

# HOUSE BILL 53

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11r0802

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By: **Delegate Hubbard**

Introduced and read first time: January 20, 2011

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Environment – Commercial Dishwashing Detergent – Prohibition**

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

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

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

15 **Article – Environment**

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:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

7                   (ii) Be unreasonable because of the lack of an adequate  
8 substitute cleaning agent.

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

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