

§507. Labeling provisions

It is unlawful for any person to distribute, sell or offer for sale within the State or deliver for transportation or transport in intrastate commerce or between points within this State through any point outside this State any of the following: [PL 1965, c. 65 (NEW).]

1. Household use. Any hazardous substance intended or suitable for household use, unless there is affixed to the container, a label bearing:

A. The name and address of the manufacturer, packer or distributor; [PL 1965, c. 65 (NEW).]

B. The common or usual name, or the chemical name or the recognized generic name, not trade name only, of the hazardous substance or of each component which contributes substantially to its hazard; [PL 1965, c. 65 (NEW).]

C. One of the following words: "Danger," "Warning" or "Caution." The word "Danger" shall be used for substances which are highly toxic, extremely flammable or corrosive. The word "Warning" or "Caution" shall be used on all other hazardous substances; [PL 1965, c. 65 (NEW).]

D. An affirmative statement of the principal hazard, such as "flammable," "vapor harmful," "causes burns," "absorbed through skin," or similar wording descriptive of the hazard; [PL 1965, c. 65 (NEW).]

E. Precautionary measures describing the action to be followed or avoided; [PL 1965, c. 65 (NEW).]

F. Instructions, when necessary, for the first aid treatment in case of contact or exposure, if the substance is hazardous through contact or exposure; [PL 1965, c. 65 (NEW).]

G. Instructions for handling and storage of packages which require special care in handling or storage; [PL 1965, c. 65 (NEW).]

H. A statement, "Keep out of reach of children," or its practical equivalent; [PL 1965, c. 65 (NEW).]

I. The word "Poison" for any hazardous substance which is highly toxic; and [PL 1965, c. 65 (NEW).]

J. A hazardous substance upon which a stop-sale order has been placed by the commissioner. [PL 1965, c. 65 (NEW).]
[PL 1965, c. 65 (NEW).]

2. Statement. Any statements required under this subchapter shall be located prominently and shall be in the English language in conspicuous and legible type in contrast by typography, layout or color with other printed matter on the label.
[PL 1965, c. 65 (NEW).]

If the commissioner finds that, because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons, full compliance with the labeling requirements otherwise applicable under this subchapter is impracticable or is not necessary for the adequate protection of the public health and safety, the commissioner shall promulgate regulations exempting such substance from these requirements to the extent the commissioner determines to be consistent with adequate protection of the public health and safety, or if the commissioner finds that the requirements of this section are not adequate for the protection of the public health and safety in view of the special hazard presented by any particular hazardous substance, the commissioner may by regulation establish such reasonable variations or additional label requirements as the commissioner finds necessary for the protection of the public health and safety; and any container of such hazardous substance, intended or suitable for household use, that fails to bear

a label in accordance with such regulations is a misbranded package of a hazardous substance. [RR 2021, c. 1, Pt. B, §82 (COR).]

Whenever in the judgment of the commissioner, such action will promote the objectives of this subchapter by avoiding or resolving uncertainty as to its application, the commissioner may by regulation declare to be a hazardous substance, for the purposes of this subchapter, any substance or mixture of substances that the commissioner finds meets the requirements of section 502, subsection 5. [RR 2021, c. 1, Pt. B, §83 (COR).]

SECTION HISTORY

PL 1965, c. 65 (NEW). RR 2021, c. 1, Pt. B, §§82, 83 (COR).

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