

~~6-904. 6-905.~~

~~(A) ON OR AFTER OCTOBER 1, 2003, A PERSON MAY NOT DISPOSE OF MERCURY, A MERCURY ADDED NOVELTY, OR A MERCURY ADDED PRODUCT EXCEPT IN A MANNER THAT THE DEPARTMENT APPROVES UNDER REGULATIONS ADOPTED BY THE DEPARTMENT UNDER THIS SECTION.~~

(A) IN THIS SECTION, "MARKETER" MEANS A PERSON WHO MANUFACTURES, ASSEMBLES, SELLS, DISTRIBUTES, AFFIXES A BRAND NAME OR PRIVATE LABEL TO, OR LICENSES THE USE OF A BRAND NAME ON A FEVER THERMOMETER CONTAINING MERCURY.

(B) BEGINNING OCTOBER 1, 2002, A MARKETER MAY NOT SELL OR PROVIDE A FEVER THERMOMETER CONTAINING MERCURY TO A CONSUMER EXCEPT BY PRESCRIPTION.

(C) THIS SECTION DOES NOT APPLY TO:

(1) FEVER THERMOMETERS SOLD OR PROVIDED TO BE USED IN HOSPITALS OR OTHER PLACES WHERE MEDICAL SERVICES ARE PROVIDED BY MEDICAL SERVICE PROFESSIONALS; OR

(2) DIGITAL THERMOMETERS USING MERCURY-ADDED BUTTON CELL BATTERIES.

~~6-906.~~

(A) BEGINNING OCTOBER 1, 2003, NO PRIMARY OR SECONDARY SCHOOL, EXCEPT FOR A SCHOOL ENGAGED IN VOCATIONAL TRAINING, MAY USE OR PURCHASE FOR USE ELEMENTAL OR CHEMICAL MERCURY IN A PRIMARY OR SECONDARY CLASSROOM.

(B) THE DEPARTMENT SHALL PROVIDE OUTREACH ASSISTANCE TO SCHOOLS RELATING TO THE PROPER MANAGEMENT, RECYCLING, AND DISPOSAL OF MERCURY AND MERCURY-ADDED PRODUCTS.

~~(B) THE DEPARTMENT SHALL ADOPT REGULATIONS GOVERNING THE DISPOSAL OF MERCURY, MERCURY ADDED NOVELTIES, AND MERCURY ADDED PRODUCTS.~~

~~6-905.~~

~~A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING:~~

- ~~(1) \$100 FOR THE FIRST VIOLATION;~~
- ~~(2) \$250 FOR THE SECOND VIOLATION; AND~~
- ~~(3) \$500 FOR THE THIRD AND EACH SUBSEQUENT VIOLATION.~~