

July 28, 2008

California Distribution

To Whom It May Concern:

It has come to our attention that our product, *Lexel*, a clear/paintable/water resistant caulking compound used for residential construction, has come under scrutiny by building inspectors who are not fully informed of the current regulations in their air quality management district. As stated in Section k, Subsection 13 of Rule 1168 – Adhesive and Sealant Applications (amended July 12, 2002) published by the South Coast Air Quality Management District (which, we believe, is the district in question,) “The provisions of this rule shall not apply to adhesives and sealants subject to the California Air Resources Board consumer products regulation found in Title 17 of the California Code of Regulations, beginning at section 94507.” Lexel is sold in a cartridge that holds 10.5 fluid ounces of material, which subjects this product to the “Regulation for Reducing Volatile Organic Compound Emissions from Consumer Products,” Title 17, California Code of Regulations, Division 3, Chapter 1, Subchapter 8.5, Article 2, Consumer Products, Sections 94507-94517. This regulation was published in September 2001, and to our knowledge, this regulation has not been amended.

In subsection 112 of section 94508 – *Definitions* (page 35) of the Consumer Products regulation, it states, “Sealant and Caulking Compound **does not** include... clear/paintable/water resistant caulking compounds... ‘Sealant and Caulking Compound’ also **does not** include units of product, less packaging, which weigh more than one pound and consist of more than 16 fluid ounces... and ‘clear/paintable/water resistant caulking compounds’ means a compound which contains no appreciable level of opaque fillers or pigments: transmits most or all visible light through the caulk when cured; is paintable; and is immediately resistant to precipitation upon application.” Lexel is by definition a clear/paintable/water resistant caulk, and we know this because Sashco was present when this regulation was drafted, and the **exemption** was written **specifically** for these types of caulking compounds. It is our understanding that this exemption from the Consumer Products regulation does not require us to print a volatile organic chemical (VOC) level on our package for Lexel.

Please use this information at your discretion with contractors who use and know the benefits of a product like Lexel. This letter and information will also be available to you as needed if an inspector decides to inquire about the compliance of using Lexel in your area.

If you have any questions, please contact Andy Spoelstra, one of Sashco’s staff chemists at (800) 289-7290.

Sincerely,

Wayne Summons
Vice President, Technical Director
Sashco, Inc.

Enc.