

§ 1500.128 Label comment.

The Commission will offer informal comment on any proposed label and accompanying literature involving a hazardous substance if furnished with:

- (a) Complete labeling or proposed labeling, which may be in draft form.
- (b) Complete quantitative formula.
- (c) Adequate clinical pharmacological, toxicological, physical, and chemical data applicable to the possible hazard of the substance.
- (d) Any other information available that would facilitate preparation of a suitable label, such as complaints of injuries resulting from the product's use or other evidence that would furnish human-experience data.

§ 1500.129 Substances named in the Federal Caustic Poison Act.

The Commission finds that for those substances covered by the Federal Caustic Poison Act (44 Stat. 1406), the requirements of section 2(p)(1) of the Federal Hazardous Substances Act (repeated in §1500.3(b)(14)(i)) are not adequate for the protection of the public health. Labeling for those substances, in the concentrations listed in the Federal Caustic Poison Act, were required to bear the signal word "poison." The Commission concludes that the lack of the designation "poison" would indicate to the consumer a lesser hazard and that such would not be in the interest of the public health. Under the authority granted in section 3(b) of the act, the Commission therefore finds that for the following substances, and at the following concentrations, the word "poison" is necessary instead of any signal word:

- (a) Hydrochloric acid and any preparation containing free or chemically unneutralized hydrochloric acid (HCl) in a concentration of 10 percent or more.
- (b) Sulfuric acid and any preparation containing free or chemically unneutralized sulfuric acid (H₂ SO₄) in a concentration of 10 percent or more.
- (c) Nitric acid or any preparation containing free or chemically unneutralized nitric acid (HNO₃) in a concentration of 5 percent or more.
- (d) Carboic acid (C₆ H₅ OH), also known as phenol, and any preparation

containing carboic acid in a concentration of 5 percent or more.

- (e) Oxalic acid and any preparation containing free or chemically unneutralized oxalic acid (H₂ C₂ O₄) in a concentration of 10 percent or more.
- (f) Any salt of oxalic acid and any preparation containing any such salt in a concentration of 10 percent or more.
- (g) Acetic acid or any preparation containing free or chemically unneutralized acetic acid (HC₂ H₂ O₂) in a concentration of 20 percent or more.
- (h) Hypochlorous acid, either free or combined, and any preparation containing the same in a concentration that will yield 10 percent or more by weight of available chlorine.

(i) Potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide (KOH), including caustic potash and vienna paste (vienna caustic), in a concentration of 10 percent or more.

(j) Sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide (NaOH), including caustic soda and lye in a concentration of 10 percent or more.

(k) Silver nitrate, sometimes known as lunar caustic, and any preparation containing silver nitrate (AgNO₃) in a concentration of 5 percent or more.

(l) Ammonia water and any preparation containing free or chemically uncombined ammonia (NH₃), including ammonium hydroxide and "hartshorn," in a concentration of 5 percent or more.

§ 1500.130 Self-pressurized containers: labeling.

(a) Self-pressurized containers that fail to bear a warning statement adequate for the protection of the public health and safety may be misbranded under the act, except as otherwise provided pursuant to section 3 of the act.

(b) The following warning statement will be considered as meeting the requirements of section 2(p)(1) of the act (repeated in §1500.3(b)(14)(i)) if the only hazard associated with an article is that the contents are under pressure: