

# INSTRUCTIONS

## **Mercury-added Product Notification Form**

### **Version for Use by Trade Associations that are Reporting for Multiple Manufacturers**

Updated August 2011

There are multiple versions of the Mercury-added Product Notification Form. This “Trade Association” version is for use by trade organizations that are reporting for more than one product manufacturer. If you fit into this category, follow these instructions and use the associated Mercury-added Product Notification Form. There is another version of this Form for use by a single manufacturer, importer, wholesaler, and/or distributor that is only reporting for the mercury-added products they produce or distribute. If your members manufacture mercury-added lamps, there is a special version of the Form that has been developed for this product category. Please go to <http://www.newmoa.org/prevention/mercury/imerc/notification.cfm> to obtain the correct version of the Mercury-added Product Notification Form.

**Please make sure that you are using the correct version of the Mercury-added Product Notification Form.**

Complete and return this Form to:

**Interstate Mercury Education and Reduction Clearinghouse**  
**c/o Northeast Waste Management Officials’ Association**  
129 Portland Street, Suite 602  
Boston, MA 02114-2014

Contact the Interstate Mercury Education and Reduction Clearinghouse (IMERC) at 617-367-8558 with any questions about completing this Form. For further information on the state Notification requirements, please visit the IMERC web page at <http://www.newmoa.org/prevention/mercury/imerc/notification.cfm>

## **GENERAL INSTRUCTIONS**

### **Who Must Notify?**

A product Notification Form must be filed with IMERC or with each state requiring Notification before a mercury-added product is offered for sale or distribution in these states. For the purpose of this requirement, a “mercury-added product” means a product, a commodity, a chemical, a product with one or more components, or a product that cannot function without the use of that component, that contains mercury or a mercury compound intentionally added to the product, commodity, chemical, or component in order to provide a specific characteristic, appearance, or quality, or to perform a specific function, or for any other reason. These products include formulated mercury-added products and fabricated mercury-added products. 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. A formulated mercury-added product is a chemical product, including but not limited to laboratory chemicals, cleaning products, cosmetics, pharmaceuticals, and coating materials, that is sold as a consistent mixture of chemicals. Biological products, prescription drugs, and over-the-counter drugs regulated by the United States Food and Drug Administration are not included under these requirements.

A company must submit a Mercury-Added Product Notification Form under the following scenarios:

- **Manufacturer:** You manufacture a formulated product (e.g., chemical compound) for consumer, commercial, industrial, or government use in states requiring Notification to which you intentionally add mercury for any reason.
- **Manufacturer:** You manufacture a fabricated product (e.g., button cell battery, switch, laboratory thermometer) for consumer, commercial, industrial, or government use in states requiring Notification to which you intentionally add mercury for any reason.
- **Manufacturer:** You manufacture a fabricated product for consumer, commercial, industrial, or government use in states requiring Notification that incorporates a component that contains intentionally-added mercury (e.g., a watch containing a mercury-added button cell battery, electronic equipment with a mercury-added switch).
- **Importer:** You import a formulated or fabricated product for consumer, commercial, industrial, or government use in states that require Notification to which mercury is intentionally added or that incorporates a component to which mercury was intentionally added for any reason, and the manufacturer has not submitted a Notification Form.
- **Distributor/Retailer:** A manufacturer or importer has failed to submit the required Notification Form, and you wish to sell or distribute their formulated or fabricated product, to which mercury is intentionally added for any reason, for consumer, commercial, industrial, or government use in states requiring Notification. Under this situation, you may choose to file a Notification Form in order to sell or distribute their mercury-added products in states requiring Notification.
- **Manufacturer/Distributor:** You obtain a mercury-added product from another source, change it in any way (e.g., change the label on the product, incorporate it into another product), and sell or distribute the altered mercury-added product in states requiring Notification. Wholesalers or distributors who only repackage a mercury-added product obtained from another source are not required to notify. However, in order to sell or distribute the mercury-added product in states requiring Notification, wholesalers or distributors can submit a Notification Form for the products they distribute if the manufacturer or importer fails to do so.

- **Other Organization:** You are an organization reporting on behalf of a company that falls under any of the above descriptions or otherwise manufactures, distributes, or imports a mercury-added product for sale or distribution in states requiring Notification.

