

The Quicksilver Caucus (QSC) is a coalition of State associations formed to address and resolve health and environmental problems resulting from the release of mercury to the environment. The membership of the QSC includes the Environmental Council of the States, The Association of State and Territorial Solid Waste Management Officials, The State and Territorial Air Pollution Program Administrators, The Association of Local Air Pollution Control Officials, The Association of State and Interstate Water Pollution Control Administrators, The Association of State Drinking Water Administrators, and the National Pollution Prevention Roundtable.

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Mercury Product Labeling

Information for States

Executive Summary

This paper provides information to stimulate discussion about the value and effectiveness of labeling mercury-added products to encourage phase out in the nonessential uses of mercury. Labeling mercury-added products allows business customers and consumers to factor in the full costs of such products including complying with legislated bans and instituting proper management at end-of-life.

Labeling mercury-added products furthers product stewardship and accelerates the elimination of non-essential uses of mercury; however, it does require an initial investment on the part of the manufacturers and distributors of the products and government agencies responsible for regulating this requirement. Identifying issues relative to labeling can serve as a basis of discussion for building on the successes of existing efforts in this area.

While there are no national requirements, nine states have enacted mercury-specific laws with varying requirements on labeling mercury-added products.¹ In 2005, an additional three state legislatures introduced bills that included labeling requirements.² These states have faced a common set of challenges that are relevant to other states considering mercury-added product labeling laws. These challenges include making decisions about:

- The products covered and exemptions;
- Label composition, content, and location;
- Identification of mercury-containing products that require labeling;
- Rule making versus putting details into law;
- Labeling requirements related to internet and catalog sales;
- Coordination of labeling and notification among states; and
- Compliance assistance and enforcement.



Example of a mercury product label.

Background

The Quicksilver Caucus (QSC), a coalition of State environmental associations, was formed in May 2001 to address and resolve health and environmental problems resulting from the release of mercury to the environment. One of the chief goals of the QSC is to promote a stewardship approach for reducing mercury in the environment through sharing of information, policies, and tools that decrease the global supply and demand for mercury.

Why QSC is Examining Product Labeling?

The QSC approach is to both strengthen state capacity to reduce and manage mercury in the environment, and to educate and engage key public and private sector leaders. Labeling mercury-added products informs consumers at the point of purchase, identifies the products at the point of disposal, and provides a right-to-know disclosure. As a result, the QSC recognizes that labeling mercury-added products in commerce can be a valuable tool for states to consider in the reduction and management of mercury.

Nine states including Connecticut, Maine, Maryland, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington have passed mercury labeling laws. In addition mercury-added product labeling may be found under California's Safe Drinking Water and Toxic Enforcement Act of 1986 ("Proposition 65"). Over the next two years additional states may also pass legislation. The QSC recognizes that it is helpful to states to know what other states have done in formulating their approach. It has produced this informational paper to assist states and inform other interested parties about mercury-added product labeling. This paper identifies and examines states' common experiences, and issues to consider in enacting programs that require labeling of mercury-added products.

About Mercury

Mercury is a persistent, toxic contaminant that bioaccumulates in the tissues of fish. High concentrations of mercury in fish pose serious health risks to people and wildlife that consume them. Anthropogenic mercury emissions enter water bodies, either directly or through deposition from the air and, through biological processes, transform it into methylmercury.

Children born to women who consumed large amounts of fish and seafood during pregnancy are at highest risk of developing mercury-related developmental problems. The National Research Council's July 2000 report estimated that each year about 60,000 children could be born in this country with permanent, irreversible neurological problems due to mercury exposure. As a result, 45 States and the Food and Drug Administration have adopted public health advisories related to fish consumption throughout the country due to mercury contamination.

Pure mercury is a liquid metal, sometimes referred to as quicksilver that volatilizes readily at room temperature. Because of its physical and chemical properties mercury has traditionally been used to manufacture products like thermometers, switches, relays and some light bulbs. Breaking mercury products and spilling mercury, as well as the improper treatment and disposal

of products, such as vehicle switches and other wastes containing mercury, can also release it into the environment.³

What is a Mercury-Added Product?

A mercury-added product is any formulated or fabricated product that contains mercury, a mercury compound, or a component containing mercury, when the mercury is intentionally added to the product (or component) for any reason.

