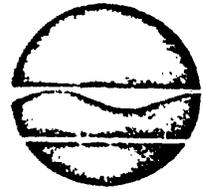


New York State Department of Environmental Conservation
60 Wolf Road, Albany, New York 12233



Robert F. Flacke
Commissioner

October 30, 1981

DEC 35-03

Mr. Michael J. Bayusik
The R. T. French Company
One Mustard Street
P.O. Box 23450
Rochester, New York 14692

Re: Declaratory Ruling Request/Automatic Toilet Bowl Cleaner

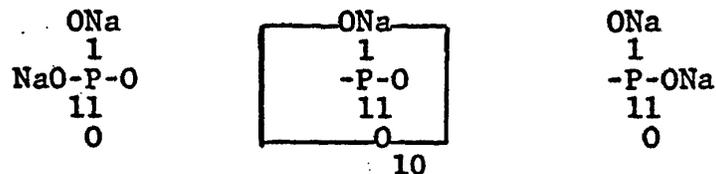
Dear Mr. Bayusik:

You have requested a declaratory ruling pursuant to Section 204 of the New York State Administrative Procedures Act and 6NYCRR Part 619 as to whether an automatic toilet bowl cleaner proposed to be marketed in New York State by the R.T. French Company comes within the definition of a "Household cleansing product" under Environmental Conservation Law Article 35 and 6NYCRR Part 659.

The product formulation submitted for review pursuant to your request is as follows:

	<u>WEIGHT PERCENT</u>
Trichloroisocyanuric Acid	94.5
Sodium Polyphosphate	5.0
Magnesium Silicate	0.5
	<u>100.0</u>

The chemical composition of the phosphate ingredient is:



The ingredient contains 29% phosphorous. The proposed

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product, therefore, contains 1.5% elemental phosphorous (29% times 5% ingredient weight equals 1.5% elemental phosphorous).

The Trichloroisocyanuric acid is the chlorine compound.

The Magnesium Silicate is a manufacturing aid and has no significant end-product function.

The total weight of the proposed product is 15 gm (1/2 ounce).

Based on the above description of your formulation and a reading of Environmental Conservation Law Article 35 and the regulations promulgated thereunder we have concluded that the automatic toilet bowl cleaner you propose to market in New York State is not a "Household cleansing product" within the meaning of the said Article because it contains no surfactant as a wetting or dirt emulsifying agent.

This declaratory ruling is binding on this agency and is subject to review in the manner provided in Article 78 of the Civil Practice Law and Rules.

Sincerely,


Richard A. Persico
General Counsel/
Deputy Commissioner

RAP:pmc

bcc: T. Ulasewicz (2)
M. Goroski
J. Leonard
I. Carcich