For the purposes of this requirement, a manufacturer (or importer/wholesaler/distributor) is any person, firm, association, partnership, corporation, governmental entity, organization, combination, or joint venture that produces (or imports/sells/distributes) a mercury-added product. If a manufacturer, wholesaler, distributor, or importer changes a mercury-added product obtained from another source in any way (e.g., changes the label on the product, incorporates the product into another product) and sells or distributes the altered product in states requiring Notification, they are considered a manufacturer of a mercury-added product under this requirement and must submit a Notification Form.

Please contact IMERC at 617-367-8558 to discuss your situation if you are unsure whether you need to submit a Mercury-added Product Notification Form.

### **Reporting Deadlines**

Note that in Fall 2011, IMERC will move to an electronic reporting system for mercury-added product notification, beginning with the 2010 Triennial reporting period.

The IMERC states require companies that must comply with the Mercury-added Product Notification requirements to provide a complete update of their Notification Form, including product information and total annual mercury use for US sales of the mercury-added products, at least once every three years. The first reporting year was 2001, and the deadline for submitting Notification Forms for that year was April 1, 2002. The next full reporting year was 2004, and the deadline for reporting for that year was April 1, 2005. The following is the schedule for triennial reporting, starting in calendar year 2007—

- Triennial Reporting Deadline for Calendar Year 2007 Sales of Mercury-added Products in the US: **April 1, 2008**
- Triennial Reporting Deadline for Calendar Year 2010 Sales of Mercury-added Products in the US: **TBD based on the launch of the new e-filing system**
- Triennial Reporting Deadline for Calendar Year 2013 Sales of Mercury-added Products in the US: **April 1, 2014**

In between the triennial updates, mercury-added product manufacturers are required to submit an updated Mercury-added Product Notification Form if:

- (1) there is a change in any of the information required for Notification (e.g., increase or decrease in the amount of mercury in the product);
- (2) mercury is eliminated from the product;
- (3) the manufacturer stops manufacturing the mercury-added product;
- (4) the mercury-added product is no longer sold in the states requiring Notification; and/or
- (5) the manufacturer begins to produce additional mercury-added products.

If you are providing Notification for the first time and did sell mercury-added products in the states of Connecticut, Maine, New Hampshire, and Rhode Island during calendar year 2001 and/or 2004, you must provide data for these years.

### **Revisions to the Mercury-added Product Notification Forms**

Prior to May 1, 2003, there were two separate Notification Forms, one for product information and one for total mercury usage. IMERC has merged these two Forms into one, and you no longer need to fill out a separate Form for reporting the total amount of mercury used in products sold in the United States for a calendar year. You may now provide the information in Table IV of this Form (column 7).

The initial submission of this “total mercury” information was due by April 1, 2002 for the 2001 calendar year (January 2001 through December 2001). The next submission was due April 1, 2005 for the 2004 calendar year. If you have not submitted this data yet, you need to submit it using the current revised Mercury-added Product Notification Form.

In February 2006, IMERC posted updated Mercury-added Product Notification guidance that includes the states that have recently enacted Mercury-added Product Notification requirements. The guidance was revised to hopefully be clearer for users.

The IMERC states initiated two product-specific Notification Forms for use beginning in 2006 – the Mercury-added Product Notification Form for **Lamp Manufacturers (posted in February 2006)** and the Mercury-added Product Notification Form for **Automobile Manufacturers (to be posted in March or April 2006)**. Manufacturers of these two product categories should use these product-specific Forms.

### **Reporting by Product Category**

Two or more mercury-added products may be reported as a single category if:

- (1) All products included in the category are similar products and have the same consumer or commercial use;
- (2) All products included in the category include mercury for the same purpose and, if applicable, have the same mercury-added component(s); and
- (3) (A) For fabricated products with mercury added or with **ONE** similar mercury-added component, all products included in the category contain an amount of mercury, per component, that on average falls within one of the following ranges:
  - (a) Greater than 0 but less than or equal to 5 milligrams (mg);
  - (b) Greater than 5 mg but less than or equal to 10 mg;
  - (c) Greater than 10 mg but less than or equal to 50 mg;
  - (d) Greater than 50 mg but less than or equal to 100 mg;
  - (e) Greater than 100 mg but less than or equal to 1000 mg; or
  - (f) Greater than 1000 mg.

