidential.

(c) Additional labeling requirements for aerosol adhesives, adhesive removers, electronic cleaner, electrical cleaner, energized electrical cleaner, and contact adhesives are as follows:

(1) In addition to the requirements specified in this section and section 7 of this rule, both the manufacturer and responsible party for each aerosol adhesive, adhesive remover, electronic cleaner, electrical cleaner, energized electrical cleaner, and contact adhesive product subject to this rule shall ensure that all products clearly display the following information on each product container that is manufactured on or after June 1, 2011:

- (A) The product category as specified in section 3(a) of this rule or an abbreviation of the category.
- (B) The applicable VOC standard for the product as specified in section 3(a) of this rule, except for energized electrical cleaner, expressed as a percentage by weight, unless the product is included in an ACP approved by the department in accordance with section 5 of this rule, and the product exceeds the applicable VOC content limit.

(C) If the product is included in an approved ACP and the product exceeds the applicable VOC content limits in section 3(a) of this rule, the product shall be labeled with the term "ACP" or "ACP product".

(D) If the product is classified as a special purpose spray adhesive, the applicable substrate or application, or both, or an abbreviation of the substrate or application that qualifies the product as special purpose.

(E) If the manufacturer or responsible party uses an abbreviation as allowed by clause (D), an explanation of the abbreviation must be filed with the department before the abbreviation is used.

(2) The information required by subsection (a) shall be displayed on the product container such that it is readily observable without removing or disassembling any portion of the product container or packaging. For the purposes of this rule, information may be displayed on the bottom of a container as long as it is clearly legible without removing any product packaging.

(3) No person shall:

(A) remove;

(B) alter;

(C) conceal; or

(D) deface;

the information required in subdivision (1) prior to final sale of the product.

(d) The following most restrictive limits apply:

(1) For products manufactured before June 1, 2011, and FIFRA registered insecticides manufactured before June 1, 2012, the following apply:

(A) Notwithstanding the definition of product category, as defined in section 2 of this rule, if anywhere on the principal display panel of any consumer product any representation is made that the product may be used as, or is suitable for use as, a consumer product for which a lower VOC content limit is specified in section 3(a) of this rule, then the lowest VOC limit shall apply.

(B) This requirement does not apply to general purpose cleaners, antiperspirant or deodorant products, and insecticide foggers.

(2) For products manufactured on or after June 1, 2011, and FIFRA registered insecticides manufactured on or after June 1, 2012, the following apply:

(A) Notwithstanding the definition of product category, as defined in section 2 of this rule, if anywhere on the container or packaging of any consumer product, or on any sticker or label affixed thereto, any representation is made that the product may be used as, or is suitable for use as, a consumer product for which a lower VOC content limit is specified in section 3(a) of this rule, then the lowest VOC limit shall apply.

(B) This requirement does not apply to general purpose cleaners, antiperspirant or deodorant products, and insecticide foggers.

*(Air Pollution Control Board; 326 IAC 8-15-7; filed Nov 1, 2010, 12:38 p.m.: 20101201-IR-326070351FRA)*