

House Research Act Summary

CHAPTER: 109

SESSION: 2007 Regular Session

TOPIC: Mercury reduction

Date: June 1, 2007

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Overview

Chapter 109 requires mercury-containing lamps to be recycled; bans the sale of various medical and measuring devices, pharmaceuticals and cosmetics that contain mercury; and establishes notice and labeling requirements for certain mercury-containing products.

Section

1 [115A.932] Mercury prohibition.

Subd. 1. Prohibitions. Prohibits the placing of a fluorescent or high-intensity discharge lamp containing mercury in solid waste or a wastewater disposal system, and requires such products to be delivered to a lamp recycling facility or a collection point that will deliver them to such a facility.

2 [116.92] Mercury emissions reduction.

Subd. 3. Labeling; products containing mercury. Requires a fluorescent or high-intensity discharge lamp or laboratory chemical, reagent, fixative and electrode containing mercury that is sold at wholesale or retail to contain a label informing consumers that it may not be disposed of until the mercury is removed. Labeling may conform to a plan approved by a state that is a member of the Interstate Mercury Education and Reduction Clearinghouse or may be contained in the product care and use manual.

Section

- 3 **Subd. 7a. Fluorescent and high-intensity discharge lamps; residential applications.** Specifies that information regarding proper disposal of a fluorescent or high-intensity discharge lamp must be printed in 12-point type or larger; must clearly indicate that such products are not to be placed in garbage. Television or radio advertisements regarding such products must state that they contain mercury and must be recycled.
- 4 **Subd. 8b. Ban; mercury-containing sphygmomanometers.** Prohibits the sale of mercury-containing sphygmomanometers after August 1, 2007.
- 5 **Subd. 8c. Ban; mercury-containing gastrointestinal devices.** Prohibits the sale of mercury-containing gastrointestinal devices after August 1, 2007.
- 6 **Subd. 8d. Ban; mercury-containing thermostats.** Prohibits the sale of mercury-containing room thermostats after August 1, 2007.
- 7 **Subd. 8e. Ban; mercury-containing switches and relays.** Prohibits after August 1, 2007, the sale of mercury-containing switches and relays, unless the manufacturer has received an exemption from a state that is a member of the Interstate Mercury Education and Reduction Clearinghouse.
- 8 **Subd. 8f. Ban; mercury diostats.** Prohibits after January 1, 2008, the sale of a new gas oven or range with a mercury-containing switch controlling a gas valve.
- 9 **Subd. 8g. Ban; mercury-containing barometers, manometers, and pyrometers.** Prohibits after January 1, 2008, the sale of mercury-containing devices used to measure atmospheric pressure, the pressure of liquids or gases, or the temperature of extremely hot materials.
- 10 **Subd. 8h. Ban; mercury in over-the-counter pharmaceuticals.** Prohibits after January 1, 2008, the sale of over-the-counter pharmaceuticals containing mercury.
- 11 **Subd. 8i. Ban; mercury in cosmetics, toiletries, and fragrances.** Prohibits after January 1, 2008, the sale of cosmetics, toiletries, and fragrances containing mercury.
- 12 **Subd. 8j. Exclusion for existing equipment.** Provides an exemption from prohibitions in subdivision 8b to 8g for devices replacing a device that is part of a larger product that was in use before January 1, 2008, provided that the owner has made every reasonable effort to secure a nonmercury replacement component.
- 13 **Subd. 10. Definition of mercury-containing.** Specifies that "containing mercury" as used in this section means the intentional addition of mercury to a product.
- 14 **[116.921] Multistate clearinghouse.** Authorizes the Pollution Control Agency to participate in the Interstate Mercury Education and Reduction Clearinghouse to assist it in carrying out statutes regarding the sale, labeling, and disposal of mercury-containing products.
- 15 **[116.03] Lamp recycling facility; permits or licenses; reporting.** Requires that a license or permit to operate a lamp recycling facility must require the operator to submit an annual

Section

report to the agency, by March 1 of each year, beginning in 2008, on the number and types of lamps received from generators in Minnesota and from other states.

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[121A.33] Certain mercury use in schools prohibited. Prohibits, after December 31, 2007, a school from purchasing or storing elemental mercury or a measuring device that contains mercury, except thermostats used to measure temperatures in the school.

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[325E.127] Notice for fluorescent lamps containing mercury. Requires, after July 1, 2008, a retailer of fluorescent lamps to post a notice, in 36-point type or larger, stating that the bulbs contain mercury, must be recycled, and that a county or utility may be contacted regarding recycling options.

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Consumer education regarding fluorescent bulbs. Specifies that the legislature shall examine and consider alternative methods of consumer education to those in section 17 before July 1, 2008, and proceed to enact methods deemed effective.