

(5) Products containing soluble cyanide salts, excluding unavoidable manufacturing residues of cyanide salts in other chemicals that under reasonable and foreseeable conditions of use will not result in a concentration of cyanide greater than 25 parts per million.

(6) Paint or other similar surface-coating materials intended or packaged in a form suitable for use in and around the household, including use on toys or article intended for use by children, containing lead compounds of which the lead content, calculated as the metal, is in excess of 0.06% of the total weight of the contained solids or dried paint film. This does not apply to artists' paints and related materials.

(7) Garments containing asbestos other than garments having a bona fide application for personal protection against thermal injury and so constructed that the asbestos fibers will not become airborne under reasonably foreseeable conditions of use.

(8) Fire extinguishers containing substances which are or become highly toxic when used according to label directions to extinguish a fire.

(9) Vinyl chloride monomer as an ingredient or propellant in self-pressurized products intended or suitable for household use.

History: Cr. Register, January, 1978, No. 265, eff. 2-1-78.

Ag 72.05 Toys and other articles intended for use by children; banned toys and articles. (1) Electrically operated toys intended for use by children and powered by household current, shall be considered as hazardous substances subject to labeling requirements under s. 100.37 (1), Stats., to include directions for use for the protection of children from electrical, mechanical or thermal hazards.

(2) Toys or other articles intended for use by children which, under reasonable and foreseeable conditions of use or abuse by children in the age group for which they were designed or intended, may cause personal injury or illness through electrical shock, fire, burns, bodily cuts, punctures or wounds, or which otherwise present an unreasonable risk of harm or injury because of electrical, mechanical or thermal hazards associated with their construction, design or use shall, for purposes of s. 100.37 (2) (e) and (5), Stats., be considered hazardous substances and subject to holding order and summary ban procedures.

(3) The following types of toys or other articles intended for use by children present such a mechanical hazard and unreasonable risk of personal injury or illness that the public health and safety can only be protected by keeping such toys or articles out of channels of commerce, and are banned and prohibited from sale in this state:

(a) Any toy rattle containing, either internally or externally, rigid wires, sharp protrusions, or loose small objects that have the potential for causing lacerations, puncture wound injuries, aspiration, ingestion or other injury.

(b) Any toy having noise making components or attachments capable of being dislodged by the operating features of the toy, or of being deliberately removed by a child, and which has the potential for causing laceration, puncture wound injury, aspiration, ingestion or other injury.

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(c) Any doll, stuffed animal or similar toy having internal or external components that have the potential for causing laceration, puncture wound or other injury.

(d) Lawn darts and similar sharp-pointed toys labeled or intended for outdoor use by children and having the potential of causing puncture wound injury.

(e) Any article known as a "baby-bouncer", "walker-jumper", or "baby-walker" and any other similar article intended to support very young children while sitting, walking, bouncing, jumping, or reclining, and which has any exposed parts capable of causing amputation, crushing, lacerations, fracture, hematomas, bruises or other injuries to fingers, toes, or other parts of the anatomy of young children.

History: Cr. Register, January, 1978, No. 265, eff. 2-1-78.

Ag 72.06 Exemptions for small packages, minor hazards, and special circumstances. The following exemptions are granted from labeling requirements for hazardous substances under s. 100.37 (1), Stats.:

(1) When the sole hazard from a substance in a self-pressurized container is that it generates pressure or when the sole hazard from a substance is that it is flammable or extremely flammable, the name of the component which contributes to the hazard need not be stated.

(2) Fuel in portable customer containers filled by retail vendors for personal or household use are exempt from labeling the name and place of business of the manufacturer, packer or seller.

(3) Common matches, including book matches, wooden matches and safety matches are exempt from labeling requirements insofar as they apply to the product being considered hazardous because of being flammable or extremely flammable.

(4) Paper items, such as newspapers, wrapping papers, toilet and cleaning tissues, and paper writing supplies are exempt from labeling requirements insofar as they apply to the products being considered hazardous because of being flammable or extremely flammable.

(5) Thread, string, twine, rope, cord and other similar materials are exempt from labeling requirements insofar as they apply to the product being considered hazardous because of being flammable or extremely flammable.

(6) Laboratory chemicals intended only for research or investigational and other laboratory uses (except those in home chemistry sets) are exempt from the labeling requirements of placement under s. Ag 72.02 if all information required by that section and s. 100.37 (1), Stats., appears with the required prominence on the label panel adjacent to the main panel.

(7) Small-arms ammunition packaged in retail containers is exempt from labeling requirements if the container bears the following labeling:

(a) The common or usual name of the ammunition in the container;

(b) The statement "WARNING—KEEP OUT OF THE REACH OF CHILDREN," or its practical equivalent; and