A fabricated mercury-added product is a combination of individual components, one or more of which has mercury added, that combine to make a single unit. Fabricated products include automobiles, thermostats, battery-operated products, electronics, and others.

A formulated mercury-added product is a chemical product, including but not limited to laboratory chemicals, cleaning products, cosmetics, pharmaceuticals, and coating materials that are sold as a consistent mixture of chemicals.

There are hundreds of products in commerce that contain intentionally added mercury either in chemical formulations or fabricated products, including numerous types of lamps, dental amalgam, various reagents, several types of button cell batteries, and electronic equipment.

The most effective approach of ensuring that mercury from products is not released into the environment is to phase out nonessential uses and to replace those uses with safer alternatives. Some states have passed this type of legislation by banning the sale of mercury-added novelties, fever thermometers, other measuring devices, thermostats, relays, and switches. Several states, including Connecticut, Illinois, Maine, Michigan, New York, Rhode Island, and Vermont also limit the use of mercury in K-12 schools; however, most states have not yet enacted these types of requirements.

What is Product Labeling?

State product labeling laws require that manufacturers or their representatives affix a clearly visible and legible notice indicating that a particular product contains mercury. The label is usually text indicating that the product contains mercury but the label may include a graphic and/or instructions on handling, disposal and/or spill cleanup directions. It may be affixed to the product, the mercury-containing component in a product, the packaging, the sales literature, and/or the use and care instructions.



Label that includes both text and graphics.

Why Label?

Labeling of mercury-added products is important to:

- Inform consumers at the point of purchase that the product contains mercury and may require special handling at end of life;
- Identify the products at the point of disposal so that they can be kept out of the waste stream destined for landfill or incineration and be recycled;
- Inform consumers that a product contains mercury, so that they will have information that will lead them to seek safer alternatives; and
- Provide right to know disclosure for a toxic substance.

Mercury-added product labeling laws enable consumers and businesses alike to make better-informed purchasing decisions and encourage proper disposal of mercury-added products. The intent of these laws is to facilitate a long-term reduction of mercury in the waste that is destined for disposal in landfills or incineration. They also provide an incentive or forum to encourage consumers and businesses to choose mercury-free alternatives, and emphasize source reduction, segregation, and safer waste management including recycling of mercury-added products.

Product Labeling and Its Relationship to Notification

The states of Connecticut, Maine, New Hampshire, New York, Rhode Island, and Vermont have adopted mercury-added product notification provisions as a part of their mercury reduction laws. In 2005, notification requirements were proposed by lawmakers in states such as Massachusetts, Michigan, Montana, and Ohio. These provisions require manufacturers, distributors, importers, and wholesalers to report to the states on the mercury-added products they sell. As a result, state environmental officials and others obtain information about the universe of mercury-added products in commerce that enables them to effectively administer other elements of their mercury reduction programs and that they make available to the public. Product mercury content and quantity notification also serves a very important purpose of helping policy makers identify candidate products for the following activities:

- Developing education and outreach materials;
- Targeting education/collection efforts to business/household users;
- Identifying and promoting safer alternatives;
- Negotiating or mandating phaseouts of sales and use with manufacturers; and
- Enforcing sales, use, and disposal laws and rules.

Additionally, product notification requirements are intended to inform consumers, recyclers, policy makers, and others about:

- Products that contain intentionally-added mercury;
- The amount of mercury in a specific product; and
- The total amount of mercury in the specific products that were sold in the US in a given year.

More information on a product notification database coordinated by the Northeast Waste Management Officials' Association is available in Appendix A.

Labeling and Its Relationship to Product Sales, Use, and Disposal Bans

Some states, including Connecticut, Illinois, Maine, Michigan, Minnesota, Oregon, Rhode Island, Vermont, and Washington have banned the sale and use of some products, and/or the solid waste disposal of some or all household and business mercury-added products. In those instances, product labeling serves a critical purpose of identifying these products so that households and businesses have the information on a product's mercury content that is necessary for them to comply with use and disposal prohibitions. Product labeling also provides information to state and local governments, businesses, and non-governmental organizations that promote or provide collection and recycling of mercury-added products.

Current Labeling in the States

Current Laws and Regulations

Ten states currently have laws requiring some labeling. These laws vary on the mercury-added products covered or specifically exempted, whether a certified labeling plan must be submitted, the location for the label and the label content, and the approach to labeling products with mercury-added components.

