

SENATE BILL 710

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8lr2579
CF HB 1189

By: **Senator Lenett**

Introduced and read first time: February 1, 2008

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: March 19, 2008

Returned to second reading: March 21, 2008

Senate action: Adopted

Read second time: March 21, 2008

CHAPTER _____

1 AN ACT concerning

2 **Environment – Phosphorus – Dishwashing Detergent**

3 FOR the purpose of altering the date by which certain persons are prohibited from
4 using, selling, manufacturing, or distributing for sale certain dishwashing
5 detergent that contains greater than a certain amount of phosphorus; and
6 generally relating to phosphorus in dishwashing detergents.

7 BY repealing and reenacting, without amendments,
8 Article – Environment
9 Section 9–1502
10 Annotated Code of Maryland
11 (2007 Replacement Volume and 2007 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Environment
14 Section 9–1503
15 Annotated Code of Maryland
16 (2007 Replacement Volume and 2007 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Environment**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 9–1502.

2 This subtitle does not apply to a cleaning agent that is:

3 (1) A detergent used in dairy, beverage, or food processing cleaning
4 equipment;

5 (2) A phosphoric acid product, including a sanitizer, brightener, acid
6 cleaner, or metal conditioner;

7 (3) A detergent used in hospitals, veterinary hospitals or clinics, or
8 health care facilities or in agricultural production;

9 (4) A detergent used by industry for metal cleaning or conditioning;

10 (5) Manufactured, stored, or distributed for use or sale outside of the
11 State;

12 (6) Used in any laboratory, including a biological laboratory, research
13 facility, chemical laboratory, and engineering laboratory; or

14 (7) Used in a commercial laundry that provides laundry services for a
15 hospital, health care facility, or veterinary hospital.

16 9–1503.

17 (a) Except as provided in subsection (b) of this section, a person may not use,
18 sell, manufacture, or distribute for use or sale within the State any cleaning agent
19 that contains more than 0.0 percent phosphorus by weight expressed as elemental
20 phosphorus except for an amount not exceeding 0.5 percent phosphorus that is
21 incidental to manufacturing.

22 (b) Except as provided in subsection (c) of this section, a person may use, sell,
23 manufacture, or distribute for use or sale a cleaning agent that contains greater than
24 0.0 percent phosphorus by weight, but does not exceed 8.7 percent phosphorus by
25 weight that is:

26 (1) A detergent used in a dishwashing machine, whether commercial
27 or household; or

28 (2) A substance the Secretary, by rule and regulation, excludes from
29 the 0.0 percent phosphorus limitation of subsection (a) of this section based on a
30 finding that compliance with this section would:

31 (i) Create a significant hardship on the user; or

1 (ii) Be unreasonable because of the lack of an adequate
2 substitute cleaning agent.

3 (c) After [January 1, 2010] **JULY 1, 2010**, a person may not use, sell,
4 manufacture, or distribute for use or sale within the State any detergent for use in a
5 household dishwashing machine that contains more than 0.5 percent phosphorus by
6 weight.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2008.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.