

TITLE 19, CALIFORNIA CODE OF REGULATIONS

CHAPTER 8 — Regulations Relating to Flame-Retardant Chemicals, Fabrics and Application Concerns

§ 1173. Scope

These rules and regulations shall govern the manufacture, sale, rental, and application of flame-retardant chemicals used in connection with fabrics or materials required to be treated and maintained in a flame-retardant condition as provided in Sections 13115, 13116, and 13119 of the Health and Safety Code.

These rules and regulations shall also apply to fabrics or materials inherently nonflammable and shall establish minimum fire-resistive standards for such fabrics or materials.

These rules and regulations shall also establish minimum standards and specific procedures for the approval of flame-retardant chemicals, flame-retardant materials, and flame-retardant application Concerns, including General, Limited, and Restricted Concerns.

ARTICLE 2 — DEFINITIONS

§ 1180. “A” Definitions.

(c) “Applicator” as used herein means any person who engages in the application of flame-retardant compounds or chemicals to any fabric or material for the purpose of retarding the action of fire or flame on such fabric or material.

(d) “Applicator Certificate” as used herein means the individual credential issued by the Office of the State Fire Marshal to a qualified Applicator. The Applicator Certificate is personal to the individual, does not itself constitute an Applicator Concern license.

§ 1180.2. “C” Definitions.

(c) “Concern” as used herein means any firm, association, organization, partnership, business trust, corporation, company, production entity, or other entity that is licensed by the Office of the State Fire Marshal under these regulations.

§ 1180.6. “G” Definitions

(a) “General Applicator” as used herein means a person that performs the application of a flame-retardant compounds or chemicals to any textile, including decorative materials

(b) “General Concern” as used herein means a Concern licensed by the Office of the State Fire Marshal, which may engage in the business of, perform, employ or arrange for, the application of approved flame-retardant compounds or chemicals for a fee to any textile including decorative materials, subject to the requirements of these regulations.

§ 1180.11. “L” Definitions

(b) “Limited Applicator” as used herein means a person that performs for a fee the application of a flame-retardant product to nontextile decorative items, including Christmas trees.

(c) “Limited Concern” as used herein means a Concern licensed by the Office of the State Fire Marshal which may engage in the business of, perform, employ or arrange for, the application of approved flame-retardant chemicals for a fee to both non-textiles, foams, and organic decorative materials, subject to the requirements of these regulations.

§ 1180.17. “R” Definitions

(c) “Restricted Concern” as used herein means a Concern licensed by the Office of the State Fire Marshal which may engage in the production of a motion picture, television, theatrical, live entertainment, or other production entity that engages in the application of flame-retardant compounds or chemicals solely for the duration of a specific production or event.

§ 1220. Fees

(a)	Original or Annual Renewal Registration of any Single Flame-Retardant Fabric or Material	?
(b)	Add Fabric to existing registration	\$250.00
(c)	Original or Annual Renewal Registration of a Flame-Retardant Chemical	\$575.00
(d)	Original or Annual Renewal of a General Applicator Concern Flame-Retardant Application	\$450.00
(e)	Original or Annual Renewal of a Flame-Retardant-Application Certificate, (General Applicator)	\$xxx
(d)	Original or Annual Renewal of a Limited Applicator Concern Flame-Retardant Application	\$230.00
(f)	Original or Annual Renewal of a Flame-Retardant Application Certificate, (Limited Applicator)	\$xxx
(g)	Flame-Retardant Application Restricted Concern	\$xxx
(h)	Flame-Retardant Application Restricted Concern- Extension	\$xxx
(i)	General Applicator Flame Retardant Certificates	\$20.00
(j)	Service fee for a returned or dishonored check pursuant to Government Code Section 6157(b)	\$30.00

REV 10/8/2026

Sections numbers updated to new section structure of Title 19 Chapter 8, proposed regulation package

§ 1220.1. Forms

(a) The following forms, in the format developed by the Office of the State Fire Marshal, which are hereby incorporated by reference, shall be used when applying for a Flame-Retardant Registration or General and Limited Concern License.

