

# NGEN LIQUIFOG CARBON CRUSHER 16 FL.OZ.

## Safety Data Sheet

according to Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations

Revision date: 08/13/2014

Version:

### SECTION 1: Identification of the substance/mixture and of the company/undertaking

#### 1.1. Product identifier

Product form : Mixture  
Trade name : NGEN LIQUIFOG CARBON CRUSHER 16 FL.OZ.  
Product code : 71434

#### 1.2. Relevant identified uses of the substance or mixture and uses advised against

Use of the substance/mixture : Fuel Additive

#### 1.3. Details of the supplier of the safety data sheet

The Next Generation Manufacturing, LLC  
423 W. Wesley  
Wheaton, IL 60187  
T 844-643-6776

#### 1.4. Emergency telephone number

Emergency number : CHEMTREC 24 Hour 1-800-424-9300, 1-703-527-3887 (International)

### SECTION 2: Hazards identification

#### 2.1. Classification of the substance or mixture

##### Classification (GHS-US)

Flam. Liq. 4 H227  
Carc. 1A H350  
Full text of H-phrases: see section 16

#### 2.2. Label elements

##### GHS-US labeling

Hazard pictograms (GHS-US)



GHS08

Signal word (GHS-US) : Danger  
Hazard statements (GHS-US) : H227 - Combustible liquid  
H350 - May cause cancer  
Precautionary statements (GHS-US) : P201 - Obtain special instructions  
P202 - Do not handle until all safety precautions have been read and understood  
P210 - Keep away from heat, sparks, open flames, hot surfaces. - No smoking  
P280 - Wear protective gloves, protective clothing, eye protection, face protection  
P308+P313 - If exposed or concerned: Get medical advice/attention  
P370+P378 - In case of fire: See Section 5.1 Extinguishing Media  
P403+P235 - Store in a well-ventilated place. Keep cool  
P405 - Store locked up  
P501 - Dispose of contents/container to appropriate waste disposal facility, in accordance with local, regional, national, international regulations.

#### 2.3. Other hazards

Other hazards not contributing to the classification : None under normal conditions.

#### 2.4. Unknown acute toxicity (GHS-US)

No data available

### SECTION 3: Composition/information on ingredients

#### 3.1. Substance

Not applicable

#### 3.2. Mixture

Name	Product identifier	%	Classification (GHS-US)
Distillates (Petroleum), Hydrotreated Light	(CAS No) 64742-47-8	30 - 50	Asp. Tox. 1, H304
Distillates (Petroleum), Sweetened Middle	(CAS No) 64741-86-2	25.316 - 31.58171	Carc. 1A, H350
Polyether Amine	(CAS No) Confidential	18.987 - 25.25271	Flam. Liq. 4, H227
Naphtha, Heavy Aromatic	(CAS No) 64742-94-5	<= 3.10121	Carc. 1B, H350

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Name	Product identifier	%	Classification (GHS-US)
2-Methylnaphthalene	(CAS No) 91-57-6	< 0.8063146	Acute Tox. 4 (Oral), H302
1-Methylnaphthalene	(CAS No) 90-12-0	< 0.38765125	Flam. Liq. 4, H227 Acute Tox. 4 (Oral), H302
Naphthalene	(CAS No) 91-20-3	< 1	Acute Tox. 4 (Oral), H302 Carc. 2, H351 Aquatic Acute 1, H400 Aquatic Chronic 1, H410

The exact percentage is a trade secret.

### SECTION 4: First aid measures

#### 4.1. Description of first aid measures

- First-aid measures general : Never give anything by mouth to an unconscious person. If you feel unwell, seek medical advice (show the label where possible).
- First-aid measures after inhalation : Allow victim to breathe fresh air. Allow the victim to rest.
- First-aid measures after skin contact : Remove affected clothing and wash all exposed skin area with mild soap and water, followed by warm water rinse.
- First-aid measures after eye contact : Rinse immediately with plenty of water. Obtain medical attention if pain, blinking or redness persist.
- First-aid measures after ingestion : Rinse mouth. Do NOT induce vomiting. Obtain emergency medical attention.

#### 4.2. Most important symptoms and effects, both acute and delayed

- Symptoms/injuries after inhalation : May cause cancer by inhalation.

