

(b) [After December 1, 1985] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, a person may use, sell, manufacture, or distribute for use or sale a cleaning agent that contains greater than 0.0 percent phosphorus by weight, but does not exceed 8.7 percent phosphorus by weight that is:

(1) A detergent used in a dishwashing machine, whether commercial or household; or

(2) A substance the Secretary, by rule and regulation, excludes from the 0.0 percent phosphorus limitation of subsection (a) of this section based on a finding that compliance with this section would:

(i) Create a significant hardship on the user; or

(ii) Be unreasonable because of the lack of an adequate substitute cleaning agent.

(C) ~~AFTER DECEMBER 1, 2008~~ ~~JULY 1, 2010~~ JANUARY 1, 2010, A PERSON MAY NOT USE, SELL, MANUFACTURE, OR DISTRIBUTE FOR USE OR SALE WITHIN THE STATE ANY DETERGENT ~~USED FOR USE IN A HOUSEHOLD DISHWASHING MACHINE, WHETHER COMMERCIAL OR HOUSEHOLD,~~ THAT CONTAINS MORE THAN 0.5 PERCENT PHOSPHORUS BY WEIGHT.

SECTION 2. AND BE IT FURTHER ENACTED, That, by December 1, 2008, the Maryland Department of the Environment shall report to the Governor and, subject to § 2-1246 of the State Government Article, the General Assembly on:

(1) the prospective availability of detergents containing 0.5 percent phosphorus or less, by weight, for use in commercial dishwashing machines; and

(2) a recommended date by which the use of such detergents in commercial dishwashing machines may be reasonably required.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2007.

Approved by the Governor, April 24, 2007.

CHAPTER 189

(Senate Bill 772)

AN ACT concerning