- (1) Application for Decorative Materials Registration — Fabric FR-1.
- (2) Application for Decorative Materials Registration — Chemical FR-2.
- (3) Application for General Applicator Concern — FR-3.
- (4) Application for Limited Applicator Concern — FR-4.
- (5) Application for Restricted Concern — XXX
- (6) Application For Applicator Certificate (General and Limited) — XXX

§ 1220.3. License Renewal Period and Registration Fee

(a) The annual and renewal registration fee period for chemical and fabric manufacturing concerns, concerns marketing a flame-retardant fabric or material, and general applicator concerns shall be for the fiscal year period from July 1 to June 30 or the remaining portion thereof. The annual registration fee renewal period for chemical manufacturing Concerns, concerns marketing a flame-retardant fabric or material, and general applicator and general applicator concerns shall begin on January 1 and end May 1 preceding the registration year for which the renewal is requested. A penalty of 50 percent of the listing fee shall be assessed in all cases where the renewal fees are not paid on or before May 1, preceding the registration year for which renewal is requested.

(b) The annual and renewal registration fee period for Limited Applicators shall be for the fiscal year period from November 1 to October 31 or the remaining portion thereof. The annual registration fee renewal period for limited applicator concerns shall begin September 15 and end on October 31 preceding the registration year for which the renewal is requested. A penalty of 50 percent of the listing fee shall be assessed in all cases where the fees are not paid on or before October 31, preceding the registration year for which renewal is requested.

(c) A Restricted Concern license shall be issued for the specific production or event identified in the application for the period of 365 calendar days, until the end of the expiring month. A Restricted Concern license shall remain valid only for the duration authorized by the Office of the State Fire Marshal for that production or event and shall not be construed as an annual permanent Concern license.

- (1) A Restricted Concern license shall be issued for the specific production or event identified in the application.

(2) A Restricted Concern license shall remain valid only for the duration authorized by the Office of the State Fire Marshal for that production or event and shall not be construed as an annual permanent Concern license registration.

(3) A Restricted Concern requiring authorization beyond the expiration date of its original production or event license may apply to the Office of the State Fire Marshal for an extension of the Restricted Concern license for a period not to exceed six (6) additional months.

(4) An application for extension shall be submitted to the Office of the State Fire Marshal prior to expiration of the existing Restricted Concern license and shall be accompanied by the applicable extension fee established by the Office of the State Fire Marshal. Extension fee: \$XXX, as determined by OSFM.

(5) An extension issued pursuant to this section shall apply only to the same production or event for which the original Restricted Concern license was issued and shall remain subject to all applicable requirements and limitations of the Restricted Concern classification.

(6) If the production or event requires authorization beyond the six (6) month extension period, the Restricted Concern shall not be eligible for an additional temporary extension. The Concern shall apply for renewal through the same application and renewal procedures applicable to a General or Limited Flame-Retardant Application Concern and shall pay the applicable renewal fee established by the Office of the State Fire Marshal.

(7) Continued operation after expiration of the original Restricted Concern license or any authorized extension or renewal shall not be permitted unless the required extension or renewal has been approved by the Office of the State Fire Marshal.

(d) A General and Limited Applicator Certification shall be issued for the period of 365 calendar days, until the end of the expiring month. The annual registration renewal period for General and Limited Applicators begins 45 days prior to the certification expiration date. A penalty of 50 percent of the listing fee shall be assessed in all cases where the fees are not paid on or before the expiration date of the certificate.

(e) All applications shall be accompanied by a registration fee established by the Office of the State Fire Marshal. The registration fee shall not exceed the amount necessary to cover the costs incurred by the Office of the State Fire Marshal in carrying out Sections 13120 to 13126, inclusive.

ARTICLE 5 — Flame-Retardant Chemical Concerns and Applicators

§ 1247. Application Concern.

