

**PROPOSED AMENDMENTS TO
HOUSE BILL 2928**

1 On page 4 of the printed bill, delete lines 3 through 38 and insert:

2 **“SECTION 3.** ORS 453.035 is amended to read:

3 **“453.035. (1) The Director of the Oregon Health Authority shall adopt**
4 **standards for the labeling of hazardous substances and for the labeling of**
5 **articles that contain hazardous substances.**

6 **“(2)(a) Before requiring labeling of a hazardous substance or an**
7 **article that contains a hazardous substance under this section, the**
8 **Director of the Oregon Health Authority shall contact the Department**
9 **of Consumer and Business Services to determine whether the depart-**
10 **ment requires the labeling of the hazardous substance or article pur-**
11 **suant to ORS chapter 654.**

12 **“(b) If the department requires the labeling of the hazardous sub-**
13 **stance or article, the Director of the Oregon Health Authority shall**
14 **require the hazardous substance or article to be labeled in accordance**
15 **with the department’s requirements.**

16 **“(c) If the department does not require the labeling of the hazard-**
17 **ous substance or article, the Director of the Oregon Health Authority**
18 **shall adopt standards for the labeling of the hazardous substance or**
19 **article as provided in this section.**

20 **“(3) Except as provided in subsection (2) of this section, the Director**
21 **of the Oregon Health Authority may [permit or] require the use of a re-**
22 **cognized generic name, [or may require] the common or usual name or, [the**

1 *chemical name,*] if there is no common or usual name, **the chemical name**
2 of the hazardous substance or of each component [*which*] **that** the director
3 finds contributes substantially to its hazard.

4 “[2] (4) **Except as provided in subsection (2) of this section,** the di-
5 rector shall require:

6 “(a) The word ‘Danger’ on substances [*which*], **or on articles containing**
7 **substances, that** are extremely flammable, corrosive or highly toxic;

8 “(b) The word ‘Warning’ or ‘Caution’ on other hazardous substances **or**
9 **on other articles containing hazardous substances;**

10 “(c) An affirmative statement of the principal hazard or hazards, such as
11 ‘Flammable,’ ‘Combustible,’ ‘Vapor Harmful,’ ‘Causes Burns,’ ‘Absorbed
12 Through Skin,’ or similar wording descriptive of the hazard;

13 “(d) Precautionary measures describing the action to be followed or
14 avoided, except when modified by rule of the director pursuant to subsection
15 [(4)] (6) of this section;

16 “(e) Instruction, when necessary or appropriate, for first-aid treatment;

17 “(f) The word ‘Poison’ for any hazardous substance [*which*], **or for any**
18 **article containing any hazardous substance, that** is defined as ‘highly
19 toxic’ in ORS 453.005;

20 “(g) Instructions for handling and storage of packages [*which*] **that** re-
21 quire special care in handling or storage;

22 “(h) Adequate directions for the protection of children from the hazard
23 if the article is intended for use by children and is not a banned hazardous
24 substance, or the statement ‘Keep out of the reach of children,’ or its prac-
25 tical equivalent, if the article is not intended for use by children; and

26 “(i) The name and place of business of the manufacturer, packer, distrib-
27 utor or seller.

28 “[3] (5) Any statement required by **subsection (4) of** this section must
29 be in the English language, located prominently and in conspicuous and
30 legible type in contrast by typography, layout or color with other printed

1 matter on the label.

2 “[(4)] **(6)** If the director finds that, because of the size of the package in-
3 volved or because of the minor hazard presented by the substance contained
4 [*therein*] **in the package**, or for other good and sufficient reasons, full
5 compliance with the labeling requirements otherwise applicable under ORS
6 453.005 to 453.135 and 453.990 (2) is impracticable or is not necessary for the
7 adequate protection of the public health and safety, the director may [*au-*
8 *thorize the exemption of*] **exempt** such substance, **or article containing**
9 **such substance**, from the requirements[, *to an extent consistent with*] **of**
10 **subsection (4) of this section to the extent that the exemption still**
11 **provides** adequate protection of the public health and safety.”

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