#### 4.3. Indication of any immediate medical attention and special treatment needed

No additional information available

### SECTION 5: Firefighting measures

#### 5.1. Extinguishing media

- Suitable extinguishing media : Foam. Dry powder. Carbon dioxide. Water spray. Sand.
- Unsuitable extinguishing media : Do not use a heavy water stream.

#### 5.2. Special hazards arising from the substance or mixture

- Fire hazard : Combustible liquid.
- Explosion hazard : May form flammable/explosive vapor-air mixture.
- Reactivity : Decomposes on exposure to light.

#### 5.3. Advice for firefighters

- Firefighting instructions : Use water spray or fog for cooling exposed containers. Exercise caution when fighting any chemical fire. Prevent fire-fighting water from entering environment.
- Protection during firefighting : Do not enter fire area without proper protective equipment, including respiratory protection.

### SECTION 6: Accidental release measures

#### 6.1. Personal precautions, protective equipment and emergency procedures

- General measures : Remove ignition sources. Use special care to avoid static electric charges. No open flames. No smoking.

##### 6.1.1. For non-emergency personnel

- Protective equipment : Gloves. Safety glasses.
- Emergency procedures : Evacuate unnecessary personnel.

##### 6.1.2. For emergency responders

- Protective equipment : Equip cleanup crew with proper protection.
- Emergency procedures : Ventilate area.

#### 6.2. Environmental precautions

Prevent entry to sewers and public waters. Notify authorities if liquid enters sewers or public waters.

#### 6.3. Methods and material for containment and cleaning up

- For containment : Dam up the liquid spill.
- Methods for cleaning up : Soak up spills with inert solids, such as clay or diatomaceous earth as soon as possible. Collect spillage. Store away from other materials.

#### 6.4. Reference to other sections

See Heading 8. Exposure controls and personal protection.

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### SECTION 7: Handling and storage

#### 7.1. Precautions for safe handling

- Additional hazards when processed : Handle empty containers with care because residual vapors are flammable. Keep away from heat, sparks, open flames, hot surfaces. - No smoking.
- Precautions for safe handling : Wash hands and other exposed areas with mild soap and water before eating, drinking or smoking and when leaving work. Provide good ventilation in process area to prevent formation of vapor. No open flames. No smoking. Obtain special instructions. Do not handle until all safety precautions have been read and understood.
- Hygiene measures : Wash hands and other exposed areas with mild soap and water before eating, drinking or smoking and when leaving work.

#### 7.2. Conditions for safe storage, including any incompatibilities

- Technical measures : Proper grounding procedures to avoid static electricity should be followed.
- Storage conditions : Keep only in the original container in a cool, well ventilated place away from : Keep container closed when not in use. Keep in fireproof place.
- Incompatible products : Strong bases. Strong acids.
- Incompatible materials : Sources of ignition. Direct sunlight. Heat sources.
- Storage area : Keep out of direct sunlight.

#### 7.3. Specific end use(s)

Follow Label Directions.

### SECTION 8: Exposure controls/personal protection

#### 8.1. Control parameters

1-Methylnaphthalene (90-12-0)		
USA ACGIH	ACGIH TWA (ppm)	0.5 ppm
USA ACGIH	ACGIH STEL (ppm)	0.5 ppm
2-Methylnaphthalene (91-57-6)		
USA ACGIH	ACGIH TWA (ppm)	0.5 ppm
USA ACGIH	ACGIH STEL (ppm)	0.5 ppm
Naphtha, Heavy Aromatic (64742-94-5)		
USA ACGIH	ACGIH TWA (mg/m³)	25 mg/m³ 1-METHYLNAPHTHALENE
USA ACGIH	ACGIH TWA (ppm)	0.5 ppm 1-METHYLNAPHTHALENE
Distillates (Petroleum), Hydrotreated Light (64742-47-8)		
USA ACGIH	ACGIH TWA (ppm)	200 ppm 8 Hours

#### 8.2. Exposure controls

- Appropriate engineering controls : Local exhaust ventilation, vent hoods.
- Personal protective equipment : Avoid all unnecessary exposure. Gloves. Safety glasses.



- Hand protection : Wear protective gloves.
- Eye protection : Chemical goggles or safety glasses.
- Skin and body protection : Wear suitable protective clothing.
- Respiratory protection : Wear appropriate mask.
- Other information : Do not eat, drink or smoke during use.