(a) Any person, firm, or production entity desiring to engage in the business of, or perform or arrange for, the application of flame-retardant chemicals to any fabric or material for a fee shall first apply for license as a Flame-Retardant Application Concern on forms provided by

REV 10/8/2026

Sections numbers updated to new section structure of Title 19 Chapter 8, proposed regulation package

the Office of the State Fire Marshal. A separate application shall be required for each place of business, except as otherwise provided for a License Restricted Concern under this Article. Application for registration as a Flame-Retardant Application Concern or as a Certified Flame-Retardant Applicator on forms FR-3 for General Applicator Concerns, FR-4 for Limited Applicator Concerns, FR-* for General and Limited Applicators, and FR-* for Restricted Applicator Concerns provided by the Office of the State Fire Marshal. Applicants shall submit separate applications shall be submitted for each separate place of business.

(b) An individual performing regulated flame-retardant application work shall obtain and maintain the individual certification required by Sections 1248.1 and 1252.

(c) In the event two applications are received by the Office of the State Fire Marshal, both of which propose the use of the same or similar Concern name, priority will be given to the application bearing the earliest receipt date.

(d) Once a Concern registration has been issued, there shall be no changes made to the Concern name unless the change has been approved in advance by the Office of the State Fire Marshal.

(e) For purpose of registration, post office box numbers, mail forwarding establishments, telephone answering service establishments and other similar establishments are not acceptable as physical business locations. Registered Concerns shall provide the Office of the State Fire Marshal with the actual physical business location from which business is conducted. This address shall match the physical address as listed on the Registration.

(f) Each applicant shall furnish a valid proof of business, e.g., business license, federal identification, resale license, etc., that matches their physical address as listed on the "license"

(g) Any person, firm, or corporation applying to be a Licensed Flame-Retardant Application Concern or to renew their Licensed as a Flame-Retardant Application Concern shall furnish to the Office of the State Fire Marshal and maintain and keep in force at all times a current policy for General Liability and Property Damage Insurance including Products and Completed Operations. The Certificate of Insurance shall provide bodily injury and property damage with limits no less than one million dollars (\$1,000,000.00) per occurrence in coverage. This policy would be required to be on an occurrence form. Claims Made Policies are not acceptable. The certificate of insurance shall provide all of the following:

- 1) That the insurer shall not cancel the insured's policy without a 30-day written notice to the Office of the State Fire Marshal.
- 2) That the insured Licensed Flame-Retardant Application Concern, and all certificate holders acting as employees under the Licensed Flame-Retardant Application Concern, are included as additional insured but only insofar as operations within the scope of the Licensed Flame-Retardant Application Concern requirements are covered; and

- 3) That the State of California shall not be responsible for any premiums or assessments on the policy.
- (h) A Restricted Concern shall be licensed as a separate Flame-Retardant Application Concern classification and shall not be required to obtain or designate a General or Limited Concern classification. A Restricted Concern may employ or contract with one or more individuals holding a current and valid General Applicator Certificate, Limited Applicator Certificate, or both. The Restricted Concern may perform or arrange for regulated flame-retardant application work only within the scope authorized by the valid Applicator Certificate held by the individual performing such work.
- (i) The application for a Restricted Concern shall identify the production or event, responsible production entity, qualified General and or Limited Applicators holding current and valid Applicator Certificates, approved flame-retardant chemicals to be used, and any other information required by the Office of the State Fire Marshal

§ 1247.1 Individual Applicator Certification

- (a) An individual shall not be required to own, operate, register, or be employed by a Licensed Flame-Retardant Application Concern as a condition of applying for, obtaining, or renewing an Applicator Certificate.
- (b) An Applicator Certificate is an individual credential and shall remain with the qualified Applicator during the period for which the certificate is valid. A change in employer, Concern, production, or place of employment shall not, by itself, require the Applicator to obtain a new certificate or retake the examination.
- (c) An individual holding a valid Applicator Certificate may perform flame-retardant application work within the scope of the certificate for any Licensed Flame-Retardant Application Concern, including a General Concern, Limited Concern, or Restricted Concern, provided that the work is authorized by and performed under the license of that Concern.

