

**Enrolled**  
**Senate Bill 631**

Sponsored by Senator DINGFELDER; Senators BONAMICI, CARTER, DEVLIN, Representative BAILEY

CHAPTER .....

AN ACT

Relating to phosphate cleaning agents; creating new provisions; and amending ORS 468B.120 and 468B.130.

**Be It Enacted by the People of the State of Oregon:**

**SECTION 1.** ORS 468B.130 is amended to read:

468B.130. (1) Except as provided in subsection (2) of this section, [*no*] a person may **not** sell, offer to sell or distribute for sale within Oregon[,] any cleaning agent containing more than 0.5 percent phosphorus by weight.

(2) A cleaning agent used in automatic **commercial** dishwashers may be sold, offered for sale or distributed in Oregon if the cleaning agent contains 8.7 percent or less phosphorus by weight.

(3) All cleaning agents that are sold in this state shall be labeled with the percent of phosphorus by weight, including equivalency in grams of phosphorus per recommended use level.

(4) The Environmental Quality Commission [*shall*] **may** adopt rules governing the labeling requirements imposed by subsection (3) of this section.

**SECTION 2.** ORS 468B.120 is amended to read:

468B.120. As used in ORS 468B.120 to 468B.135:

(1) "Cleaning agent" means any product, including but not limited to soaps and detergents, containing a surfactant as a wetting or dirt emulsifying agent and used primarily for domestic or commercial cleaning purposes, including but not limited to the cleansing of fabrics, dishes, food utensils and household **and** commercial premises. "Cleaning agent" does not include foods, drugs, cosmetics, insecticides, fungicides and rodenticides or cleaning agents exempted under ORS 468B.135.

(2) "Commercial premises" means any premises used for the purpose of carrying on or exercising any trade, business, profession, vocation, commercial or charitable activity, including but not limited to laundries, hotels, motels and food or restaurant establishments.

(3) "Person" means any individual, firm, partnership or corporation.

(4) "Phosphorus" means elemental phosphorus.

**SECTION 3.** Except as provided in section 4 of this 2009 Act, the amendments to ORS 468B.130 by section 1 of this 2009 Act become operative July 1, 2010.

**SECTION 4.** The Environmental Quality Commission may adopt rules before the operative date specified in section 3 of this 2009 Act or take any action before that date that is necessary to implement the amendments to ORS 468B.130 by section 1 of this 2009 Act.

**Passed by Senate March 30, 2009**

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Secretary of Senate

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President of Senate

**Passed by House May 20, 2009**

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Speaker of House

**Received by Governor:**

.....M,....., 2009

**Approved:**

.....M,....., 2009

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Governor

**Filed in Office of Secretary of State:**

.....M,....., 2009

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Secretary of State