

Article - Environment

6-905.

(a) In this [section, "marketer"] PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "MANUFACTURER" MEANS A PERSON THAT:

(1) PRODUCES A PRODUCT;

(2) FOR A MULTICOMPONENT PRODUCT, PRODUCES OR ASSEMBLES THE FINAL PRODUCT; OR

(3) SERVES AS AN IMPORTER OR DOMESTIC DISTRIBUTOR OF A PRODUCT PRODUCED OUTSIDE OF THE UNITED STATES.

(B) (C) "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.]

(E) (D) "MERCURY-ADDED PRODUCT" MEANS ANY OF THE FOLLOWING PRODUCTS IF CONTAINING ELEMENTAL MERCURY OR A MERCURY COMPOUND THAT HAS BEEN ADDED TO THE PRODUCT FOR ANY REASON:

(1) DYES OR PIGMENTS;

(2) ELECTRIC SWITCHES;

(3) FLUORESCENT LAMPS; AND

(4) THERMOSTATS.

(E) "MOTOR VEHICLE" HAS THE MEANING STATED IN § 11-135 OF THE TRANSPORTATION ARTICLE.

(F) "RECLAMATION FACILITY" MEANS A SITE:

(1) WHERE EQUIPMENT IS USED TO RECAPTURE MERCURY FROM MERCURY-ADDED FLUORESCENT LAMPS FOR THE PURPOSE OF RECYCLING OR REUSING THE MERCURY; OR

(2) THAT COLLECTS MERCURY CONTAINING COMPONENTS FROM MERCURY-ADDED FLUORESCENT LAMPS FOR THE EVENTUAL RECAPTURE AND RECYCLING OR REUSE OF THE MERCURY.