For example, company X sells three mercury-added digital thermometers: an underarm thermometer, a rectal thermometer, and an oral thermometer. Each thermometer uses one button cell battery and has no other mercury-added components. The button cell batteries contain 2.0, 1.8, and 2.5 milligrams of mercury for the underarm, rectal, and oral thermometers, respectively. All of these button cell batteries fit into the >0-5 mg range of mercury. Company X may group these thermometers into a product category called “digital thermometers” because they all serve similar purposes and contain single, similar mercury-added components with mercury contents within the same acceptable range.

OR

(B) For fabricated products with **MULTIPLE** mercury-added components, product categories are defined based on the components in the larger products. All products included in a product category must contain the same type(s) of components (e.g., lamp, switch, relay, battery). In addition, for each type of component, the amount of mercury per component must fall on average within one of the following ranges:

- a) Greater than 0 but less than or equal to 5 milligrams (mg);
- b) Greater than 5 mg but less than or equal to 10 mg;
- c) Greater than 10 mg but less than or equal to 50 mg;
- d) Greater than 50 mg but less than or equal to 100 mg;
- e) Greater than 100 mg but less than or equal to 1000 mg; or
- f) Greater than 1000 mg.

The following provides two examples to help illustrate how these instructions apply to products with multiple mercury-added components:

Example #1: Company Z makes flat panel liquid crystal display (LCD) televisions (TVs) in seven different sizes: 13, 15, 17, 19, 28, 36, and 43 inches. The 13- and 15-inch TVs include one mercury-added lamp that contains 2 to 3 milligrams of mercury (which fits into the >0-5 mg range). The 17- and 19-inch TVs use 2 lamps, each containing 6-9 milligrams of mercury (which fits into the >5-10 mg range), and the 28-, 36- and 43-inch TVs use 3 to 6 lamps, each containing 6-9 milligrams of mercury (which also fits into the >5-10 mg range.) The following table illustrates how to categorize these TVs for Company Z.

**Example # 1 Table: Sample Portion of Section III – Product Information Table – for Company Z – Numbers are Not Real**

<b>(1) Product or Product Category Manufactured, Distributed, or Imported</b>	<b>(2) Description &amp; Location of Mercury-Added Components Contained in Product (if applicable) List Each Component Separately</b>	<b>(3) Number of Components in One Unit of Larger Product (if applicable)</b>	<b>(4) Amount of Mercury in Each Product or Component in Milligrams or Parts per Million</b>	<b>(5) How Amount of Mercury is Reported (R or E)</b>
Small screen flat panel LCD display TVs (15 inches and smaller)	Lamp	1	>0-5 mg	R
Large screen flat panel LCD display TVs (17-43 inches)	Lamp	2-6	>5-10 mg	R

Even though the televisions in the second product category contain a varying number of lamps, the range for mercury content is the same for each lamp, so it is acceptable to group the TVs together, as long as company Z provides the range of lamps per TV product category.

Example #2: Company W makes recreational vehicles (RVs) that contain various fluorescent lamps that fall on average into more than one range for mercury content, with >0-5 mg, >5-10 mg, or >10-50 mg of mercury, and/or a gas oven flame sensor that contains >1,000 mg of mercury. The following table illustrates how to categorize these RVs by the types of components and the differing levels of mercury in these components.

**Example # 2 Table: Sample Portion of Section III – Product Information  
Table – Notification Form for Company W – Numbers are Not Real**

