

Arizona Revised Statutes Annotated Currentness

Title 36. Public Health and Safety ([Refs & Annos](#))

▢ [Chapter 13. Safety](#)

➔ [Article 6. Lead-Based Paint \(Refs & Annos\)](#)

§ 36-1671. Repealed by Laws 1997, Ch. 264, § 5, as amended by Laws 1998, Ch. 230, § 2, eff. July 1, 1999

§ 36-1672. Local programs

A. The department is authorized to develop and conduct local programs for the prevention, detection and treatment of lead-based paint poisoning, subject to legislative appropriation. Such authorization shall include:

1. Educational programs intended to communicate the health danger and prevalence of lead-based paint poisoning among children to parents, educators and local health officials.
2. Development and carrying out of community testing programs designed to detect incidence of lead poisoning due to lead-based paint and other sources among community residents and to insure prompt medical treatment for such afflicted individuals.

B. The director may delegate to any local agency the authority to conduct the local program within such local agency's jurisdiction as provided in [§ 36- 136, subsection D](#).

§ 36-1673. Reporting of lead levels

The director shall adopt rules and regulations establishing an effective procedure under which all physicians licensed pursuant to the provisions of title 32, chapter 13 or 17 [FN1] shall report to the department all analyses of blood samples which indicate significant levels of lead. The regulations shall include such necessary criteria to determine those levels of significance which shall be reported.

[FN1] [Sections 32-1401 et seq., 32-1800 et seq.](#)

§ 36-1674. Prohibited acts; classification

A. It shall be unlawful for any person to:

1. Apply lead-based paint to any interior surface of residential housing or a public building and to the exteriors and porches of such housing and buildings in any area which is readily accessible to children under seven years of age.
2. Apply lead-based paint to any toy, furniture, cooking utensil, drinking utensil, or eating utensil in violation of the requirements established by the director.
3. Sell or distribute any toy, furniture, cooking utensil, drinking utensil, or eating utensil containing any lead-based paint which does not conform with the requirements established by the director.

B. Lead-based paint that may be purchased by the general public shall not be sold or distributed in any form unless the container is clearly labeled as follows:

"(Front panel)

Warning!
Contains lead
Dried film of this paint may be harmful if eaten or chewed
See other cautions on (side or back) panel.*

(Back or side panel)

Cautions

Do not apply on toys and other children's articles, furniture, or interior surfaces of any dwelling or facility which may be occupied or used by children.

Do not apply on those exterior surfaces of dwelling units, such as windowsills, porches, stairs, or railing, to which children may be commonly exposed.

Keep out of reach of children."

The signal word, the statement of the principal hazard or hazards, and instructions to read carefully any cautionary information that may be placed elsewhere on the label shall appear together on the main panel of the label. Such information shall be placed together and distinctively apart from other wording or designs. The necessary prominence shall be achieved by placement within the borders of a square or rectangle with or without a border-line, and by use of suitable contrasts with the background achieved by distinctive typography or color, and by both color and typography when needed. The signal word and statement of hazard shall be in capital letters. The signal word shall be of a size bearing a reasonable relationship to the other type on the main panel, but shall not be less than eighteen point type, and the size of the statement of hazard shall not be less than twelve point type unless the label space on the container is too small to accommodate such type size. When the size of the label space requires a reduction in type size, the reduction shall be made to a size no smaller than necessary and in no event to a size smaller than six point type.

C. The label requirement required by subsection B shall not apply to artists' supplies.

D. Any person who violates a provision of this section is guilty of a class 1 misdemeanor.

§ 36-1675. Administration

A. The director may adopt such rules and regulations as may be necessary and feasible to implement the purposes of this article.

B. No person shall interfere, obstruct or hinder an authorized representative of the department in the performance of his duty to administer the provisions of this article or the rules and regulations adopted thereunder.

C. The department, through its authorized representative, may take samples of materials for inspection and analysis, and hold for [FN1] any item regulated by this article.

D. The department, through its authorized representative, may remove from availability for sale any regulated item when there is reasonable cause to believe a violation of this article or the rules and regulations adopted thereunder exists. When such regulated items are removed from availability for sale, they shall be so tagged, and such tags shall not be removed except by an authorized representative of the department, or as the department may direct, after satisfactory proof of compliance with all requirements of this article and such rules and regulations and a release for sale has been issued by the department through its authorized representative.

[FN1] So in original.

§ 36-1676. Injunction

In addition to the remedies provided in this article, the director, with the assistance of the attorney general, may apply to the superior court for injunctive relief.

§§ 36-1677 to 36-1680. Repealed by Laws 1997, Ch. 264, § 5, as amended by Laws 1998, Ch. 230, § 2, eff. July 1, 1999

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