Environmental Protection Agency

§ 82.65

Any product identified as being nonessential in §82.70(a) or §82.70(c).

(e) Except as permitted under §82.65, effective January 1, 1994, no person may sell or distribute, or offer to sell or distribute, in interstate commerce any of the products specified in §82.70(b) to a person who does not provide proof of being a commercial purchaser, as defined under §82.62.

(f) Except as permitted under §82.65(d), effective January 1, 1996, no person may sell or distribute, or offer for sale or distribution, in interstate commerce any product identified as being nonessential in §82.70(c)(ii).

(g) It is a violation of this subpart to sell or distribute, or offer to sell or distribute, any product specified in this section after January 1, 1994, or January 1, 1996 for paragraph (d) of this section, or after January 17, 1994 for any product specified in paragraph (g) of this section, must retain proof that such product was manufactured and placed into initial inventory prior to January 1, 1996.

(h) Any person may sell or distribute, or offer to sell or distribute, in interstate commerce, at any time, any aircraft pesticide containing class I until an alternative aircraft pesticide containing class II is available in interstate commerce.

(i) Any person may sell or distribute, or offer to sell or distribute, in interstate commerce, at any time, any replacement part that was manufactured with, or contains a class I substance or was packaged in material that was manufactured with or contains a class I substance only if:

(1) The replacement part was manufactured for use in a single model of a product; and
(2) The replacement part and product model are no longer manufactured; and
(3) The replacement part was placed into initial inventory prior to April 16, 1992.

(j) Any person may sell or distribute, or offer to sell or distribute, in interstate commerce, at any time, any air-conditioning or refrigeration products specified as nonessential in §82.66(e) that are manufactured and placed into initial inventory by January 14, 2002.
§ 82.66 Nonessential Class I products and exceptions.

The following products which release a Class I substance (as defined in 40 CFR part 82, appendix A to subpart A) are identified as being nonessential, and subject to the prohibitions specified under §82.64—

(a) Any plastic party streamer or noise horn which is propelled by a chlorofluorocarbon, including but not limited to—

(1) String confetti;
(2) Marine safety horns;
(3) Sporting event horns;
(4) Personal safety horns;
(5) Wall-mounted alarms used in factories or other work areas; and
(6) Intruder alarms used in homes or cars.

(b) Any cleaning fluid for electronic and photographic equipment which contains a chlorofluorocarbon:

(1) Including but not limited to liquid packaging, solvent wipes, solvent sprays, and gas sprays; and
(2) Except for those sold or distributed to a commercial purchaser.

(c) Any plastic foam product which is manufactured with or contains a Class I substance; except any plastic foam product blown with CFC-11, but which contains no other Class I substances and where this product is used to provide thermal protection to external tanks for space vehicles;

(d) Any aerosol product or other pressurized dispenser, other than those banned in §82.64(a) or §82.64(b), which contains a chlorofluorocarbon,

(1) Including but not limited to household, industrial, automotive and pesticide uses,
(2) Except—

(i) Medical devices listed in 21 CFR 2.125(e);
(ii) Lubricants, coatings or cleaning fluids for electrical or electronic equipment, which contain CFC-11, CFC-12, or CFC-113 for solvent purposes, but which contain no other CFCs;
(iii) Lubricants, coatings or cleaning fluids used for aircraft maintenance, which contain CFC-11 or CFC-113 as a solvent, but which contain no other CFCs;
(iv) Mold release agents used in the production of plastic and elastomeric materials, which contain CFC-11 or CFC-113 as a solvent, but which contain no other CFCs, and/or mold release agents that contain CFC-12 as a propellant, but which contain no other CFCs;
(v) Spinnerette lubricant/cleaning sprays used in the production of synthetic fibers, which contain CFC-114 as a solvent, but which contain no other CFCs, and/or spinnerette lubricant/cleaning sprays which contain CFC-12 as a propellant, but which contain no other CFCs;
(vi) Document preservation sprays which contain CFC-113 as a solvent, but which contain no other CFCs, and/or document preservation sprays which contain CFC-12 as a propellant, but which contain no other CFCs, and which are used solely on thick books, books with coated or dense paper and tightly bound documents; and

(e) Any air-conditioning or refrigeration appliance as defined in CAA 601(l) that contains a Class I substance used as a refrigerant.


§ 82.68 Verification and public notice requirements.

(a) Effective February 16, 1993, any person who sells or distributes any cleaning fluid for electronic and photographic equipment which contains a chlorofluorocarbon must verify that the purchaser is a commercial entity as defined in §82.62. In order to verify that the purchaser is a commercial entity, the person who sells or distributes this product must request documentation that proves the purchaser’s commercial status by containing one or more of the commercial identification.