

# HOUSE BILL 53

M3

(11r0802)

## ENROLLED BILL

— *Environmental Matters/Education, Health, and Environmental Affairs* —

Introduced by **Delegate Hubbard**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Environment – ~~Commercial Dishwashing Detergent – Prohibition~~**  
3 **Phosphorus – Commercial Dishwashing Detergent**

4 FOR the purpose of prohibiting a person from using, selling, manufacturing, or  
5 distributing for use or sale certain commercial dishwashing detergents that  
6 contain greater than a certain amount of phosphorus after a certain date;  
7 repealing certain obsolete language; and generally relating to phosphorus in  
8 commercial dishwashing detergents.

9 BY repealing and reenacting, with amendments,  
10 Article – Environment  
11 Section 9–1503  
12 Annotated Code of Maryland  
13 (2007 Replacement Volume and 2010 Supplement)

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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.

*Italics indicate opposite chamber/conference committee amendments.*



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

3 **Article – Environment**

4 9–1503.

5 (a) Except as ~~provided in subsection (b) of~~ ~~**OTHERWISE PROVIDED IN**~~  
6 **PROVIDED IN SUBSECTION (B) OF** this section, a person may not use, sell,  
7 manufacture, or distribute for use or sale within the State any cleaning agent that  
8 contains more than 0.0 percent phosphorus by weight expressed as elemental  
9 phosphorus except for an amount not exceeding 0.5 percent phosphorus that is  
10 incidental to manufacturing.

11 (b) Except as provided in subsection (c) of this section, a person may use, sell,  
12 manufacture, or distribute for use or sale a cleaning agent that contains greater than  
13 0.0 percent phosphorus by weight, but does not exceed 8.7 percent phosphorus by  
14 weight that is:

15 (1) A detergent used in a **COMMERCIAL** dishwashing machine[,  
16 whether commercial or household]; or

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

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

21 (ii) Be unreasonable because of the lack of an adequate  
22 substitute cleaning agent.

23 (c) ~~(1) After [July 1, 2010] **OCTOBER 1, 2012**, a **A** person may not use, sell,~~  
24 ~~manufacture, or distribute for use or sale within the State any detergent for use in a~~  
25 ~~[household] **COMMERCIAL** dishwashing machine that contains more than 0.5 percent~~  
26 ~~phosphorus by weight.~~

27 **(2) AFTER JULY 1, 2013, A PERSON MAY NOT USE, SELL,**  
28 **MANUFACTURE, OR DISTRIBUTE FOR USE OR SALE WITHIN THE STATE ANY**  
29 **DETERGENT FOR USE IN A COMMERCIAL DISHWASHING MACHINE THAT**  
30 **CONTAINS MORE THAN 0.5 PERCENT PHOSPHORUS BY WEIGHT.**

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
32 October 1, 2011.