- California's Proposition 65 requires that manufacturers provide a "clear and reasonable warning" before exposing anyone to a chemical, including mercury, on the Proposition 65 list of chemicals known to the State to cause cancer or reproductive harm. In implementing this law, the warning often takes the form of a product label but since this is not specified by the law, the warning may be provided by other means.
- Oregon's law which focuses only on thermostats states that they must be labeled "to inform the purchaser that mercury is present in the thermostat and that the thermostat may not be disposed of until the mercury is removed, reused, recycled or otherwise managed to ensure that the mercury does not become part of the solid waste stream or wastewater".
- Vermont and Maryland require labeling of most mercury-added products.

Table 1 below provides an overview of the enacted state mercury-specific product labeling laws. Appendix B contains links to these laws.

Table 1: Overview of Enacted State Mercury Product Labeling Laws

	Connecticut	Maine	Maryland	Minnesota	New York
Effective Date of Law *Laws are for products manufactured after or sold into a state after a specific date	7/1/2004 “sold by”	1/1/2002 “sold by”	4/1/2006 “manufactured after 1/1/2006”	“manufactured on or after 1/1/1993”	*7/15/2005 “sold by”
Requires Labeling of Fabricated Products	Yes	Yes	Yes - Electric switches, fluorescent lamps, & thermostats. Will accept any labeling approved in other states	Yes - Thermometers, thermostats, switches, relays & other electrical devices, appliances & medical/scientific instruments	Yes
Requires Labeling of Formulated Products	Yes	Yes	Dyes or pigments only	No	Yes
Requires Submission of Certified Labeling Plan	No	No	No	No	No
Exempts Button Cell Batteries	Yes	Yes	Yes	Yes	Yes
Requires Labeling of Insert and Package for Products with	Yes	No	No	No	No
Requires Labeling of Mercury-Added Lamps	Yes - Lamp package <u>only</u> for fluorescent lamps. All other lamps require a label on the lamp itself if it is removable by the purchaser.	Yes - New legislation effective 1/1/2006 requires a label as approved in other states.	Yes - For fluorescent lamps only. State will accept labeling approved in other states	No	Yes
Requires Labeling of Invoice When Lamps are Sold	Yes	Yes	No	Yes	No

Table 1: Overview of Enacted State Mercury Product Labeling Laws, continued

	Oregon	Rhode Island	Vermont		Washington
Effective Date of Law *laws are for products manufactured after or sold into a state after a specific date	1/1/2006 “sold by”	Pending date change 7/1/2005 “sold by”	Current law 3/1/2000 “manufactured after” 3/1/2000	New law 7/1/2007 “sold by”	1/1/2004 “manufactured after 11/2003”
Requires Labeling of Fabricated Products	Thermostats only	Yes	Yes - Thermometers, thermostats, relays & other electrical devices, switches, lamps, medical/scientific instruments	Yes	Lamps only
Requires Labeling of Formulated Products	No	Yes	No	Yes	No
Requires Submission of Certified Labeling Plan	No	No	Yes	Yes	No
Exempts Button Cell Batteries	Yes	Yes	Yes	Yes	Yes
Requires Labeling of Insert and Package for Products with	No	No	No	No	No
Requires Labeling of Mercury-Added Lamps	No	No Pending yes	Yes Lamp, package, insert, shipping carton must be labeled. Lamp label is Hg within a circle or words “contains mercury”	Yes Lamp, package, insert, shipping carton must be labeled. Lamp label is Hg within a circle or words “contains mercury”	Yes Lamp must be labeled with Hg within a circle
Requires Labeling of Invoice When Lamps are Sold	No	Yes Large users	No	No	No

Table 1: Overview of Enacted State Mercury Product Labeling Laws, continued

	Connecticut	Maine	Maryland	Minnesota	New York
Exempts Labeling of Medical Devices	Yes, if used by medical personnel	No	Yes, if used by medical personnel	No	No
Requires Labeling of Medical Devices	Yes	No	Yes	Yes	Yes
Requires Labeling for Electronic Products with Lamp that is not Removable and that has a 7" or larger screen	Yes - Label on electronic product OR care and use manual AND package OR care and use manual	No	No, unless there is no label on the internal component. State will accept labeling approved in other states	No	Yes State will accept labeling approved by CT or VT
Requires Labeling for Electronics Products with Lamp that is not Removable and that has a Screen that is 7" or Smaller	Yes - Label on electronic product OR care and use manual AND package OR care and use manual	No	No, unless there is no label on the internal component. State will accept labeling approved in other states	No	Yes State will accept labeling approved by CT or VT
Requires Labeling for Electronic Products with Lamp that can be Removed by the Purchaser	Yes - Label on product AND package OR care and use manual AND visible prior-to-purchase AND for lamps only if NOT a fluorescent	No	No, unless there is no label on the internal component. State will accept labeling approved in other states	No	Yes State will accept labeling approved by CT or VT

