

**Greater Albany SD 8J**  
**Administrative Regulation**

Code: **EBB-AR**  
Adopted: 5/27/86  
Revised/Readopted: 3/12/01  
Orig. Code(s): AR 6721

**Toxic Art and Craft Materials Procedures**

Staff participating in the selection of art and craft materials or for initiating the purchase of such materials must be aware of and assure compliance with ORS 453.205-.275. These statutes regulate the purchasing and labeling of toxic art and craft materials. Rules differ for the purchase and use of art and craft materials for use by kindergarten through sixth grade and those for use by seventh through twelfth-grade students.

**Grades K-6**

1. Rules regarding art and craft materials:
  - a. No materials containing toxic or carcinogenic materials, as defined in ORS 453.225, will be purchased for or used in grades K-6;
  - b. Only those materials listed on the current Oregon Health Division list of approved art and craft materials will be used. The approved list contains all products bearing the Certified Products Seal (CP) or Approved Product Seal (AP) of The Art and Craft Materials Institute, Inc. Art and craft products not bearing one of those two labels cannot be purchased for or used with these grade levels;
  - c. Any materials previously purchased may not be used after June 1, 1986 and must be disposed of in a responsible manner.

**Grades 7-12**

1. Rules regarding the art and craft materials:
  - a. Commencing June 1, 1986, materials containing toxic or carcinogenic materials, as defined in ORS 453.225, will not be purchased for or used in classes unless they satisfy manufacturer labeling requirements described in ORS 453.235. The full text of the law reads:

453.235 Distribution of material containing toxic substances prohibited if printed warning not attached. No person shall distribute any art or craft material containing toxic substances causing chronic illness on which the person:

- (1) Has failed to affix a conspicuous label containing the signal word "WARNING," to alert users of potential adverse health effects.
- (2) Has failed to affix a conspicuous label warning of the health related dangers of the art or craft material.
  - (a) If the product contains a human carcinogen, the warning shall contain the statement: "CANCER HAZARD! Overexposure may create cancer risk."
  - (b) If the product contains a potential human carcinogen and does not contain a human carcinogen, the warning shall contain the statement: "POSSIBLE CANCER HAZARD! Overexposure might create cancer risk."

- (c) If the product contains a toxic substance causing chronic illness, the warning shall contain, but not be limited to, the following statement or statements where applicable:
  - (A) “May cause sterility or damage to reproductive organs.”
  - (B) “May cause birth defects or harm to developing fetus.”
  - (C) “May be excreted in human milk causing harm to nursing infant.”
  - (D) “May cause central nervous system depression or injury.”
  - (E) “May cause numbness or weakness in the extremities.”
  - (F) “Overexposure may cause damage to (specify organ).”
  - (G) “Heating above (specify degrees) may cause hazardous decomposition products.”
- (d) If a product contains more than one chronically toxic substance, or if a single substance can cause more than one chronic health effect, the required statements may be combined into one warning statement.
- (3) Has failed to affix on the label a list of ingredients which are toxic substances causing chronic illness.
- (4) Has failed to affix on the label a statement or statements of safe use and storage instructions, conforming to the following list. The label shall contain, but not be limited to, as many of the following risk statements as are applicable:
  - (a) “Keep out of reach of children.”
  - (b) “When using, do not eat, drink or smoke.”
  - (c) “Wash hands after use and before eating, drinking or smoking.”
  - (d) “Keep container tightly closed.”
  - (e) “Store in well ventilated area.”
  - (f) “Avoid contact with skin.”
  - (g) “Wear protective clothing (specify type).”
  - (h) “Wear National Institute of Occupational Safety and Health (NIOSH) certified masks for dusts, mists or fumes.”
  - (i) “Wear NIOSH certified respirator with appropriate cartridge for (specify type).”
  - (j) “Wear NIOSH certified supplied air respirator.”
  - (k) “Use window exhaust fan to remove vapors and assure adequate ventilation (specify explosion proof if necessary).”
  - (l) “Use local exhaust hood (specify type).”
  - (m) “Do not heat above (specify degrees) without adequate ventilation.”
  - (n) “Do not use or mix with (specify material).”
- (5) Has failed to affix on the label a statement on where to obtain more information, such as “call your local poison control center for more health information.”
- (6) Has failed to affix on the label the name and address of the manufacturer.
- (7)(a) If the information listed in subsection (4)(a) to (n) of this section cannot fit on the package label, a package insert shall be required to convey all the necessary information to the consumer. In this event, the label shall contain a statement to refer to the package insert, such as “CAUTION: See package insert before use.” The language on this insert shall be nontechnical and nonpromotional in tone and content.
  - (b) For purposes of this subsection, “package insert” means a display of written, printed or graphic matter upon a leaflet or suitable material accompanying the art supply.
- (8) The requirements set forth in subsections (1) to (7) of this section shall not be considered to be complied with unless the required words, statements or other information appear on the outside container or wrapper, or on a package insert which is easily legible through the outside container or wrapper and is painted in a color in contrast with the product or the package containing the product.

- (9) The department may exempt a material from full compliance with ORS 453.205 to 453.275. In considering this exemption, the Health Division shall take into consideration the potential for reasonably foreseeable misuse of a material by a child.
  - (10) If an art or craft material complies with labeling standards D-4236 of the American Society for Testing and Materials (ASTM), the material complies with the provisions of ORS 453.205 to 453.275, unless the division determines that the label on an art or craft material does not satisfy the purposes of ORS 453.205 to 453.275.
- b. Any art and craft materials bearing the Certified Product Seal (CP) or the Approved Product Seal of the Art and Craft Materials Institute may be purchased and used without regard to more specific labeling.
- c. Any employee who repackages toxic materials must assure that proper labeling and warnings are placed on the secondary containers.
- d. By June 1, 1986, any previously unlabeled or insufficiently labeled materials will be disposed of in a responsible manner or relabeled to meet requirements.
- e. The law requires that manufacturers of art materials supply information about their toxic products to all poison control centers. Employees who use art and craft materials which may be toxic must post the Portland poison control center number (1-800-452-7165) in the room in which the materials are generally used. Each school will post the Portland poison control center number (1-800-452-7165) in its health room.
- f. Should a student or employee suffer an exposure to a material of a nature warned against on its label, the responsible school employee should telephone the poison control center for instructions unless the label contains sufficient instructions for countermeasures.