

(1) IN ORDER TO COMPLY WITH A HEALTH OR SAFETY REQUIREMENT OF FEDERAL LAW, LEAD, CADMIUM, MERCURY, OR HEXAVALENT CHROMIUM HAVE BEEN ADDED TO THE PACKAGE OR PACKAGING COMPONENT IN THE MANUFACTURING, FORMING, PRINTING, OR DISTRIBUTION PROCESS; OR

(2) THE REGULATED SUBSTANCE IS ESSENTIAL TO THE PROTECTION, SAFE HANDLING, OR FUNCTION OF THE PACKAGE CONTENTS.

(C) A CONDITIONAL EXEMPTION GRANTED UNDER THIS SECTION:

(1) EXPIRES 2 YEARS AFTER THE DATE THE DEPARTMENT GRANTS THE EXEMPTION; AND

(2) IF THE MANUFACTURER OR DISTRIBUTOR MEETS THE CRITERIA UNDER SUBSECTION (B) OF THIS SECTION, MAY BE RENEWED FOR ~~AN~~ ADDITIONAL PERIODS OF 2 YEARS.

9-1905.

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

(1) NOTIFY A MANUFACTURER THAT THERE ARE GROUNDS FOR SUSPECTING THAT A PACKAGE OR PACKAGING COMPONENT PRODUCED BY THE MANUFACTURER MAY NOT BE IN COMPLIANCE WITH THE PROVISIONS OF THIS SUBTITLE; AND

(2) REQUEST THE MANUFACTURER TO CERTIFY THAT THE PACKAGE OR PACKAGING COMPONENT IS IN COMPLIANCE.

(B) IF THE MANUFACTURER CERTIFIES THAT THE PACKAGE OR PACKAGING COMPONENT IS EXEMPT UNDER § 9-1903 OF THIS SUBTITLE, THE MANUFACTURER SHALL IDENTIFY THE SPECIFIC BASIS ON WHICH THE EXEMPTION IS CLAIMED.

(C) IF THE MANUFACTURER FAILS TO CERTIFY THAT THE PACKAGE OR PACKAGING COMPONENT IS IN COMPLIANCE OR IS EXEMPT, THE DEPARTMENT MAY SEEK AN INJUNCTION UNDER § 9-1906 OF THIS SUBTITLE TO REQUIRE THE MANUFACTURER TO WITHDRAW THE PACKAGE OR PACKAGING COMPONENT IN QUESTION FROM SALE OR PROMOTIONAL USE WITHIN THE STATE.