Table 1: Overview of Enacted State Mercury Product Labeling Laws, continued

	Oregon	Rhode Island	Vermont		Washington
Exempts Labeling of Medical Devices	Yes	No	No	No	Yes
Requires Labeling of Medical Devices	No	No	Yes	Yes	No
Requires Labeling for Electronic Products with Lamp that is not Removable and that has a 7" or larger screen	No	No	Yes Label must be visible prior-to-purchase	Yes Label required on the electronic product AND the care and use manual. Labeling the component is not required	No
Requires Labeling for Electronics Products with Lamp that is not Removable and that has a Screen that is 7" or Smaller	No	No	Yes Label must be visible prior-to-purchase	Yes Label required on the care and use manual	No
Requires Labeling for Electronic Products with Lamp that can be Removed by the Purchaser	No	No	Yes Label must be visible prior-to-purchase	Yes Label required on the product AND package AND on care and use manual (if there is one), AND the component, AND required to be visible prior-to-purchase	No

Overview of Legislation Introduced in 2005

In the 2005, state legislative sessions, bills covering products ranging from fluorescent light bulbs to vehicles with mercury-added components to thermostats and button cell batteries were introduced.

- Maine, Michigan, and Montana introduced bills that included some labeling requirements for products that contained mercury.
- Connecticut, Massachusetts, New York, and Vermont, which already have labeling laws introduced legislation to add requirements for additional products.

Appendix C lists the bills that were introduced in 2005, the mercury-containing products they required to be labeled, and links to the bills.

Issues to Consider in Labeling

Products Covered and Exemptions

As states look at writing and enacting product labeling legislation they will want to consider which products to cover and what, if any, exemptions to include. States with legislation have included and exempted a variety of products. For example:

- Minnesota and Vermont originally adopted legislation that listed specific products that were required to be labeled. These fabricated products included thermometers, thermostats, switches individually or as part of another product, medical or scientific instruments, electrical relays or other electrical devices;
- Vermont also included requirements for lamps to be labeled;
- Some states and model legislation developed by the Northeast States expanded the list beyond what it identified as fabricated products to include formulated products that include mercury compounds;
- Maryland requires labeling of many products, but it exempts several groups of products including prescription drugs and medical devices not intended for use by non-medical personnel; and
- Some states initially exempted lamps, batteries and other products containing these components and other states continue to exempt them from coverage due to manufacturer opposition to labeling.

Electronic products and batteries (including products containing batteries such as watches) have been a serious source of contention as manufacturers are concerned that labeling would place them at a market disadvantage to competing products not containing mercury. There are also concerns on the part of electronics manufacturers that labeling would be an onerous business cost. Additionally, business has objected to the fact that mercury is being singled out. Some states have compromised and exempted mercury-added batteries and electronics from their labeling requirements in an effort to pass mercury-labeling legislation (See Table 1).

Label Composition, Content, and Location

The content, composition, and location of labels are important to consider when writing legislation or implementing a program for mercury product labeling. Model legislation has been developed in the Northeast to provide for consistency.

(see: http://www.newmoa.org/prevention/mercury/final_model_legislation.htm) Even with model legislation it must be recognized that labeling requirements need some flexibility depending on the product involved.