<b>1) Product or Product Category Manufactured, Distributed, or Imported</b>	<b>(2) Description &amp; Location of Mercury-Added Components Contained in Product (if applicable) List Each Component Separately</b>	<b>(3) Number of Components in One Unit of Larger Product (if applicable)</b>	<b>4) Amount of Mercury in Each Product or Component in Milligrams or Parts per Million</b>	<b>(5) How Amount of Mercury is Reported (R or E)</b>	<b>(7) Total Amount of Mercury in all Units Sold in the U.S. in Calendar Year ____ in Grams</b>
<b>Class A Coaches</b>					
ABC Class A Coaches	Fluorescent lamp	1 lamp	>0-5 mg per lamp	R	242 g
	Gas range safety valve	1 safety valve	>1,000 mg per valve	R	
DEF Class A Coaches	Fluorescent lamps	3 lamps	>5-10 mg per lamp	R	122 g
	Gas range safety valve	1 safety valve	>1,000 mg per valve	R	
GHI Class A Coaches	Fluorescent lamp	1 lamp	>10-50 mg per lamp	R	233 g
	Gas range safety valve	1 safety valve	>1,000 mg per valve	R	
<b>Class B Coaches</b>					
JKL Class B Coaches	Fluorescent lamps	2 lamps	>5-10 mg per lamp	R	10 g
LMN Class B Coaches	Gas range safety valve	1 safety valve	>1,000 mg per safety valve	R	300 g
<b>Mini Motor Homes</b>					
OPQ & RST Mini Motor Homes	Gas range safety valve	1 safety valve	>1000 mg per safety valve	R	200 g
<b>Trailers &amp; Fifth Wheels</b>					
UVW Trailers & Fifth Wheels	Fluorescent lamp	1 lamp	>0-5 mg per lamp	R	237 g
	Gas range safety valve	1 safety valve	>1,000 mg per safety valve	R	
XYZ Trailers & Fifth Wheels	Gas range safety valve	1 safety valve	>1,000 mg per safety valve	R	123 g

**In summary: The criteria for categorizing products with multiple components is that the larger products must all have the same components, and all like components must have the same amount of mercury.**

# **SPECIFIC INSTRUCTIONS FOR COMPLETING THE FORM**

## **SECTION I. TYPE OF NOTIFICATION**

**First Notification** – Place an **X** here if this is the first Notification Form submitted for a particular company or organization.

**Triennial Renewal Notification** – Place an **X** here if this is a triennial renewal Notification. A triennial renewal Mercury-added Product Notification Form must be submitted every three years and should include information on total calendar year mercury usage. The following is the schedule for triennial reporting, starting in calendar year 2007—

- Triennial Reporting Deadline for Calendar Year 2007 Sales of Mercury-added Products in the US: **April 1, 2008**
- Triennial Reporting Deadline for Calendar Year 2010 Sales of Mercury-added Products in the US: **TBD**
- Triennial Reporting Deadline for Calendar Year 2013 Sales of Mercury-added Products in the US: **April 1, 2014**

**Updated Notification** – Place an **X** here if this is an updated Notification. Indicate the reason for the update. An updated Notification Form is required if (1) there is a change in any of the information required for the Notification (e.g., increase or decrease in the amount of mercury); (2) mercury is eliminated from the product; (3) the manufacturer stops manufacturing the mercury-added product; (4) the mercury-added product is no longer sold in states requiring Notification; or (5) the manufacturer begins to produce additional mercury-added products. Your Notification Form is also considered an update if you are providing revised or additional information on your initial Notification as requested by IMERC.

Note: If you are submitting an updated Notification Form, you are not required to provide information on total annual mercury usage (column 7, Section IV of the Form).

## **SECTION II. REPORTING ORGANIZATION INFORMATION**

As an association or other organization submitting the Notification on behalf of multiple manufacturers, you must complete this section.

**Organization's Name** – The full legal name of the trade organization filing the Notification Form.

**Organization's Mailing Address** – The mailing address for the organization filing the Notification Form including a street number and street name or P.O. Box number, city or town, state, and zip code.

**Organization's Telephone Number** – A general telephone number for the organization filing the Notification Form.

**Organization's Web Address** – If the organization filing the Notification Form has a presence on the Internet, provide their web address. Otherwise, indicate that the organization does not have a web address by stating, “not applicable.”

**Contact Person** – A contact person for the organization filing the Notification Form who can answer questions regarding the information submitted.

**Contact Person's Title** – Title of the contact person for the organization filing the Notification Form.

**Contact Person's Address** – Mailing address for the contact person, including a street number and street name or P.O. Box number, city or town, state, and zip code.

**Contact Person's Telephone Number** – Telephone number of the contact person for the organization filing the Notification Form.

