

### § 1404.3

regulation will accomplish the purpose of helping protect the public against the unreasonable risk of injury associated with improperly installed cellulose insulation.

#### § 1404.3 Definitions.

The definitions in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) apply to this part 1404.

*Cellulose insulation* is cellulosic fiber, loose fill, thermal insulation that is suitable for blowing or pouring applications.

*Manufacturer* means any person who manufactures or imports a consumer product. The term includes both a person who manufactures the product at the direction of another (such as a packager) and the person at whose direction the product is manufactured (such as the marketer of the brand).

#### § 1404.4 Requirements to provide performance and technical data by labeling—Notice to purchasers.

(a) Manufacturers of cellulose insulation shall give notification of performance and technical data related to performance and safety (1) to prospective purchasers at the time of original purchase and (2) to the first purchaser of such products for purposes other than resale in the following manner. Manufacturers of cellulose insulation shall label all containers of cellulose insulation with the following statement, using capital letters as indicated:

#### CAUTION

*Potential Fire Hazard:* Keep cellulose insulation at least three inches away from the sides of recessed light fixtures. Do not place insulation over such fixtures so as to entrap heat.

Also keep this insulation away from exhaust flues of furnaces, water heaters, space heaters, or other heat-producing devices.

To be sure that insulation is kept away from light fixtures and flues, use a barrier to permanently maintain clearance around these areas. Check with local building or fire officials for guidance on installation and barrier requirements.

*Request to Installer:* Remove this label and give it to the consumer at completion of job.

Manufacturers of cellulose insulation may substitute the phrase "TO HELP AVOID FIRE" for the phrase "POTENTIAL FIRE HAZARD" in the label described above. Manufacturers may also

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delete the word "cellulose from the first sentence of the label and may delete the word "this" from the third sentence of the label. The remainder of the label statement shall appear exactly as described above.

(b) The labeling statement required by §1404.4(a) shall appear prominently and conspicuously on the container. The word "CAUTION" shall appear in capital letters at least one-fourth inch in height. The words "POTENTIAL FIRE HAZARD" and "REQUEST TO INSTALLER" shall appear in capital letters at least three-sixteenths inch in height. The remainder of the statement shall appear in capital letters at least three-sixteenths inch in height, with lower case letters in corresponding proportion but at least one-eighth inch in height. The labeling statement shall be enclosed within a rectangle formed with lines at least one-sixteenth inch in width. The labeling statement shall be printed with legible type in a color which contrasts with the background on which the statement is printed.

(c) To meet this requirement, manufacturers may use any type of label, including one which is pressure sensitive or glued-on, provided the label is made in such a manner that it will remain attached to the container for the expected time interval between the manufacture of the product and its installation.

[44 FR 40001, July 6, 1979, as amended at 49 FR 21701, May 23, 1984]

## PART 1406—COAL AND WOOD BURNING APPLIANCES—NOTIFICATION OF PERFORMANCE AND TECHNICAL DATA

### Sec.

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AUTHORITY: 15 U.S.C. 2051, 2076.

#### § 1406.1 Scope, purpose, and effective date.

(a) *Scope.* This part 1406 requires manufacturers, including importers, of