

(4) "LABELING" MEANS ALL LABELS AND OTHER WRITTEN, PRINTED, OR GRAPHIC MATTER UPON ANY HOUSEHOLD SUBSTANCE OR ITS PACKAGE, OR ACCOMPANYING SUCH SUBSTANCE.

872.

(A) THE SECRETARY MAY ESTABLISH BY REGULATION, STANDARDS FOR THE SPECIAL PACKAGING OF ANY HOUSEHOLD SUBSTANCE IF HE FINDS THAT;

(1) THE DEGREE OR NATURE OF THE HAZARD TO CHILDREN IN THE AVAILABILITY OF THE SUBSTANCE, BY PEASON OF ITS PACKAGING, REQUIRES SPECIAL PACKAGING TO PROTECT CHILDREN FROM SERIOUS PERSONAL INJURY OR SERIOUS ILLNESS RESULTING FROM HANDLING, USING, OR INGESTING THE SUBSTANCE; AND

(2) THE SPECIAL PACKAGING IS TECHNICALLY FEASIBLE, PRACTICABLE, AND APPROPRIATE FOR THE SUBSTANCE.

(B) IN ESTABLISHING A STANDARD UNDER THIS SECTION, THE SECRETARY SHALL CONSIDER;

(1) THE REASONABLENESS OF SUCH STANDARD;

(2) AVAILABLE SCIENTIFIC, MEDICAL, AND ENGINEERING DATA CONCERNING SPECIAL PACKAGING AND CONCERNING CHILDHOOD ACCIDENTAL INGESTIONS, ILLNESS, AND INJURY CAUSED BY HOUSEHOLD SUBSTANCES;

(3) THE MANUFACTURING PRACTICES OF INDUSTRIES AFFECTED BY THIS ACT; AND

(4) THE NATURE AND USE OF THE HOUSEHOLD SUBSTANCE.

(C) THE SECRETARY SHALL PUBLISH HIS FINDINGS, HIS REASONS FOR, AND CITATION OF THE SECTIONS OF STATUTES WHICH AUTHORIZE HIS ACTION.

(D) NOTHING IN THIS ACT SHALL AUTHORIZE THE SECRETARY TO PRESCRIBE SPECIFIC PACKAGING DESIGNS, PRODUCT CONTENT, PACKAGE QUANTITY, OR, WITH THE EXPCUTION OF AUTHORITY GRANTED IN SECTION 4 (A) (2) OF THIS ACT, LABELING. IN THE CASE OF A HOUSEHOLD SUBSTANCE FOR WHICH SPECIAL PACKAGING IS REQUIRED PURSUANT TO A REGULATION UNDER THIS SECTION, THE SECRETARY MAY IN SUCH REGULATION PROHIBIT THE PACKAGING OF SUCH SUBSTANCE IN PACKAGES WHICH HE DETERMINES ARE UNNECESSARILY ATTRACTIVE TO CHILDREN.

(E) COMPLIANCE WITH FEDERAL REGULATIONS PRESCRIBING STANDARDS ISSUED PURSUANT TO THE FEDERAL ACT SHALL BE CONSIDERED COMPLIANCE WITH THIS ACT.

873.

(A) FOR THE PURPOSE OF MAKING ANY HOUSEHOLD