**Section 223.240 Innovative Product Exemption**

a) Any manufacturer of consumer products that have been granted an Innovative Product exemption by the CARB under the Innovative Products provisions in 17 California Code of Regulations § 94511 or 94503.5, both incorporated by reference in Section 223.120, shall be exempt from the limits in Section 223.205(a) for the period of time that the CARB Innovative Products exemption remains in effect, provided that all consumer products within the CARB Innovative Products exemption are contained in the limits in Section 223.205(a). Any manufacturer claiming such an exemption on this basis must submit to the Agency a copy of the CARB Innovative Product exemption decision (i.e., the Executive Order), including all conditions established by the CARB applicable to the exemption.

b) Recordkeeping and Availability of Requested Information.

1) All information specified in the Innovative Product exemption approving an Innovative Product application shall be maintained by the responsible party for a minimum of three years after the expiration of the exemption. The records shall be clearly legible and maintained in good condition during this period.

2) The records specified in subsection (b)(1) shall be made available to the Agency, or its authorized representative, upon request.