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(2) Results of median lethal dosage (LD50) studies conducted in additional species of animals; and

(3) Any additional experimental studies relevant to the exemption request which would provide the Commission with additional means of assessing the hazards to children of the product for which exemption is sought.

§ 1702.10 Human experimental data involving the testing of human subjects.

Any human experimental data submitted with a petition requesting an exemption under this part shall include a statement establishing that adequate measures have been taken to ensure against psychological or physical injury to the subject of the human studies. The Commission considers its regulations concerning the protection of human subjects (16 CFR part 1028) to be an example of measures that are adequate to ensure against psychological or physical injury to human subjects.

§ 1702.11 Product specifications.

Each petition for an exemption shall include:

(a) A complete quantitative formula for the product, including inert ingredients, diluents, and solvents. (Petitioners should refer to § 1702.6 for information regarding trade secrets.)

(b) A listing of all physical forms or dosage forms (whichever is appropriate) in which the product is available.

§ 1702.12 Packaging specifications.

Each petition for an exemption shall include the following information for each form of the product for which an exemption is sought:

(a) A description of the packaging currently in use including the name of the manufacturer of the package and all specifications for the package,

(b) A complete packaging description including any carton or wrapping in which the product is offered to the consumer,

(c) A description of each size in which the product is offered, including physical form, color and flavoring, and

(d) An empty sample of each type and size of package petitioned for exemption and, in the case of drugs, a designation of those packages intended to be used in dispensing the product to the consumer for household use.

§ 1702.13 Labeling and packaging samples.

Each petition for an exemption under this part shall include a sample of the label and complete packaging for each size in which each form of the product for which an exemption is sought is packaged. This shall include the immediate container labeling, any package inserts, and other carton or wrapping labeling in which the product is offered to the consumer. In the case of drugs, each petition shall be accompanied by labeling on the outer carton or wrapping in which the product is offered to the retailer, as well as samples of the promotional and advertising information for the product.

§ 1702.14 Marketing history.

Each petition for an exemption under this part shall include a statement of the marketing history of the substance for which an exemption is requested. The marketing history dates from the year in which each form of the product was introduced onto the market. The marketing history shall include the total number of units of each form or strength and package size of the product distributed since the product was introduced onto the market. In the case of prescription drugs, the average prescription size for the product should also be indicated, if known.

§ 1702.15 Petitions alleging the incompatiability of child resistant packaging with the particular substance petitioned for exemption.

(a) Where the petition for an exemption is based upon an allegation that the applicable special packaging standard is incompatible with the particular substance or would seriously and adversely compromise the utility or stability of a substance, the petitioner shall submit adequate evidence to support the allegation.

(b) If the allegation of incompatibility is based upon the fact that package choice is limited by a new drug application filed with the FDA, the petition shall state the limitation of package choice and a description of a time