**Contact Person's E-mail Address** – If the organization filing the Notification Form corresponds via E-mail, provide an E-mail address for the contact person. If not, please indicate that no E-mail address is available and provide a fax number instead.

### **SECTION III. PRODUCT INFORMATION TABLE**

Each mercury-added product or product category must be listed separately in the Product Information Table. Additional copies of the table can be made and attached to the Notification Form as needed.

**Name of Reporting Organization.** Provide the name of your organization.

**(1) Product or Product Category Manufactured, Distributed, or Imported.**

Identify and describe the product(s) or product category(ies) that the companies you are reporting on behalf of manufacture, distribute, or import. Review the general instructions (above) to determine if you may group multiple products into a single product category.

**IMPORTANT NOTE:** You must provide additional information to enable IMERC to identify the mercury-added product and/or differentiate between similar products if:

- the manufacturers/distributors/importers have similar products both with and without mercury; or

- the manufacturers/distributors/importers have similar products in different product categories (e.g., the same type of product comes in two sizes that fall into different mercury content ranges).

This information must include the specific names or model numbers for the products in each category or provide some other means of differentiating the products.

**(2) Description & Location of Mercury-Added Components Contained in**

**Product.** For a fabricated product that contains a mercury-added component(s) (e.g., a mercury-added switch or bulb), describe each component and identify where in the larger product it is found.

**(3) Number of Components in One Unit of Larger Product.** For a fabricated product that contains mercury-added component(s), indicate how many of each component are found in *one* unit of the larger product (e.g., 3 button cell batteries in one toy). If the product can include a range in number of components, indicate this range (e.g., 1 to 12 lamps in a commercial refrigerator).

**(4) Amount of Mercury in Each Product or Component.** Report the amount of mercury added to the product, including the unit of measure. The required unit of measure is milligrams (mg) for fabricated products. In the case of a fabricated product containing a mercury-added component(s), report the amount of mercury in each component included in the larger fabricated product. For formulated products, the amount of mercury should be reported as a concentration in parts per million (ppm). The amount of mercury can be reported in one of two ways:

- (a) Report the exact amount of mercury; or
- (b) Indicate the appropriate range for the amount of mercury from the following options for fabricated products: >0-5 mg, >5-10 mg, >10-50 mg, >50-100 mg, >100-1000 mg, or greater than 1000 mg. For formulated products, the appropriate ranges are: >0-10 ppm, >10-50 ppm, >50-250 ppm, or >250 ppm.

**(5) How Amount of Mercury is Reported.** Indicate whether the information reported under (4) is an exact amount of mercury (E) or a range (R).

**(6) Purpose of Mercury in Product.** Describe the function achieved by adding mercury to the product or component (e.g., mercury in switch activates electrical flow to the light bulb when the hood is opened, mercury vapor in fluorescent tube causes illumination and is used to backlight the video display).

**(7) Total Amount of Mercury in All Units Sold.** Please enter the total amount of mercury in all units sold in the United States in the most recent calendar reporting year for each product or category of products. The total amount of mercury should be a point estimate; ranges are not acceptable.

**(8) Names of the Manufacturers.** Indicate the manufacturers for whom the information in that row of the table pertains. For each manufacturer listed, complete Section IV.

## **SECTION IV. MANUFACTURER'S DESIGNATED INDUSTRIAL TRADE GROUP REGISTRATION**

Manufacturers designating an industrial trade group must complete and provide Section IV to their group for submission with the full Mercury-added Product Notification Form. Trade organizations must collect a signed version of this section from each manufacturer for whom they are submitting information. Additional copies of this section may be made and attached as needed.

Only copies of Section IV with original signatures will be accepted. No faxes, electronic submissions, or applications with copied signatures will be accepted. All information must be either typed or printed legibly using black ink.

Section IV requires information on the manufacturers of the mercury-added product(s) or product category(ies) and their designated contact person who can respond to questions regarding the information submitted.

**Manufacturer's Name** – The full legal name of the manufacturer.

**Manufacturer's Mailing Address** – The mailing address of the manufacturer, including a street number and street name or P.O. Box number, city or town, state, and zip code.