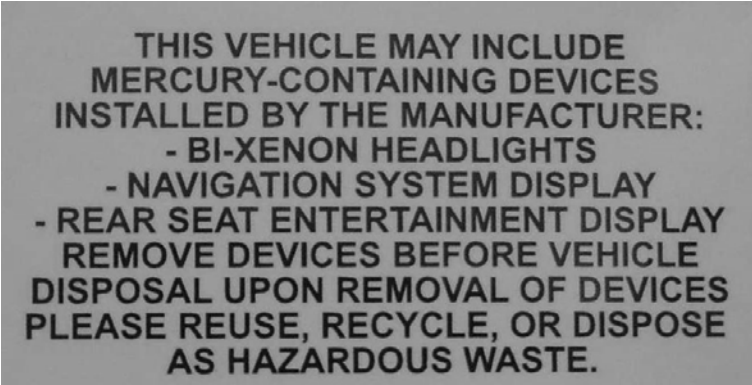
Content issues center around what information should be conveyed to the product purchaser/user. States should consider whether there is specific wording they want used or if manufacturers should have discretion provided the wording meets legislative intent. Currently, most states with labeling legislation do not require specific label language. States require that the label conveys that mercury is present in the product (or identifies the internal component in which the mercury is present) and proper end-of-life disposal. Manufacturers generally communicate this message by either identifying that the product cannot be placed in the trash (by use of words or symbols) or by stating that the product should be disposed of “according to local, state or federal requirements.”

Composition considerations relate to the font or type size needed for wording to be considered legible. States in general have required a font size of 10 point or larger.

Location of the label is another important consideration. This includes whether:

- The label is required on the package and/or the product and/or any instructions or inserts included with the product; and
- The label be clearly visible and sufficiently durable to remain legible for the life of the product.

Legislation in most states requires the product, the component (of a larger product that contains mercury), the package for the product, and any mercury-containing replacement components be labeled. In some state legislation, specific products have been singled out for particular labeling requirements that may differ from the standard label requirements (such as labeling of the package only for fever thermometers and doorpost labeling on vehicles). Specific labeling requirements are necessary due to product size and exposure temperatures, and when a label cannot be placed directly on a product. Certain manufacturers have been able to demonstrate the need for exceptions while still identifying proper management and disposal in the information they provide for their product.



**THIS VEHICLE MAY INCLUDE
MERCURY-CONTAINING DEVICES
INSTALLED BY THE MANUFACTURER:
- BI-XENON HEADLIGHTS
- NAVIGATION SYSTEM DISPLAY
- REAR SEAT ENTERTAINMENT DISPLAY
REMOVE DEVICES BEFORE VEHICLE
DISPOSAL UPON REMOVAL OF DEVICES
PLEASE REUSE, RECYCLE, OR DISPOSE
AS HAZARDOUS WASTE.**

Label from an automobile.

In planning or implementing a product labeling program, other key considerations include:

- Administrative procedures necessary to have in place to define the label's content and location;
- Procedures for waivers or alternative labeling requirements for products that are unable to meet the standard labeling requirements; and
- Similarity of labeling requirements to other States' requirements. More uniform requirements across states will make labeling easier for manufacturers to implement and will help consumers better understand the labels.

Identifying Products that Require Labeling—Product Notification

Acquiring accurate information that identifies products that contain mercury and how much mercury these products contain is important for implementing an effective product-labeling program. One way to meet this objective is to include a notification provision in the legislation that requires manufacturers, distributors, importers, and wholesalers to inform the state of mercury-added products they sell. Additionally, states can participate in the Interstate Mercury Education and Reduction Clearinghouse (IMERC) or a similar program. IMERC collects and manages information submitted by manufacturers of mercury-added products to assist in the implementation of notification provisions of mercury legislation. By joining such a program the state can reduce its data collection burden and the filing burden placed on manufacturers.

Rule Making vs. Putting Details into Law

Labeling requirements are implemented by various state agencies, departments and divisions, some of which may not even be regulatory. Each state develops rules if necessary in accordance with its administrative law procedures. Some states may choose to place more detail in legislation, while others have written rules that include implementation details. Including details directly in the law may eliminate the need for rule making and therefore implementation of the law is less likely to be delayed. Detailed legislation also has the advantage of incorporating requirements that have already been proven successful by other states. However, one benefit of rule making is it allows a level of detail in implementation that cannot always be included in law. Also, rulemaking may increase flexibility and provide for stakeholder input that may contribute to the benefit of the public and the affected parties.

Internet and Catalog Sales

Some states with labeling legislation require “prior-to-purchase” notification by the manufacturer as a part of the labeling requirements. This requirement is generally geared toward those products that are sold primarily by catalog, through sales literature, or over the Internet. Although these products may be properly labeled, without “prior-to-purchase” information, the consumer may be unaware that the product contains mercury and therefore cannot make a better-informed decision. By requiring “prior-to-purchase” information, the consumer has an

opportunity to select a mercury-free alternative product. The challenge with including this requirement in legislation is enforcement. Internet sales are sometimes manufacturer-based sales and often sold through distributors. Most labeling requirements do not include “distributors” as being responsible for product labeling which would include the “prior-to-purchase” notification over the Internet. Also, catalogs and sales literature are not always accessible to determine if information has been adequately included to meet the “prior-to-purchase” requirement.

