

Kansas Administrative Regulations

Department of Health and Environment

Article 27.—Hazardous Household Articles

28-27-1. Definitions.

(a) The term "hazardous substance" as used in these regulations shall mean any substance or mixture of substances which:

- (1) is toxic,
- (2) is corrosive,
- (3) is an irritant,
- (4) is flammable,
- (5) is radioactive, or

(6) generates pressure through decomposition, heat or other means, if such substance may cause substantial personal injury or illness during any customary or reasonably anticipated handling or use.

(b) The term "toxic" shall apply to any substance which has the inherent capacity to produce bodily injury through ingestion, inhalation, or absorption through the skin.

(c) (1) The term "poison" means any toxic substance which falls within any of the following categories:

(A) produces death within forty-eight hours in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, at a single dose of fifty milligrams or less per kilogram of body weight, when orally administered; or

(B) produces death within forty-eight hours in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, when inhaled continuously for a period of one hour or less at an atmospheric concentration of two milligrams or less per liter of gas, vapor, mist, or dust: *Provided*, Such concentration is likely to be encountered by man when the substance is used in any reasonably foreseeable manner; or

(C) produces death within forty-eight hours in half or more than half of a group of ten or more rabbits tested in a dosage of two hundred milligrams or less per kilogram of body weight, when administered by continuous contact with the bare skin for twenty-four hours or less.

(2) If available data on experience with either mature or immature humans with any substance in the above named concentrations indicate results different from those obtained on animals, the human data shall take precedence.

(d) The term "corrosive" means any substance which in contact with living tissue will cause substantial destruction of tissue by chemical action; but shall not refer to action on inanimate surfaces.

(e) The term "irritant" means any substance, not corrosive within the meaning of subsection (d) of this section, which in contact with normal living tissue will induce a severe local tissue reaction.

(f) The term "flammable" shall apply to any substance which has a flash point of eighty degrees Fahrenheit, or below, as determined by the Tagliabue open cup tester.

(g) The term "radioactive" shall apply to any substance which as a result of disintegration of unstable atomic nuclei emits energy.

(h) The term "label" means a display of written, printed, or graphic matter upon the immediate container of any substance; and a requirement, made by or under authority of this act, that any word, statement, or other information appear on the label, shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if any there be, of the retail package of such substance, or is easily legible through the outside container or wrapper.

(Authorized by K.S.A. 1965 Supp. 65-2703; effective Jan. 1, 1966.)

***** Authenticated Kansas Administrative Regulation *****