§ 1248. Qualifications For Concern License.

No application for registration as a Flame-Retardant Application Concern shall be considered unless such applicant or an employee thereof first demonstrates their qualifications by:

- (a) Passage of a written examination as prepared by the State Fire Marshal on the laws, regulations and technical aspects of flame-retardant chemicals, fabrics, materials and fibers and how they may be identified, per section 1252. In addition, the Office of the State Fire Marshal may require a practical demonstration of the applicant's ability to properly perform the acts for which application has been made.
- (b) Presentation of evidence of actual experience in the chemical application.

REV 10/8/2026

Sections numbers updated to new section structure of Title 19 Chapter 8, proposed regulation package

- (c) Possession of necessary equipment and machinery to conduct application procedures.
- (d) Submission of required fees as set forth in Section § 1220.
- (e) Licensure as a Concern shall not be issued to any person under 18 years of age.

§ 1248.1. Qualifications for Individual Applicator Certificate.

- (a) An individual seeking an Applicator Certificate shall apply to the Office of the State Fire Marshal on a form prescribed by the State Fire Marshal and shall satisfy the qualifications established by this chapter for the classification of certificate sought.
- (b) The applicant shall successfully complete the examination prescribed by the Office of the State Fire Marshal for the applicable Applicator classification, per section 1252. The State Fire Marshal may also require a practical demonstration of the applicant's ability to properly perform the acts authorized by the certificate classification.
- (c) The applicant shall provide evidence of the experience, training, and knowledge necessary to safely and properly perform flame-retardant chemical application within the scope of the certificate sought.
- (d) The applicant shall be at least eighteen (18) years of age.
- (e) Submission of required fees.

§ 1249. Documents Transfer.

- (a) A Concern license is not transferable except by the Office of the State Fire Marshal. The Office of the State Fire Marshal may transfer a Concern licensing upon submission of a new application form and payment of appropriate fees.
- (b) An Applicator Certificate cannot be transferred under any circumstances.
- (c) Application for renewal of any Concern license or Applicator certificate which has expired, in excess of one year, shall be considered as a new original application.
- (d) A duplicate Concern license or Applicator certificate may be issued by the Office of the State Fire Marshal. A written statement describing the reasons for the duplicate issuance shall be submitted by the registrant or the licensed person before duplicates will be issued.

§ 1250. Concern License.

- (a) Types of Licenses registrations are as follows:
 - (1) "General" means a Concern that engages in the business of, performs for a fee, employed or arrange for, the application of an approved flame-retardant chemicals to decorative fabrics, subject to the requirements of these regulations.

(2) "Limited" means a Concern that engages in the business of, performs for a fee, employed or arrange for, the application of an approved flame-retardant compound or chemical to non-textile or plant decorative materials, subject to the requirements of these regulations.

(3) "Restricted" means a Concern that is a temporary production entity licensed for a specific production that may employ or contract with certified General Applicators, Limited Applicators or both, to perform flame-retardant application work to decorative materials.

(b) Every Licensed Concern shall be identified by type as specified above according to the act or acts performed by the Concern or by any of the Concern's employees. Every Licensed Concern shall be staffed by certified personnel and shall be properly equipped to perform the act or acts authorized by the type of license issued.

(c) The rights and privileges extended to a Licensed General or Limited Flame-Retardant Application Concern shall extend to employees of such Concern, provided the owner or responsible managing employee of the Concern has satisfactorily passed the examination required by Section 1252 and holds a current and valid Applicator Certificate appropriate to the classification of the Concern. All work performed by such employees shall be under the direct supervision of that certified individual.

(1) Bona fide employees of a General or Limited Concern may perform flame-retardant application work under the rights and privileges of the Concern without individually holding an Applicator Certificate, provided the requirements of this subsection are met.

