

DEERING'S CALIFORNIA CODES ANNOTATED
Copyright (c) 2003 by Matthew Bender & Company, Inc.
a member of the LexisNexis Group.
All rights reserved.

*** THIS SECTION IS CURRENT THROUGH THE 2003 SUPPLEMENT ***
(2001-2002 SESSION)

HEALTH AND SAFETY CODE

DIVISION 104. Environmental Health

PART 3. Product Safety

CHAPTER 5. Consumer Products

ARTICLE 4. Bucket Labeling

GO TO CODE ARCHIVE DIRECTORY FOR THIS JURISDICTION

Cal Health & Saf Code § 108625 (2003)

§ 108625. **Labeling** requirements

A manufacturer, distributor, or seller of **plastic** or metal four-gallon to six-gallon, inclusive, straight sided, slightly tapered, open head, industrial containers, as defined by the American Society for Testing and Materials (ASTM), intended for use, sale, distribution, or any other purpose within the state, irrespective of point of origin, shall ensure that each industrial container bears a warning label or labels, that shall be applied prior to release for shipment into the stream of commerce, and shall meet all of the following requirements:

(a) The label or labels shall be a permanent paper, **plastic**, silk screened, or an offset printed label and shall be easily removable only by the use of tools or a solvent.

(b) The label or labels shall be either of the following:

(1) One label of at least six inches in height, by at least two inches in width, and containing a minimum total area of at least 17 square inches. The label shall be placed on the side of the container near where the handle is inserted. The top half of the label shall be in English and the bottom half of the label shall be in Spanish; or

(2) Two labels of at least five inches in height, by two and three-quarters inches in width or any larger size as the labeler may voluntarily choose, and one label shall be placed on each side of the container near where the handle is inserted. The label on one side shall be in Spanish, and the label on the other side shall be in English.

(c) The label shall contain on a contrasting background both the word "WARNING" in block print and the words "Children Can Fall Into Bucket and Drown-Keep Children Away From Buckets With Even a Small Amount of Water."

(d) The label shall contain a picture of a child reaching into an industrial container and shall include an encircled slash and a triangle with an exclamation point upon a contrasting field before the word "WARNING".

Cal Health & Saf Code § 108625

HISTORY: Added Stats 1992 ch 1076 § 2 (AB 2942), operative September 1, 1993, operative term contingent, as § 24425. Amended Stats 1995 ch 176 § 1 (SB 21), effective July 24, 1995. Repealed Stats 1995 ch 415 § 138 (SB 1360) (ch 176 prevails). Renumbered by Stats 1996 ch 1023 § 207 (SB 1497), effective September 29, 1996.

NOTES:

AMENDMENTS:

1995 Amendment:

(1) Substituted "each industrial container bears a warning label or labels, that" for "the industrial containers bear warning labels, which" in the introductory clause; (2) added "label or" after "The" at the beginning of subd (a); (3) substituted subd (b) for former subd (b) which read: "(b) The labels shall be at least five inches in height, by two and three-quarters inches in width or any larger size as the labeler may voluntarily choose, and shall be centered on each side of the bucket near where the handle is inserted. The label on one side shall be in Spanish, and the label on the other side shall be in English."

EDITOR'S NOTES:

Stats 1995 ch 415 § 173 contained a prevail clause. The amendment of *H & S C § 24425* in 1995 prevailed over ch 415's intended repeal of § 24425 and enactment of substantially similar material as § 108625.

APPENDIX A

Labels may be modified for additional languages. Figure A1 shows an example that may be appropriate for Spanish.



Figure A1