

follows:

Article 43 - Health

MARYLAND POISON PREVENTION PACKAGING ACT

871.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) "HOUSEHOLD SUBSTANCE" MEANS ANY SUBSTANCE CUSTOMARILY PRODUCED OR DISTRIBUTED FOR SALE FOR CONSUMPTION OR USE, OR CUSTOMARILY STORED, BY INDIVIDUALS IN OR ABOUT THE HOUSEHOLD AND IS;

(I) A HAZARDOUS SUBSTANCE AS DEFINED IN SECTION 2(F) OF THE FEDERAL HAZARDOUS SUBSTANCES ACT (15 U.S.C. 1261(F));

(II) PESTICIDE AS DEFINED IN 2(U) OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT;

(III) A FOOD, DRUG, OR COSMETIC AS ARE DEFINED IN SECTION 201 OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT; OR

(IV) A SUBSTANCE INTENDED FOR USE AS FUEL WHEN STORED IN A PORTABLE CONTAINER AND USED IN THE HEATING, COOKING, OR REFRIGERATION SYSTEM OF A HOUSE.

(2) "PACKAGE" MEANS THE IMMEDIATE CONTAINER OR WRAPPING IN WHICH ANY HOUSEHOLD SUBSTANCE IS CONTAINED FOR CONSUMPTION, USE, OR STORAGE BY INDIVIDUALS IN OR ABOUT THE HOUSEHOLD, OR ANY OUTER CONTAINER OR WRAPPING USED IN THE RETAIL DISPLAY OF THE SUBSTANCE TO CONSUMERS. THIS TERM DOES NOT MEAN:

(I) ANY SHIPPING CONTAINER OR WRAPPING USED SOLELY FOR THE TRANSPORTATION OF ANY HOUSEHOLD SUBSTANCE IN BULK OR IN QUANTITY TO MANUFACTURERS, PACKERS, PROCESSORS, OR TO WHOLESALE OR RETAIL DISTRIBUTORS; OR

(II) ANY SHIPPING CONTAINER OR OUTER WRAPPING USED BY RETAILERS TO SHIP OR DELIVER ANY HOUSEHOLD SUBSTANCE TO CONSUMERS UNLESS IT IS THE ONLY SUCH CONTAINER OR WRAPPING.

(3) "SPECIAL PACKAGING" MEANS PACKAGING THAT IS DESIGNED OR CONSTRUCTED TO BE SIGNIFICANTLY DIFFICULT FOR CHILDREN UNDER 5 YEARS OF AGE TO OPEN OR OBTAIN A TOXIC OR HARMFUL AMOUNT OF THE SUBSTANCE CONTAINED THEREIN WITHIN A REASONABLE TIME AND NOT DIFFICULT FOR NORMAL ADULTS TO USE PROPERLY, BUT DOES NOT MEAN PACKAGING WHICH ALL CHILDREN CANNOT OPEN OR OBTAIN A TOXIC OR HARMFUL AMOUNT WITHIN A REASONABLE TIME.