Coordination of Labeling and Notification Among States

Currently Vermont is the only state that requires a manufacturer to provide a plan for how they will label their products. Vermont requires the manufacturer to file a “Certified Labeling Plan” that includes detailed product information, label wording, font size and label placement. Overall, Vermont’s labeling requirements are equal to or more stringent than most states that require labeling. Because of this, manufacturers provide information to Vermont for labeling and if their plan is accepted by Vermont they are likely to be in compliance in other states. Vermont tries to keep current with labeling laws in other states to refer a manufacturer to those that might have more stringent requirements on specific products.



“Hg in a circle” label on a compact fluorescent lamp.

Compliance Assistance and Enforcement

Currently the compliance assistance and enforcement efforts for mercury product labeling by manufacturers are handled on a state-by-state basis. States have found that education and outreach efforts are important to promote compliance and are an effective use of limited resources. To complement these efforts many states rely on the “Certified Labeling Plan” or “Notification Plan” submitted to IMERC to help identify manufacturer non-compliance. Additionally, IMERC has been identifying and pursuing potential manufacturers that are and appear to be out of compliance. When instances of non-compliance are identified, once the responsible companies are contacted they generally come into compliance. As more states adopt mercury product-labeling legislation, there will be less need for monitoring and compliance by individual states since more products will be labeled for national markets. It is still important though, for states to consider how compliance assistance and enforcement will be addressed.

Other Efforts

Model Legislation

The Northeast Waste Management Officials' Association (NEWMOA) has written model legislation for mercury reduction and education. The product labeling requirements in the model legislation can be accessed on NEWMOA's website at <http://www.newmoa.org/Newmoa/htdocs/prevention/mercury/modelleg.cfm>.

The Mercury Policy Project has also drafted model legislation for mercury reduction that requires all products that contain mercury to be labeled with labels on both the product and the package. This model legislation can be found at http://www.mercurypolicy.org/exposure/documents/model_state_leg.pdf.

International Labeling Efforts

There have been several international initiatives to reduce mercury in the environment that have encouraged product labeling. The mercury action plan that was adopted in 1998 by the New England Governors/Eastern Canadian Premiers included draft model legislation to implement a labeling program to help consumers identify products containing mercury and how to properly dispose of them. Also, Phase II of the North American Regional Action Plan on Mercury from the Commission on Environmental Cooperation, which involves the governments of Canada, Mexico, and the United States reaffirms the desire to facilitate product labeling.

Wrap-Up

The intent of this paper was to provide basic information on the status of state-initiated mercury-added product labeling and factors to consider in setting mercury labeling standards. Providing this information to state officials and policymakers lays the groundwork for larger discussions on the role of mercury-added product labeling in furthering mercury reduction efforts. The Quicksilver Caucus hopes this paper will help states, communities, businesses, policymakers, and individuals better understand the value of and issues surrounding mercury-added product labeling.

Appendix A – Product Notification Details

Manufacturers, distributors, or importers that intend to sell a mercury-added product in the states of Connecticut, Maine, New Hampshire, Rhode Island, and Vermont must file a Mercury-added Product Notification Form (available at <http://www.newmoa.org/Newmoa/htdocs/prevention/mercury/imerc/notificationforms.cfm>) through the Interstate Mercury Education and Reduction Clearinghouse (IMERC) or directly with each individual state. Once the form is submitted to IMERC, it is reviewed by a multi-state review group that is appointed by the Commissioners or Directors of the states' environmental agencies. The submission and approval of the Mercury-added Product Notification Forms through IMERC enables manufacturers, distributors, and their trade representatives to comply with the requirement of those states listed above that have the notification requirements.

Following approval of the submission, the information from the forms is entered into a "Mercury-added Products Database" (see <http://www.newmoa.org/Newmoa/htdocs/prevention/mercury/imerc/notification/>) and sent out to the reporting organization for review and concurrence. The information is posted on the IMERC webpage following this review. Mercury-added Product Notification Forms that have not been approved are not included in this database. All hard copy forms that are submitted to IMERC are available to the public.