(d) Each individual performing flame-retardant application work under a Restricted Concern shall hold a current and valid General or Limited Applicator Certificate appropriate to the work being performed.

(e) All Certificates of Flame Retardancy issued pursuant to this subchapter shall be signed by the Individual holding the current and valid Applicator Certificate and who witnessed the application of the flame-retardant chemical as required by these regulations.

(f) A Licensed Concern is only authorized to perform those specific acts from this section for which a license has been granted by the Office of the State Fire Marshal. Qualifications for a Concern shall consist of having the necessary tools, equipment, chemicals, safety data sheets (SDS) and qualified experienced personnel for each specific act. Each Licensed Concern shall submit evidence of qualifications to the Office of the State Fire Marshal with each revision or original application for licensing.

(g) Any advertisement for service constitutes prima facie evidence that the premises, business, building, room, shop, store or establishment in or upon which it appears, or to which it refers, is a separate place of business.

(h) No Licensed Concern shall conduct business or solicit business under a name other than the name or names which appear on the Office of the State Fire Marshal issued license.

(i) Every License issued according to these regulations shall be posted on the premises of the Concern's business location and available at flame-retardant chemical application location. A Concern's License shall be readily available for inspection during regular business hours by the authority having jurisdiction or the Office of the State Fire Marshal.

§ 1251. Applicator Certificate.

(a) Types of Certifications are as follows:

(1) "General Applicator" means an individual that is authorized as a technician to apply a flame-retardant compound or chemical to all textile decorative materials.

(2) "Limited Applicator" means an individual that is authorized as a technician to apply a flame-retardant compound or chemical to non-textile or plant decorative items, including Christmas trees.

(b) A person holding a valid Applicator Certification shall not perform any act for a fee unless the person is employed by a Licensed Concern.

(c) Persons possessing a General or Limited Applicators Certification and is employed by a Licensed Concern may perform only those acts which the licensed concern is authorized to do and for which the employee is qualified. In the case of an independent contractor, franchisee, or any other arrangement in which the applicator is an independent businessperson, a valid Licensed Concern is required to be in the name of the applicator.

(d) Issuance or renewal of an individual Applicator Certificate shall not be conditioned upon current employment by a particular Licensed Concern. A qualified individual may obtain and renew the credential independently, subject to examination, continuing qualification, fees, renewal, suspension, revocation, and other requirements established by the Office of the State Fire Marshal.

(e) A valid individual Applicator Certificate shall remain with the individual when the individual changes employers, works for a different Licensed Concern, or moves from one production to another. The individual shall be permitted to be listed on one or more Licensed Concern for which the individual performs regulated work.

(f) Portability of the individual credential does not authorize an Applicator to operate independently of a Licensed Concern. A General or Limited Applicator holding a valid certificate may perform regulated work for a fee only under the authority of a licensed

General, Limited, or Restricted Concern, or as otherwise expressly authorized by these regulations.

(g) A Licensed General or Limited Concern may employ or contract with a qualified Applicator who holds a valid individual Applicator Certificate issued by the Office of the State Fire Marshal. A Restricted Concern may employ or contract with only qualified Applicators who hold a current and valid individual Applicator Certificate appropriate to the work being performed. The Concern remains responsible for ensuring that all work is performed within the scope authorized by the Concern's license.

(h) Certified Flame-Retardant Applicators shall carry the certification issued by the Office of the State Fire Marshal whenever they are performing functions or services regulated by this Chapter and shall be readily available for inspection by the authority having jurisdiction or by the Office of the State Fire Marshal.

(i) An Applicator Certificate issued by the Office of the State Fire Marshal shall be issued to the qualified individual and shall belong to that individual. The individual credential shall not be owned by, assigned to, or become the property of the employing Flame-Retardant Application Concern.

§ 1251.2. Reporting of Certified Applicators To OSFM.

(a) Every Licensed Concern shall maintain a current record of each certified Applicator performing flame-retardant application work under the Concern's license.

