

regarding the production, use, storage, and disposal of products containing BFRs. Although flame retardants make a valuable contribution to fire safety and save a number of lives every year by preventing the start of fires, delaying the spread of fires, or delaying the time of flashover to provide people time to escape, there has been increasing concern about the health effects of some of these BFRs; and

WHEREAS, There is an increasing level of public concern over the findings of certain polybrominated diphenyl ethers in the environment and in human breast milk; and

WHEREAS, Substantial efforts have been made by industry and users to phase out the manufacture of certain polybrominated diphenyl ethers; now, therefore,

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

### Article - Environment

#### SUBTITLE 12. BROMINATED FLAME RETARDANTS.

6-1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "OCTABDE" MEANS OCTABROMINATED DIPHENYL ETHER.

(C) "PENTABDE" MEANS PENTABROMINATED DIPHENYL ETHER.

6-1202.

(A) THIS SECTION DOES NOT APPLY TO THE PROCESSING OF RECYCLABLES CONTAINING PENTABDE OR OCTABDE THAT IS CONDUCTED IN COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS.

(B) THIS SECTION DOES NOT APPLY TO ORIGINAL EQUIPMENT MANUFACTURER REPLACEMENT SERVICE PARTS OR OTHER PRODUCTS MANUFACTURED PRIOR TO OCTOBER 1, 2008, IF THE PARTS OR PRODUCTS WERE MANUFACTURED IN COMPLIANCE WITH APPLICABLE FEDERAL, STATE, AND LOCAL LAWS.

(C) ON OR AFTER OCTOBER 1, 2008, A PERSON MAY NOT MANUFACTURE, PROCESS, SELL, OR DISTRIBUTE IN THE STATE A NEW PRODUCT OR FLAME-RETARDANT PART OF A NEW PRODUCT THAT CONTAINS MORE THAN ONE-TENTH OF 1% OF PENTABDE OR OCTABDE BY MASS.

6-1203.

(A) TO ENFORCE THE PROVISIONS OF THIS SUBTITLE, THE DEPARTMENT MAY:

(1) NOTIFY A PERSON THAT THERE ARE GROUNDS FOR SUSPECTING THAT THE PERSON MAY BE IN VIOLATION OF THIS SUBTITLE; AND