California Environmental Protection Agency
Air Resources Board

Enforcement Division

Advisory

To: CONSUMER PRODUCT MANUFACTURERS, DISTRIBUTORS & RETAILERS

Number 301 March 2002

Expiration of the Sell-Through Period for Hairsprays

The purpose of this advisory is to remind all hairspray manufacturers, distributors, and retailers that the sell-through period for hairsprays will expire on June 1, 2002.

The Air Resources Board (ARB) consumer products regulation specifies a 55 percent by weight volatile organic compound (VOC) standard for hairspray, effective June 1, 1999. Under the sell-through provision of the regulation hairspray products manufactured **before** June 1, 1999, may legally be sold, supplied, or offered for sale in California until June 1, 2002, so long as the products: (1) meets the 80 percent VOC standard that was in effect before June, 1, 1999, and (2) displays on the product container the date the product was manufactured, or a code indicating such date (see section 94509(c), Title 17, California Code of Regulations).

After June 1, 2002, all hairspray products sold, supplied, or offered for sale in California must meet the 55 percent by weight VOC standard-regardless of when these products were manufactured. This requirement applies to manufacturers, distributors, retailers, and all other persons who sell, supply, or offer hairspray for sale in California.

We recommend that manufacturers stop supplying hairspray that does not comply with the 55 percent VOC standard (noncomplying hairspray) as soon as possible, so that distributors and retailers will no longer have any noncomplying hairspray in stock after June 1, 2002. We also recommend that manufacturers make reasonable efforts to notify their distributors to ensure that all noncomplying hairspray is no longer offered for sale in California after June 1, 2002.

The ARB requests the support and assistance of all distributors and retailers to help prevent the sale of noncomplying hairspray in California. The majority of hairspray manufactured before June 1, 1999, did not comply with the 55 percent VOC standard. So if a distributor or retailer finds any hairspray manufactured before this date, it is likely that it does not meet the 55 percent standard. After June 1, 2002, we suggest that any California distributor or retailer who finds hairspray manufactured before June 1, 1999, should call their supplier for instructions on: (1) how to determine if it complies; (2) how to return any noncomplying hairspray; and (3) how to obtain complying 55 percent hairspray.

If you have any questions about this advisory, please contact Mr. Chuck Beddow, Manager, Consumer Product Enforcement Section, at (916) 322-6033. Address written inquiries to:

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You may access the regulation via the Internet at: http://www.arb.ca.gov/consprod/regs/regs.htm