

HAZARDOUS SUBSTANCES ACT (EXCERPT)
Act 188 of 1965

***** 286.454 THIS SECTION IS REPEALED BY ACT 210 OF 2015 EFFECTIVE MARCH 14, 2016 *****

286.454 Prohibited acts.

Sec. 4. The following acts and the causing thereof are prohibited:

(a) The introduction or delivery for introduction into intrastate commerce of a misbranded, banned hazardous substance, or toy.

(b) The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the label of, or the doing of any other act with respect to, a hazardous substance, if that act is done while the substance is in intrastate commerce, or while the substance is held for sale, whether or not the first sale, after shipment in intrastate commerce, and results in the hazardous substance being a misbranded or banned hazardous substance.

(c) The receipt in intrastate commerce of a misbranded or banned hazardous substance and the delivery or proffered delivery thereof for pay or otherwise.

(d) The giving of a guarantee or undertaking which guarantee or undertaking is false, except by a person who relied upon a guarantee or undertaking to the same effect signed by, and containing the name and address of, the persons residing in the United States from whom he received in good faith the hazardous substance.

(e) The failure to permit entry or inspection as authorized by section 10 or to permit access to and copying of any record as authorized by section 11.

(f) The introduction or delivery for introduction into intrastate commerce, or the receipt in intrastate commerce and subsequent delivery or proffered delivery for pay or otherwise, of a hazardous substance in a reused food, drug, or cosmetic container or in a container which, though not a reused container, is identifiable as a food, drug, or cosmetic container by its labeling or by other identification. The reuse of a food, drug, or cosmetic container as a container for a hazardous substance shall be deemed to be an act which results in the hazardous substance being a misbranded or banned hazardous substance. As used in this paragraph, the terms "food", "drug", and "cosmetic" shall have the same meanings as in the federal food, drug and cosmetic act, 21 U.S.C. sections 301 to 392.

(g) The use by a person to his own advantage, or revealing other than to the administrator or officers or employees of the agency, or to the courts when relevant in a judicial proceeding under this act, of information acquired under authority of section 10 concerning a method of process which as a trade secret is entitled to protection.

(h) The manufacture of a misbranded hazardous substance or banned hazardous substance within this state.

(i) The introduction or reintroduction into intrastate commerce of a misbranded hazardous substance or banned hazardous substance, either denominated as such by rule or embargoed by the administrator, without first submitting samples, purportedly free of hazardous characteristics, to the administrator for inspection and receiving a determination by the administrator that the hazard is eliminated.

History: 1965, Act 188, Eff. Mar. 31, 1966;—Am. 1966, Act 194, Imd. Eff. July 1, 1966;—Am. 1967, Act 152, Eff. Nov. 2, 1967;—Am. 1974, Act 377, Eff. Apr. 1, 1975.