(b) The Concern shall report to the Office of the State Fire Marshal, in a format prescribed by the State Fire Marshal, the following information for each Applicator performing work under the Concern's license:

- (1) The Applicator's full name;
- (2) The Applicator Certificate number;
- (3) The date the Applicator began performing work under the Concern.

(c) General and Limited Licensed Concern shall annually, within seven days of employment, and within seven days of termination of employment report to the Office of the State Fire Marshal in writing: the name, address, and Applicator certificate number of every applicator employed by the Licensed concern.

(d) Restricted Concern shall within seven days of completion of work report to the Office of the State Fire Marshal in writing: the name and Applicator Certification number of every certified applicator employed or contracted by the licensed Restricted concern.

(e) A change in the Applicator's employment or association with a Licensed Concern shall not terminate, suspend, or otherwise affect the Applicator's individual certificate. The reporting requirements of this section are intended solely to maintain an accurate record of the Applicator's association with a Licensed Concern.

(f) Failure of a Concern to timely report the information required by this section may constitute a violation of this chapter and may be grounds for administrative action against the Concern's license issued by the Office of the State Fire Marshal.

§ 1252. Examination Procedures.

(a) Every individual required to hold an Applicator Certificate under this chapter, and the owner or responsible manager shall pass a written examination as prepared by the Office of the State Fire Marshal on the laws, regulations and technical aspects of flame-retardant chemicals, fabrics, materials, and fibers and how they may be identified.

(1) A score of 70% is considered as minimum for passage of the written examination. In addition, the Office of the State Fire Marshal may require a practical demonstration of the applicant's ability to properly perform the acts for which application has been made.

(2) Any applicant who has failed the examination may re-apply and take another examination not less than thirty (30) days from the date of the first examination after filing a new application and paying the required fee. Applicants that miss the second chance testing within the eligibility time allowed will forfeit fees and shall be required to reapply and submit new fee.

(3) Any applicant failing to schedule an examination applied for within thirty (30) days of the date of eligibility must re-apply for the intended examination with payment of appropriate fees.

(4) If the Applicator's Certificate has expired or lapsed for more than one year they shall be required to retake the written application examination.

(b) Every person taking an examination has the right to contest the validity of individual questions in such examination.

(1) Any challenge as to the validity of individual questions of an examination must be made in writing within three (3) business days after taking said examination. Challenges shall state the reason for the objection.

(2) The decision as to the action to be taken on the submitted challenge shall be by the Office of the State Fire Marshal and such decision shall be final.

(3) The action taken by the Office of the State Fire Marshal shall be reflected in all future examinations but shall not affect the grades established in any past examination.

(c) Every four years, at time of renewal or when deemed necessary by the Office of the State Fire Marshal, Certified Flame-Retardant Applicators shall successfully pass a written examination.

§ 1282. Employees.

(a) General and Limited Concerns.

The rights and privileges extended to a license registered General or Limited Flame-Retardant Application Concern shall extend to bona fide employees of such Concern, provided all flame-retardant application work performed by such employees is under the direct supervision of the owner, responsible managing employee, or other individual designated by the Concern who has satisfactorily passed the examination required by Section 1252 and holds the appropriate valid Applicator Certificate.

Bona fide employees performing work pursuant to this subsection shall not be required to individually hold an Applicator Certificate when performing work solely under the authority and direct supervision of the qualified certificate holder responsible for the General or Limited Concern.

All Certificates of Flame Retardancy issued by a General or Limited Concern pursuant to this subchapter shall be signed by the individual holding the valid Applicator Certificate under whose authority and supervision the work was performed.

(b) Restricted Temporary Concern.

The employee rights and privileges provided in subsection (a) shall **not** extend to a Temporary Flame-Retardant Application Concern.

A Temporary may employ or authorize only individuals who hold a current and valid General or Limited Applicator Certificate issued by the Office of the State Fire Marshal to perform flame-retardant chemical application work. No employee, agent, representative, contractor, or other person who does not individually hold the appropriate valid Applicator Certificate shall perform flame-retardant application work under a Restricted Temporary Concern license.

