

A-Engrossed
Senate Bill 631

Ordered by the Senate March 25
Including Senate Amendments dated March 25

Sponsored by Senator DINGFELDER; Senator BONAMICI, Representative BAILEY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Modifies prohibition on sale or distribution of cleaning agents containing phosphorus.

A BILL FOR AN ACT

1
2 Relating to phosphate cleaning agents; creating new provisions; and amending ORS 468B.120 and
3 468B.130.

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

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

6 468B.130. (1) Except as provided in subsection (2) of this section, [*no*] a person may **not** sell,
7 offer to sell or distribute for sale within Oregon[,] any cleaning agent containing more than 0.5
8 percent phosphorus by weight.

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

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

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

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

16 468B.120. As used in ORS 468B.120 to 468B.135:

17 (1) "Cleaning agent" means any product, including but not limited to soaps and detergents,
18 containing a surfactant as a wetting or dirt emulsifying agent and used primarily for domestic or
19 commercial cleaning purposes, including but not limited to the cleansing of fabrics, dishes, food
20 utensils and household **and** commercial premises. "Cleaning agent" does not include foods, drugs,
21 cosmetics, insecticides, fungicides and rodenticides or cleaning agents exempted under ORS
22 468B.135.

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

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

27 (4) "Phosphorus" means elemental phosphorus.

28 **SECTION 3. Except as provided in section 4 of this 2009 Act, the amendments to ORS**
29 **468B.130 by section 1 of this 2009 Act become operative July 1, 2010.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

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

4