**Manufacturer's Telephone Number** – A general telephone number for the manufacturer.

**Web Address** – If the manufacturer has a presence on the Internet, provide their web address.

**North American Industry Classification System NAICS Code(s)** – The North American Industry Classification System (NAICS) code is a two to six digit number representing a manufacturing or industry sector into which the firm's activities fall. The NAICS system has replaced the Standardized Industrial Classification (SIC) system. Companies who have not identified the appropriate NAICS code for their manufacturing activity, should list the SIC code(s) and indicate that they are SIC and not NAICS codes.

**Contact Person** – A contact person for the manufacturer who can answer questions regarding the information submitted.

**Contact Person's Title** – Title of the contact person for the manufacturer.

**Contact Person's Address** – Mailing address for the contact person, including a street number and street name or P.O. Box number, city or town, state, and zip code.

**Contact Person's Telephone Number** – Telephone number of the contact person for the manufacturer.

**Contact Person's E-mail Address** – If the manufacturer corresponds via E-mail, provide an E-mail address for the contact person. If not, please indicate that no E-mail address is available and provide a fax number instead.

**Designated Industrial Trade Group Name** – Name of trade organization or other group authorized to submit Notification information on the manufacturer's behalf.

**Manufacturer's Certification** – Each manufacturer must sign and date this section. Only original signatures will be accepted. Faxes, electronic submissions, and photocopied signatures are not acceptable.

## **SECTION V. TRADE ASSOCIATION CERTIFICATION**

A senior management official at the trade organization is required to sign and date the Notification Form to certify by the individual's signature that the information provided on the Form is true and correct to the best of the individual's knowledge and belief, subject to penalty for making unsworn false statements.

**Authorized Senior Management Official** – A corporate officer or the individual responsible for the overall operation of an organization, such as an Executive Director, Deputy Director, Program Director, President, Vice President, or person of equivalent responsibility.

**Signature** – Signature and date by an authorized senior management official.

**Printed Name & Title** – Type or legibly print the name and official title of the senior management official signing the Notification Form.

**Confidential Business Information:** If your company has concerns about confidential business information (CBI), do not submit to IMERC. For CBI consideration, submit the IMERC Notification Form and a written request for CBI treatment directly to the following contacts at the state agencies:

Connecticut Department of Energy and Environmental Protection  
Office of Planning and Program Development  
79 Elm Street  
Hartford, CT 06106  
Contact: Thomas Metzner, CT DEP (860) 424-3242, [Tom.Metzner@ct.gov](mailto:Tom.Metzner@ct.gov)

Louisiana Department of Environmental Quality  
602 N. Fifth Street, P.O. Box 4312  
Baton Rouge, LA 70802  
Contact: Chris Piehler, LA DEQ (225) 219-3609, [Chris.Piehler@la.gov](mailto:Chris.Piehler@la.gov)

Maine Department of Environmental Protection  
Bureau of Remediation and Waste Management  
17 State House Station  
Augusta, ME 04333-0017  
Contact: Enid Mitnik, ME DEP (207) 287-8556, [enid.mitnik@maine.gov](mailto:enid.mitnik@maine.gov)

Massachusetts Department of Environmental Protection  
One Winter Street  
Boston, MA 02108  
Contact: Jordan Macy, MassDEP (617) 292-5805, [Jordan.Macy@state.ma.us](mailto:Jordan.Macy@state.ma.us)

New Hampshire Department of Environmental Services  
Pollution Prevention Program  
6 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095  
Contact: Stephanie D'Agostino, NH DES (603) 271-6398, [sdagostino@des.state.nh.us](mailto:sdagostino@des.state.nh.us)

New York State Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-7250  
Contact: Peter Pettit, NYS DEC (518) 402-8705, [pmpettit@gw.dec.state.ny.us](mailto:pmpettit@gw.dec.state.ny.us)

Rhode Island Department of Environmental Management  
235 Promenade Street  
Providence, RI 02908  
Contacts: Beverly Migliore, RI DEM (401) 222-4700 (x7503), [beverly.migliore@dem.ri.gov](mailto:beverly.migliore@dem.ri.gov)

Vermont Department of Environmental Conservation  
103 South Main Street  
Waterbury, VT 05671  
Contact: Gary Gulka, VT DEC (802) 241-3455, [Gary.Gulka@state.vt.us](mailto:Gary.Gulka@state.vt.us)