

HAZARDOUS SUBSTANCES ACT (EXCERPT)
Act 188 of 1965

***** 286.453 THIS SECTION IS REPEALED BY ACT 210 OF 2015 EFFECTIVE MARCH 14, 2016 *****

286.453 Declaration of hazardous or banned substance; establishment of reasonable variations or additional label requirements; failure of hazardous substance to bear label; exempted substances; determination of toy or other article as hazard to children.

Sec. 3. (1) When in the judgment of the administrator such action will promote the objectives of this act by avoiding or resolving uncertainty as to the application of this act, the administrator may by rule declare to be a hazardous or banned substance, for the purposes of this act, a substance or mixture of substances which he finds meets the requirements of section 2(d).

(2) If the administrator finds that the requirements of section 2(n) (1) are not adequate for the protection of the public health and safety in view of the special hazard presented by a particular hazardous substance, he may establish by rule such reasonable variations or additional label requirements as he finds necessary for the protection of the public health and safety; and a hazardous substance, intended or suitable for household use, which fails to bear a label in accordance with those rules shall be deemed to be a misbranded, hazardous, or banned substance.

(3) If the administrator finds that, because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons, full compliance with the labeling requirements otherwise applicable under this act is impracticable or is not necessary for the adequate protection of the public health and safety, the administrator shall promulgate rules exempting those substances from these requirements to the extent he determines to be consistent with the adequate protection of the public health and safety.

(4) A determination by the administrator that a toy or other article intended for use by children presents an electrical, mechanical, or thermal hazard to children shall be made by administrative rule in accordance with section 9.

History: 1965, Act 188, Eff. Mar. 31, 1966;—Am. 1967, Act 152, Eff. Nov. 2, 1967;—Am. 1974, Act 377, Eff. Apr. 1, 1975.