Appendix B – Links to State Product Labeling Laws

California⁴

<http://www.oehha.ca.gov/prop65/law/P65law72003.html>

Connecticut

<http://www.cga.ct.gov/2005/pub/Chap446m.htm>

Maine

<http://www.state.me.us/dep/mercury/legreg.htm>

Maryland

<http://mlis.state.md.us/2004rs/billfile/hb0136.htm>

Minnesota

<http://www.moea.state.mn.us/berc/WMA-hg-01.pdf>

New York

<http://www.dec.state.ny.us/website/dshm/redrecy/chap145.html>

Oregon

<http://landru.leg.state.or.us/05reg/measures/hb2300.dir/hb2342.intro.html>

Rhode Island

<http://www.state.ri.us/dem/topics/mercury.htm>

Vermont

<http://www.mercvt.org/regs/index.htm>

Washington

http://www.leg.wa.gov/pub/billinfo/2003-04/House/1000-1024/1002-s_sl.pdf

Appendix C – Mercury Product Labeling Bills Introduced in 2005 Legislative Sessions*

Bill Number	Status	Products to be Labeled	Link to Bill
Connecticut			
HB 6522		Fluorescent light bulbs	http://search.cga.state.ct.us/2005/tob/h/2005HB-06522-R00-HB.htm
HB 6879		Vehicles with mercury-added components, products with mercury-containing lamp used for backlighting, luminaries, fluorescent lights, high intensity discharge lamps	http://search.cga.state.ct.us/2005/tob/h/2005HB-06879-R00-HB.htm
Maine			
LD 185	Adopted in 2005	Vehicles with mercury-containing lamps	http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=185
LD 1058		Button cell batteries	http://janus.state.me.us/legis/LawMakerWeb/summary.asp?LD=1058
Massachusetts			
H 1293		Vehicles with mercury-added components	http://www.mass.gov/legis/bills/house/ht01/ht01293.htm
H 1362		Vehicles with mercury-added components	http://www.mass.gov/legis/bills/house/ht01/ht01362.htm
H 1392		All mercury-added products	http://www.mass.gov/legis/bills/house/ht01/ht01392.htm
S 554		Mercury-added products	http://www.mass.gov/legis/bills/senate/st00/st00554.htm
Michigan			
HB 4035		Thermostats	http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4035
HB 4036		Any mercury-added products	http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4036
HB 4586		Any mercury-added product	http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4586
SB 0124		Thermostats	http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0124
SB 0187		Any mercury-added products	http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0187

Bill Number	Status	Products to be Labeled	Link to Bill
Montana			
HB 665		Mercury-added products	http://data.opi.state.mt.us/bills/2005/Billhtml/HB0665.htm
New York			
A 01560		Mercury-added products	http://assembly.state.ny.us/leg/?bn=A01560&sh=t
A 03336		Vehicles with mercury-added components	http://assembly.state.ny.us/leg/?bn=A03336&sh=t
Vermont			
H 0497		Mercury-added products and packaging	http://www.leg.state.vt.us/database/status/summary.cfm?Bill=H.0497&Session=2006
S 0084	Adopted in 2005	Mercury-added products and packaging	http://www.leg.state.vt.us/database/status/summary.cfm?Bill=S.0084&Session=2006
S 0143		Health care products that contain mercury	http://www.leg.state.vt.us/database/status/summary.cfm?Bill=S.0143&Session=2006

*This table reflects the status of bills at the end of 2005 legislative sessions. Some of these bills will be considered again in 2006 and other new bills have already been introduced in 2006.

End Notes

- 1 Connecticut, Maine, Maryland, Minnesota, New York, Oregon, Rhode Island, Vermont, and Washington have mercury-specific product labeling requirements. In addition, under Proposition 65, California requires a “clear and reasonable warning” be provided before exposing anyone to mercury.
- 2 The State legislatures of Massachusetts, Michigan, and Montana introduced legislation in 2005 which included mercury-added product labeling requirements.
- 3 New Jersey Department of Environmental Protection, “Mercury Switch Data Collection Pilot Project,” March 24, 2004.
- 4 California’s Proposition 65 does not specifically focus on mercury-added product labeling. However, compliance with this law will in some instances be satisfied by direct product labeling. It is therefore included in this list.

