

Department of Legislative Services  
Maryland General Assembly  
2008 Session

FISCAL AND POLICY NOTE

House Bill 1189

(Delegate Niemann, *et al.*)

Environmental Matters

Education, Health, and Environmental  
Affairs

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Environment - Phosphorus - Dishwashing Detergent

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This bill delays by six months – from January 1, 2010 to July 1, 2010 – the effective date of the prohibition on using, selling, manufacturing, or distributing detergent for use in a household dishwashing machine that contains more than 0.5% phosphorus by weight.

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Fiscal Summary

**State Effect:** The bill would not materially affect State operations or finances.

**Local Effect:** The bill would not materially affect local operations or finances.

**Small Business Effect:** Minimal.

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Analysis

**Current Law:** Chapters 187 and 188 of 2007 prohibit, beginning January 1, 2010, a person from using, selling, manufacturing, or distributing for use or sale within the State any detergent for use in a household dishwashing machine that contains more than 0.5% phosphorus by weight.

**Background:** The Soap and Detergent Association (SDA) and the Association of Home Appliance Manufacturers advise that the detergent industry has committed to developing and marketing a phosphate-free alternative by July 1, 2010. According to the industry, this bill will make the effective date of Maryland's prohibition consistent with that of several other states that have enacted or are considering similar prohibitions. SDA advises that of all the states that have enacted statewide prohibitions on the use of

dishwashing detergent that contains phosphorus, only Maryland's prohibition has an effective date other than July 1, 2010. Legislative Services notes, however, that in the state of Washington, the ban is scheduled to take effect in three counties on July 1, 2008.

Although several household phosphate-free dishwashing detergents are currently available, SDA believes that they represent less than 1% of the market.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** SB 710 (Senator Lenett) – Education, Health, and Environmental Affairs.

**Information Source(s):** Maryland Department of the Environment, Office of the Attorney General, Soap and Detergent Association, Association of Home Appliance Manufacturers, Proctor & Gamble, Department of Legislative Services

**Fiscal Note History:** First Reader - February 28, 2008  
mll/jr

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