### SECTION 9: Physical and chemical properties

#### 9.1. Information on basic physical and chemical properties

- Physical state : Liquid
- Appearance : Yellow liquid.
- Color : Yellow to light brown.
- Odor : Characteristic.
- Odor threshold : No data available
- pH : No data available
- Relative evaporation rate (butyl acetate=1) : No data available

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Melting point	: No data available
Freezing point	: No data available
Boiling point	: 200 °C
Flash point	: 86 °C
Auto-ignition temperature	: No data available
Decomposition temperature	: No data available
Flammability (solid, gas)	: No data available
Vapor pressure	: No data available
Relative vapor density at 20 °C	: No data available
Relative density	: 0.851 @60 F
Solubility	: Insoluble in water.
Log Pow	: No data available
Log Kow	: No data available
Viscosity, kinematic	: No data available
Viscosity, dynamic	: No data available
Explosive properties	: No data available
Oxidizing properties	: No data available
Explosive limits	: No data available

### 9.2. Other information

VOC content	: 0.46 %
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## SECTION 10: Stability and reactivity

### 10.1. Reactivity

Decomposes on exposure to light.

### 10.2. Chemical stability

Combustible liquid. May form flammable/explosive vapor-air mixture.

### 10.3. Possibility of hazardous reactions

Not established.

### 10.4. Conditions to avoid

Direct sunlight. Extremely high or low temperatures. Open flame. Overheating. Heat. Sparks.

### 10.5. Incompatible materials

Strong acids. Strong bases.

### 10.6. Hazardous decomposition products

Toxic fume. . Carbon monoxide. Carbon dioxide. May release flammable gases.

## SECTION 11: Toxicological information

### 11.1. Information on toxicological effects

Acute toxicity	: Not classified
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1-Methylnaphthalene (90-12-0)	
LD50 oral rat	1840 mg/kg (Rat; Literature study)
LD50 dermal rabbit	> 5000 mg/kg (Rabbit; Literature study)
2-Methylnaphthalene (91-57-6)	
LD50 oral rat	1630 mg/kg (Rat)
Naphthalene (91-20-3)	
ATE CLP (oral)	500.000 mg/kg body weight
Naphtha, Heavy Aromatic (64742-94-5)	
LD50 oral rat	> 5000 mg/kg (Rat)
LD50 dermal rabbit	> 2000 mg/kg (Rabbit)
LC50 inhalation rat (mg/l)	> 5 mg/l/4h (Rat)
Distillates (Petroleum), Hydrotreated Light (64742-47-8)	
LD50 oral rat	> 5000 mg/kg body weight
LD50 dermal rabbit	> 2000 mg/kg
LC50 inhalation rat (mg/l)	> 5.28 mg/l/4h Based on lack of mortality and systemic effects

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Skin corrosion/irritation	: Not classified
Serious eye damage/irritation	: Not classified
Respiratory or skin sensitization	: Not classified
Germ cell mutagenicity	: Not classified Based on available data, the classification criteria are not met
Carcinogenicity	: May cause cancer.

<b>Naphtha, Heavy Aromatic (64742-94-5)</b>	
IARC group	2B
National Toxicity Program (NTP) Status	3
Reproductive toxicity	: Not classified
Specific target organ toxicity (single exposure)	: Not classified
Specific target organ toxicity (repeated exposure)	: Not classified
Aspiration hazard	: Not classified
Potential Adverse human health effects and symptoms	: Based on available data, the classification criteria are not met.
Symptoms/injuries after inhalation	: May cause cancer by inhalation.

## SECTION 12: Ecological information

### 12.1. Toxicity

<b>1-Methylnaphthalene (90-12-0)</b>	
LC50 fish 1	8.4 mg/l (48 h; Salmo fario; Yearlings)
EC50 Daphnia 1	1.2 mg/l (48 h; Daphnia magna)
LC50 fish 2	9 mg/l (96 h; Pimephales promelas)
Threshold limit algae 1	1.71 - 5.12,3 h; Chlorophyta
Threshold limit algae 2	1200 µg/l (14 days; Selenastrum capricornutum; Growth)
<b>2-Methylnaphthalene (91-57-6)</b>	
LC50 fish 1	8 mg/l (96 h; Oncorhynchus mykiss)
LC50 other aquatic organisms 1	1.3 mg/l (96 h; Cancer sp.; Larvae)
LC50 fish 2	2.5 mg/l (48 h; Pimephales promelas)
Threshold limit other aquatic organisms 1	1.3 mg/l (96 h; Cancer sp.; Larvae)
<b>Naphtha, Heavy Aromatic (64742-94-5)</b>	
LC50 fish 1	2.1 - 4.2 mg/l (96 h; Lepomis macrochirus; Fresh water)
EC50 Daphnia 1	0.95 mg/l (48 h; Daphnia magna)
LC50 fish 2	2.34 mg/l (96 h; Oncorhynchus mykiss)
Threshold limit algae 1	1 mg/l (72 h; Skeletonema costatum; Growth)

