

## CHAPTER 168

(Senate Bill 304)

AN ACT concerning

~~Consumer Products Safety – Lead and Mercury Reduction Act~~  
Statewide Advisory Commission on Immunizations – Influenza  
Vaccines – Study

FOR the purpose of ~~prohibiting certain persons from administering vaccines that contain more than a certain amount of mercury per dose; prohibiting the sale, offer for sale, or distribution in the State of certain drugs that contain mercury; prohibiting the sale, offer for sale, or distribution in the State of cosmetics that contain lead or mercury; providing for a delayed effective date; and generally relating to prohibitions against the administering of vaccines with specified levels of mercury and the sale of cosmetics and specified drugs that contain mercury~~ requiring the Statewide Advisory Commission on Immunizations to conduct a certain study; requiring the Commission to make a certain report to certain committees of the General Assembly on or before a certain date; and generally relating to the Statewide Advisory Commission on Immunizations and a study on the influenza vaccine.

~~BY adding to~~

~~Article – Health – General  
Section 18-405, 21-228, and 21-232  
Annotated Code of Maryland  
(2005 Replacement Volume and 2007 Supplement)~~

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

~~Article – Health – General~~

~~18-405.~~

~~A PERSON LAWFULLY ADMINISTERING A VACCINE MAY NOT ADMINISTER A VACCINE TO AN INDIVIDUAL IF THE VACCINE CONTAINS MORE THAN 1.25 MICROGRAMS OF MERCURY PER 0.5 MILLILITER DOSE.~~

~~21-228.~~

~~(A) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO THE SALE, OFFER FOR SALE, OR DISTRIBUTION OF A PRESCRIPTION DRUG.~~

~~(B) A PERSON MAY NOT SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE STATE A DRUG THAT CONTAINS MERCURY.~~

~~21-232.~~

~~A PERSON MAY NOT SELL, OFFER FOR SALE, OR DISTRIBUTE IN THE STATE A COSMETIC THAT CONTAINS LEAD OR MERCURY.~~

(a) The Statewide Advisory Commission on Immunizations shall:

(1) Study the current availability and anticipated future availability of single-dose influenza vaccines for use in the State; and

(2) Identify the current and anticipated future cost differential between single-dose and multi-dose influenza vaccines; and

(b) On or before December 1, 2008, the Commission shall report its findings, in accordance with § 2-1246 of the State Government Article, to the Senate Education, Health, and Environmental Affairs Committee, the Senate Finance Committee, and the House Health and Government Operations Committee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~January 1, 2009~~ June 1, 2008.

**Approved by the Governor, April 24, 2008.**