Each Restricted Temporary Concern shall be responsible for ensuring that every individual performing flame-retardant application work under its license holds the appropriate valid Applicator Certificate and performs only those acts authorized by the Concern's license and the individual's certificate.

§ 1307 Flame-Retardant Application Certification

After every job of flame-retardant chemical application by a licensed Flame-Retardant Application Concern, an approved Certificate of Flame Resistance shall be furnished to the person or Concern for whom the work was done, and copies sent to the State Fire Marshal and the local fire authority as required. Certificates shall be delivered within 10 days after completion of the job, be filled out completely, and be signed by a Certified Flame-Retardant Applicator of the Licensed Concern who performed or witnessed the flame-retardant chemical application. A Restricted Concern shall retain and provide copies of certificates for its production or event as required by the Office of the State Fire Marshal.

REV 10/8/2026

Sections numbers updated to new section structure of Title 19 Chapter 8, proposed regulation package

Copies submitted to the Office of the State Fire Marshal shall be accompanied by one two-inch (2") x six-inch (6") test sample of the fabric or material treated by them, and the fee identified in Section 1220. Samples of the fabric or material treated by the application concern, excepting only where such sample cannot be taken without defacing finished converted goods such as curtains, drapes, flats, etc. These certificates shall be delivered within 10 days after completion of the job, shall be filled out completely and signed by an authorized representative of the registered application concern.

Notation shall be made on the certificate indicating the kind of material and or items treated, color, address where treated items are located, whether they are unlined, lined, or lined and interlined, and shall indicate any limitations to such treatment concerning laundering, ultraviolet exposure, indoor use, outdoor use, and known chemical longevity. Whenever possible the installation location within the premises and use of the treated articles should also be given also.

§ 1352. Regulatory

(a) Repeated evidence of any of the following conditions shall likewise be cause for removal from the list or revocation/suspension of the applicable license:

- (1) Failure of a chemical to impart satisfactory flame resistance in actual use.
- (2) Abnormal deterioration of fabrics or materials to which a chemical has been applied.
- (3) Failure of an Application Concern to apply sufficient chemical consistent with amounts used in qualifying tests to impart flame resistance for a reasonable period of time.
- (4) Failure to deliver Certificate(s) of Flame Resistance as required by Section 1307.
- (5) Signature on the Flame-retardant Certificate not from a Certified Applicator who applied or witnessed the flame-retardant chemical application
- (6) For any Concern performing regulated work outside the scope, production or event, location, personnel, chemical, or other limitations stated for any Concern license.

§ 1353. Employer / Concern Responsibility

Every flame-retardant application Concern shall be responsible for the acts of its employees or agents, insofar as such acts apply to the flame-retardant treatment of any fabric or material, and the concern's license shall be subject to revocation for acts of said employees or agents. For a Restricted Concern, responsibility shall continue for all regulated work performed under the production/event license during the authorized license period.

§ 1354. Restoration to List

Restoration of names to the registered lists shall be in accordance with Sections 13124 and 13125 of the Health and Safety Code. A Restricted Concern whose license expires at the end of a

REV 10/8/2026

Sections numbers updated to new section structure of Title 19 Chapter 8, proposed regulation package

production or event shall not be treated as a permanently registered annual Concern solely because the production has concluded.

§ 1355. Criminal Penalties

Furthermore, Section 13112 of the State Health and Safety Code states as follows: “Every person who violates any provision of this chapter, or any order, rule, or regulation made pursuant to this chapter, is guilty of a misdemeanor punishable by a fine of not less than fifty five hundred dollars (\$50) nor more than two hundred five thousand dollars (\$200), or by imprisonment for not less than 30 nor more than 180 days, or by both.

“A Concern or person is guilty of a separate offense each day during which they commits, continues, or permits a violation of any provision of, or any order, rule, or regulation made pursuant to this chapter.”