### 12.2. Persistence and degradability

<b>NGEN LIQUIFOG CARBON CRUSHER 16 FL.OZ.</b>	
Persistence and degradability	Not established.
<b>Distillates (Petroleum), Sweetened Middle (64741-86-2)</b>	
Persistence and degradability	Not established.
<b>1-Methylnaphthalene (90-12-0)</b>	
Persistence and degradability	Not readily biodegradable in water. Forming sediments in water.
<b>2-Methylnaphthalene (91-57-6)</b>	
Persistence and degradability	Inherently biodegradable. Not readily biodegradable in water.
<b>Naphthalene (91-20-3)</b>	
Persistence and degradability	May cause long-term adverse effects in the environment.
<b>Naphtha, Heavy Aromatic (64742-94-5)</b>	
Persistence and degradability	Not readily biodegradable in water.
<b>Polyether Amine (Confidential)</b>	
Persistence and degradability	Not established.
<b>Distillates (Petroleum), Hydrotreated Light (64742-47-8)</b>	
Persistence and degradability	Not established.

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### 12.3. Bioaccumulative potential

#### NGEN LIQUIFOG CARBON CRUSHER 16 FL.OZ.

Bioaccumulative potential	Not established.
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#### Distillates (Petroleum), Sweetened Middle (64741-86-2)

Bioaccumulative potential	Not established.
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#### 1-Methylnaphthalene (90-12-0)

BCF fish 1	20 (5 weeks; Oncorhynchus kisutch)
BCF fish 2	113-2000, 1 - 2 weeks; Platicthys stellatus
Log Pow	3.87 (Experimental value)
Bioaccumulative potential	Low potential for bioaccumulation (Log Kow < 4).

#### 2-Methylnaphthalene (91-57-6)

BCF fish 1	407 (624 h; Lepomis macrochirus; Muscles)
BCF fish 2	190 (840 h; Oncorhynchus kisutch; Muscles)
Log Pow	3.86 (Experimental value)
Bioaccumulative potential	Low potential for bioaccumulation (BCF < 500).

#### Naphthalene (91-20-3)

Bioaccumulative potential	Not established.
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#### Naphtha, Heavy Aromatic (64742-94-5)

Log Pow	2.9 - 6.1
Bioaccumulative potential	Bioaccumable.

#### Polyether Amine (Confidential)

Bioaccumulative potential	Not established.
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#### Distillates (Petroleum), Hydrotreated Light (64742-47-8)

Bioaccumulative potential	Not established.
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### 12.4. Mobility in soil

No additional information available

### 12.5. Other adverse effects

Other information : Avoid release to the environment.

## SECTION 13: Disposal considerations

### 13.1. Waste treatment methods

Waste disposal recommendations : Dispose in a safe manner in accordance with local/national regulations. Dispose of contents/container to appropriate waste disposal facility, in accordance with local, regional, national, international regulations.

Additional information : Handle empty containers with care because residual vapors are flammable.

Ecology - waste materials : Avoid release to the environment.

## SECTION 14: Transport information

In accordance with ADR / RID / IMDG / IATA / ADN

US DOT (ground): NA1993, Combustible liquid, n.o.s. (Petroleum Distillates, Polyether Amine), 3, III, Limited Quantity

ICAO/IATA (air): Not Regulated,

IMO/IMDG (water): Not Regulated,

Special Provisions: IB3 - Authorized IBCs: Metal (31A, 31B and 31N); Rigid plastics (31H1 and 31H2); Composite (31HZ1 and 31HA2, 31HB2, 31HN2, 31HD2 and 31HH2). Additional Requirement: Only liquids with a vapor pressure less than or equal to 110 kPa at 50 C (1.1 bar at 122 F), or 130 kPa at 55 C (1.3 bar at 131 F) are authorized, except for UN2672 (also see Special Provision IP8 in Table 2 for UN2672).

