



General Assembly

Amendment

February Session, 2002

LCO No. 4137

HB0553904137HD0

Offered by:

REP. STRATTON, 17th Dist.

To: Subst. House Bill No. 5539

File No. 291

Cal. No. 176

(As Amended)

**"AN ACT CONCERNING MERCURY EDUCATION AND
REDUCTION."**

1 Strike subsection (a) of section 6 and insert the following in lieu
2 thereof:

3 "(a) Except as provided in section 7 of this act, except for products
4 that contain a mercury-containing lamp used for backlighting that
5 cannot feasibly be removed by the purchaser and except for
6 specialized lighting used in the entertainment industry such as metal
7 halide lights, no person shall offer for sale or distribute for
8 promotional purposes any mercury-added product if: (1) After July 1,
9 2004, the mercury content of the product exceeds one gram in the case
10 of fabricated mercury-added products or two hundred fifty parts per
11 million in the case of formulated mercury-added products; and (2) on
12 and after July 1, 2006, the mercury content of the product exceeds one
13 hundred milligrams in the case of fabricated mercury-added products

14 or fifty parts per million in the case of formulated mercury-added
15 products."

16 Strike subsection (b) of section 6 and insert the following in lieu
17 thereof:

18 "(b) Not later than July 1, 2003, the commissioner shall convene a
19 working group which shall include, but not be limited to, government
20 representatives from other northeastern states to evaluate advances in
21 technology and make recommendations regarding the regulation of
22 mercury-added products that have a mercury content in excess of ten
23 milligrams or ten parts per million but less than one hundred
24 milligrams or fifty parts per million and specialized lighting used in
25 the entertainment industry such as metal halide lights. Within such
26 working group, the commissioner shall convene a subgroup which
27 shall include, but not be limited to, industry trade groups for mercury-
28 containing lamps to develop a plan in accordance with section 9 of this
29 act to provide for the collection of such lamps. The working group
30 shall finalize such recommendations not later than July 1, 2004."

31 Strike subsection (g) of section 8 and insert the following in lieu
32 thereof:

33 "(g) (1) Manufacturers shall meet all the requirements of this section
34 for large appliances, including, but not limited to, washers, dryers,
35 ovens, including microwave ovens, refrigerators, air conditioners,
36 dehumidifiers or portable heaters sold in a store where such appliance
37 is on display, except that no package labeling shall be required; (2)
38 manufacturers shall meet all the requirements of this section for
39 mercury fever thermometers, except that no product labeling shall be
40 required; (3) in the case of vehicles, (A) manufacturers shall meet the
41 product labeling requirements of this section for vehicles by placing a
42 label on the doorpost of the vehicles that lists the mercury-added
43 components that may be present in the vehicle, and (B) manufacturers
44 shall not be required to label the mercury-added components of the
45 vehicle; (4) manufacturers of products that contain a mercury-

46 containing lamp used for backlighting that cannot feasibly be removed
47 by the purchaser shall meet the product labeling requirements of this
48 section by placing the label on the product or its care and use manual;
49 (5) manufacturers shall meet all the requirements of this section for
50 button cell batteries containing mercury, except that no labeling shall
51 be required; (6) in the case of products that contain button cell batteries
52 containing mercury as the only mercury components, manufacturers
53 shall meet the packaging requirements of this section by including a
54 label in the product instructions, if any, and on the packaging, and no
55 further product labeling shall be required; (7) manufacturers of
56 fluorescent lights shall meet the labeling requirements of this section
57 by labeling the product packaging; and (8) manufacturers of medical
58 equipment not intended for use by nonmedical personnel are exempt
59 from this section."

60 Strike subsection (f) of section 9 and insert the following in lieu
61 thereof:

62 "(f) The following are exempt from the provisions of this section: (1)
63 Formulated mercury-added products intended to be consumed in use,
64 including, but not limited to, reagents, cosmetics, pharmaceuticals and
65 other laboratory chemicals; (2) fabricated mercury-containing products
66 where the only mercury is contained in a component that cannot
67 feasibly be removed by the purchaser including, but not limited to,
68 electronic products whose only mercury-added component is a
69 mercury-containing lamp used for backlighting provided such
70 manufacturer or trade association maintains a web-based service to
71 provide information on recycling and safe disposal of such products;
72 (3) photographic film and paper; (4) a manufacturer or trade
73 association of mercury-containing lamps that maintain a toll-free
74 telephone number and an Internet-based service to provide
75 information on recycling and safe disposal of such lamps and directs
76 consumers to such telephone number and service on any statutorily-
77 required package label; and (5) any other product for which the
78 commissioner determines a collection plan is not feasible."

79 Strike section 12 and insert the following in lieu thereof:

80 "Sec. 12. (NEW) (*Effective July 1, 2002*) (a) Mercury-added products
81 with a code or date of manufacture indicating they were manufactured
82 prior to January 1, 2003, or mercury-added products for which the
83 manufacturer provides documentation that the product was
84 manufactured prior to January 1, 2003, shall be exempt from section 4
85 of this act, except that motor vehicles with a code or date of
86 manufacture prior to October 1, 2003, or motor vehicles for which the
87 manufacturer provides documentation that the product was
88 manufactured prior to October 1, 2003, shall be exempt from such
89 sections.

90 (b) Mercury-added products with a code or date of manufacture
91 indicating they were manufactured prior to January 1, 2004, or
92 mercury-added products for which the manufacturer provides
93 documentation that the product was manufactured prior to January 1,
94 2004, shall be exempt from sections 6 and 8 of this act, except that
95 motor vehicles with a code or date of manufacture prior to October 1,
96 2003, or motor vehicles for which the manufacturer provides
97 documentation that the product was manufactured prior to October 1,
98 2003, shall be exempt from such sections.

99 (c) Mercury-added products with a code or date of manufacture
100 indicating they were manufactured prior to July 1, 2003, or mercury-
101 added products for which the manufacturer provides documentation
102 that the product was manufactured prior to July 1, 2003, shall be
103 exempt from section 9 of this act, except that motor vehicles with a
104 code or date of manufacture prior to October 1, 2003, or motor vehicles
105 for which the manufacturer provides documentation that the product
106 was manufactured prior to October 1, 2003, shall be exempt from such
107 sections."