

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 4599

(As passed the House, March 12, 2002)

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 172.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 PART 172. MERCURY THERMOMETERS
2 SEC. 17201. AS USED IN THIS PART:
3 (A) "MANUFACTURER" MEANS A PERSON THAT PRODUCES, IMPORTS, OR
4 DISTRIBUTES MERCURY THERMOMETERS IN THIS STATE.
5 (B) "MERCURY FEVER THERMOMETER" MEANS A MERCURY THERMOMETER
6 USED FOR MEASURING BODY TEMPERATURE.
7 (C) "MERCURY THERMOMETER" MEANS A PRODUCT OR COMPONENT,
8 OTHER THAN A DRY CELL BATTERY, OF A PRODUCT USED FOR MEASURING
9 TEMPERATURE THAT CONTAINS MERCURY OR A MERCURY COMPOUND
10 INTENTIONALLY ADDED TO THE PRODUCT OR COMPONENT.

HB 4599, As Passed Senate, June 19, 2002

House Bill No. 4599 as amended June 18, 2002

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1 SEC. 17202. (1) EXCEPT AS PROVIDED IN SUBSECTION (2),
2 BEGINNING ON JANUARY 1, 2003, A PERSON SHALL NOT SELL, OFFER FOR
3 SALE, OR OFFER FOR PROMOTIONAL PURPOSES A MERCURY THERMOMETER IN
4 THIS STATE OR FOR USE IN THIS STATE. THIS SUBSECTION DOES NOT
5 APPLY IF THE MERCURY THERMOMETER IS SOLD OR OFFERED FOR EITHER OF THE
FOLLOWING:

6 (A) A USE FOR
7 WHICH A MERCURY THERMOMETER IS REQUIRED BY STATE OR FEDERAL STAT-
8 UTE, REGULATION, OR ADMINISTRATIVE RULE.

9 (B) PHARMACEUTICAL RESEARCH PURPOSES.
10 (2) BEGINNING ON JANUARY 1, 2003, A PERSON SHALL NOT SELL,
11 OFFER FOR SALE, OR OFFER FOR PROMOTIONAL PURPOSES A MERCURY FEVER
12 THERMOMETER IN THIS STATE OR FOR USE IN THIS STATE, EXCEPT BY
13 PRESCRIPTION. A MANUFACTURER OF MERCURY FEVER THERMOMETERS SHALL
14 SUPPLY CLEAR INSTRUCTIONS ON THE CAREFUL HANDLING OF THE THERMOM-
15 ETER TO AVOID BREAKAGE AND PROPER CLEANUP SHOULD A BREAKAGE OCCUR
16 WITH EACH MERCURY FEVER THERMOMETER SOLD BY PRESCRIPTION.

17 SEC. 17203. (1) THE DEPARTMENT OF ENVIRONMENTAL QUALITY
18 SHALL ENFORCE THIS PART.

19 (2) A PERSON WHO VIOLATES THIS PART IS GUILTY OF A MISDE-
20 MEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR A
FINE OF NOT MORE THAN \$1,000.00, OR BOTH, PLUS THE COSTS OF
PROSECUTION.