T1 - 1.5 178.274(d)(2) Normal..... 178.275(d)(2)

T4 - 2.65 178.274(d)(2) Normal..... 178.275(d)(3)

TP1 - The maximum degree of filling must not exceed the degree of filling determined by the following: Degree of filling =  $97 / 1 + a (tr - tf)$  Where: tr is the maximum mean bulk temperature during transport, and tf is the temperature in degrees celsius of the liquid during filling.

### 14.2. UN proper shipping name

Proper Shipping Name (DOT) : Combustible liquid, n.o.s. (Petroleum Distillates, Polyether Amine)

Department of Transportation (DOT) Hazard Classes : 3 - Class 3 - Flammable and combustible liquid 49 CFR 173.120

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DOT Symbols	: D - Proper shipping name for domestic use only, or to and from Canada, G - Identifies PSN requiring a technical name
Packing group (DOT)	: III - Minor Danger
DOT Special Provisions (49 CFR 172.102)	: IB3 - Authorized IBCs: Metal (31A, 31B and 31N); Rigid plastics (31H1 and 31H2); Composite (31HZ1 and 31HA2, 31HB2, 31HN2, 31HD2 and 31HH2). Additional Requirement: Only liquids with a vapor pressure less than or equal to 110 kPa at 50 C (1.1 bar at 122 F), or 130 kPa at 55 C (1.3 bar at 131 F) are authorized, except for UN2672 (also see Special Provision IP8 in Table 2 for UN2672). T1 - 1.5 178.274(d)(2) Normal..... 178.275(d)(2) T4 - 2.65 178.274(d)(2) Normal..... 178.275(d)(3) TP1 - The maximum degree of filling must not exceed the degree of filling determined by the following: Degree of filling = $97 / 1 + a (tr - tf)$ Where: tr is the maximum mean bulk temperature during transport, and tf is the temperature in degrees celsius of the liquid during filling.
DOT Packaging Exceptions (49 CFR 173.xxx)	: 150
DOT Packaging Non Bulk (49 CFR 173.xxx)	: 203
DOT Packaging Bulk (49 CFR 173.xxx)	: 241

### 14.3. Additional information

Other information : No supplementary information available.

#### Overland transport

No additional information available

#### Transport by sea

DOT Vessel Stowage Location : A - The material may be stowed "on deck" or "under deck" on a cargo vessel and on a passenger vessel.

#### Air transport

DOT Quantity Limitations Passenger aircraft/rail : 60 L  
(49 CFR 173.27)

DOT Quantity Limitations Cargo aircraft only (49 : 220 L  
CFR 175.75)

## SECTION 15: Regulatory information

### 15.1. US Federal regulations

#### NGEN LIQUIFOG CARBON CRUSHER 16 FL.OZ.

SARA Section 311/312 Hazard Classes	Delayed (chronic) health hazard Immediate (acute) health hazard
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#### Naphthalene (91-20-3)

SARA Section 311/312 Hazard Classes	Delayed (chronic) health hazard Immediate (acute) health hazard
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#### Naphtha, Heavy Aromatic (64742-94-5)

Listed on the United States TSCA (Toxic Substances Control Act) inventory	
SARA Section 311/312 Hazard Classes	Delayed (chronic) health hazard
SARA Section 313 - Emission Reporting	14 % Naphthalene (CAS 91-20-3)

#### Distillates (Petroleum), Hydrotreated Light (64742-47-8)

SARA Section 311/312 Hazard Classes	Immediate (acute) health hazard Delayed (chronic) health hazard
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### 15.2. International regulations

#### CANADA

#### NGEN LIQUIFOG CARBON CRUSHER 16 FL.OZ.

WHMIS Classification	Class B Division 3 - Combustible Liquid Class D Division 1 Subdivision B - Toxic material causing immediate and serious toxic effects
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#### Naphthalene (91-20-3)

WHMIS Classification	Class B Division 4 - Flammable Solid Class D Division 1 Subdivision B - Toxic material causing immediate and serious toxic effects
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#### Distillates (Petroleum), Hydrotreated Light (64742-47-8)

