

7640.0110 APPLICABILITY AND CONDUCT.**Subpart 1. Residential insulation products regulated.**

A. This chapter applies to thermal insulation products for use in residential buildings within Minnesota. Residential buildings covered are those that are not more than three stories in height and contain no conditioned common space that is shared between dwellings, and each dwelling unit contains a separate means of egress.

Exception: insulation installed in manufactured buildings constructed in accordance with Code of Federal Regulations, title 24, part 3280.

B. Insulation products regulated by this chapter include:

(1) insulation for walls, ceilings, floors, and foundation walls; pipe insulation; insulation beneath slabs; duct insulation; and retrofit water heater blanket insulation; and

(2) any material or assembly of materials designed to provide resistance to heat flow in residential building structures, including but not limited to mineral fibrous, mineral cellular, organic fibrous, organic and plastic cellular and reflective materials, whether in loose fill, flexible, rigid, or semirigid form, and any material advertised for use in residential buildings as having energy-saving value by virtue of its thermal resistance (R value) or emissivity properties.

Exception: insulation used in manufactured buildings constructed in accordance with Code of Federal Regulations, title 24, part 3280, and appliances and doors.

Subp. 2. Conduct.

A. Thermal insulation materials sold, distributed, or installed in Minnesota residential buildings must be demonstrated by test to conform with the standards set forth in part 7640.0130.

B. Industry members installing thermal insulation shall follow manufacturer's written application instructions.

C. Insulation used for exterior below-grade application must be recommended by the manufacturer for exterior below-grade application.

D. Industry members must comply with the requirements of the United States Federal Trade Commission in Code of Federal Regulations, title 16, part 460.

E. Any false, misleading, or unsubstantiated statements in a sales presentation, or on any label, product literature, or product intended for the purchaser, as identified in Minnesota Statutes, section 325F.22, 325F.67, or 325F.69, subdivision 1, are subject to the state's remedies provided in Minnesota Statutes, sections 325F.24 and 325F.70.

F. If any representation is made that a product to be installed in Minnesota residential buildings will affect heat flow or energy savings, the representation must be based on the building envelope climate criteria set forth in the American Society of Heating, Refrigerating and Air Conditioning Engineers (ASHRAE) Standard 90.1-2010.

Subp. 3. **Retail sales.** Retailers of residential thermal insulation products for do-it-yourself installation must make available to each purchaser the manufacturer's written instructions describing the product's recommended use, proper application methods, and required or recommended installation safety measures. "Make available to each purchaser" means either providing the required materials, a conspicuous posting located where customers procure products stating that the manufacturer's written instructions describing the product's recommended use, proper application methods, and required or recommended installation safety measures are immediately available on request, or identifying a Web site where these instructions can be found.

Subp. 4. [Repealed, 32 SR 2213]

Subp. 5. [Repealed, 14 SR 2633]

Statutory Authority: *MS s 45.023; 325F.20; 325F.21*

History: *10 SR 1208; L 1987 c 312 art 1 s 9; 13 SR 532; 13 SR 2982; 16 SR 2026; 32 SR 2213; 39 SR 1167*

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