

Senate Bill 631

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 **as introduced**.

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.130 and
3 468B.135.

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 person may sell, offer to
7 sell or distribute for sale within Oregon, any cleaning agent containing more than 0.5 percent
8 phosphorus by weight.

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

11 [(3)] (2) All cleaning agents that are sold in this state shall be labeled with the percent of
12 phosphorus by weight, including equivalency in grams of phosphorus per recommended use level.

13 [(4)] (3) The Environmental Quality Commission shall adopt rules governing the labeling re-
14 quirements imposed by subsection [(3)] (2) of this section.

15 **SECTION 2.** ORS 468B.135 is amended to read:

16 468B.135. ORS 468B.130 (1) [*and (2) do*] **does** not apply to any cleaning agent:

17 (1) Used in dairy, beverage or food processing equipment;

18 (2) Used as an industrial sanitizer, brightener, acid cleaner or metal conditioner, including
19 phosphoric acid products or trisodium phosphate;

20 (3) Used in hospitals, veterinary hospitals or clinics or health care facilities;

21 (4) Used in agricultural production and the production of electronic components;

22 (5) Used in a commercial laundry for laundry services provided to a hospital, veterinary hospital
23 or clinic or health care facility;

24 (6) Used by industry for metal cleaning or conditioning;

25 (7) Manufactured, stored or distributed for use or sale outside Oregon;

26 (8) Used in any laboratory, including a biological laboratory, research facility, chemical, elec-
27 tronic or engineering laboratory;

28 (9) Used for cleaning hard surfaces, including household cleansers for windows, sinks, counters,
29 stoves, tubs or other food preparation surfaces and plumbing fixtures;

30 (10) Used as a water softening chemical, antiscald chemical or corrosion inhibitor intended for
31 use in closed systems, including but not limited to boilers, air conditioners, cooling towers or hot
32 water systems; and

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 (11) For which the Department of Environmental Quality determines that the prohibition under
2 ORS 468B.130 (1) [*and* (2)] will either:

3 (a) Create a significant hardship on the user; or

4 (b) Be unreasonable because of the lack of an adequate substitute cleaning agent.

5 **SECTION 3. The amendments to ORS 468B.130 and 468B.135 by sections 1 and 2 of this**
6 **2009 Act apply to cleaning agents used in automatic dishwashers first sold, offered for sale**
7 **or distributed in Oregon on or after the effective date of this 2009 Act.**

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