WHMIS Classification	Uncontrolled product according to WHMIS classification criteria
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#### EU-Regulations

No additional information available

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### Classification according to Regulation (EC) No. 1272/2008 [CLP]

### Classification according to Directive 67/548/EEC [DSD] or 1999/45/EC [DPD]

Carc.Cat.2; R45

R52/53

Full text of R-phrases: see section 16

### 15.2.2. National regulations

#### Naphtha, Heavy Aromatic (64742-94-5)

Listed on the AICS (Australian Inventory of Chemical Substances)  
Listed on IECSC (Inventory of Existing Chemical Substances Produced or Imported in China)  
Listed on the Canadian NDSL (Non-Domestic Substances List)  
Listed on the Japanese ENCS (Existing & New Chemical Substances) inventory  
Listed on KECI (Korean Existing Chemicals Inventory)  
Listed on PICCS (Philippines Inventory of Chemicals and Chemical Substances)

### 15.3. US State regulations

#### NGEN LIQUIFOG CARBON CRUSHER 16 FL.OZ.

State or local regulations	U.S. - California - Proposition 65 - Maximum Allowable Dose Levels (MADL)
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#### Naphthalene (91-20-3)

U.S. - Pennsylvania - RTK (Right to Know) List  
U.S. - Massachusetts - Right To Know List

## SECTION 16: Other information

Indication of changes : Revision - See : \*

Other information : None.

Full text of H-phrases: see section 16:

Acute Tox. 4 (Oral)	Acute toxicity (oral) Category 4
Aquatic Acute 1	Hazardous to the aquatic environment - Acute Hazard Category 1
Aquatic Chronic 1	Hazardous to the aquatic environment - Chronic Hazard Category 1
Asp. Tox. 1	Aspiration hazard Category 1
Carc. 1A	Carcinogenicity Category 1A
Carc. 1B	Carcinogenicity Category 1B
Carc. 2	Carcinogenicity Category 2
Flam. Liq. 4	Flammable liquids Category 4
H227	Combustible liquid
H302	Harmful if swallowed
H304	May be fatal if swallowed and enters airways
H350	May cause cancer
H351	Suspected of causing cancer
H400	Very toxic to aquatic life
H410	Very toxic to aquatic life with long lasting effects

NFPA health hazard

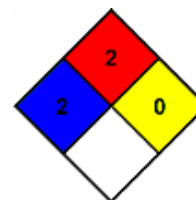
: 2 - Intense or continued exposure could cause temporary incapacitation or possible residual injury unless prompt medical attention is given.

NFPA fire hazard

: 2 - Must be moderately heated or exposed to relatively high temperature before ignition can occur.

NFPA reactivity

: 0 - Normally stable, even under fire exposure conditions, and are not reactive with water.



### HMIS III Rating

Health

: 2 Moderate Hazard - Temporary or minor injury may occur

Flammability

: 2 Moderate Hazard

Physical

: 0 Minimal Hazard

Personal Protection

: B

SDS US (GHS HazCom 2012) - TCC



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*The Supplier identified in Section 1 of this MSDS has evaluated this product and certifies it to be labeled and packaged in compliance with the applicable provisions of the Federal Hazardous Substance Act as stated in 16 CFR 1500 and enforced by the Consumer Product Safety Commission, and where applicable the products that require Child Resistant Closures are packaged in accordance with the Poison Prevention Packaging Act as stated in 16 CFR 1700 and enforced by the Consumer Product Safety Commission. All closures have been tested in accordance with the latest protocols. No other testing is required to certify compliance with the above. The date of manufacture is stamped on the product*

*Disclaimer: The information and recommendations contained herein are based upon tests believed to be reliable. However, the manufacturer/distributor of this product does not guarantee their accuracy or completeness NOR SHALL ANY OF THIS INFORMATION CONSTITUTE A WARRANTY, WHETHER EXPRESSED OR IMPLIED, AS TO THE SAFETY OF THE GOODS, THE MERCHANTABILITY OF THE GOODS, OR THE FITNESS OF THE GOODS FOR A PARTICULAR PURPOSE. Adjustment to conform to actual conditions of usage may be required. The manufacturer/distributor assumes no responsibility for results obtained or for incidental or consequential damages, including lost profits, arising from the use of these data. No warranty against infringement of any patent, copyright or trademark is made or implied.*