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Requirements for Updating Mercury-added Product Notification Forms

The IMERC states require manufacturers to update their Notification filing at least every three years. Manufacturers are required to resubmit a complete Notification Form, including all product information and reporting total mercury use for US sales of mercury-added products in calendar year 2004. The deadline for submitting the updated Mercury-added Product Notification Forms is April 1, 2005.

To obtain a copy of the Mercury-added Product Notification Forms and Instructions go to:

www.newmoa.org/prevention/mercury/imerc/notificationforms.cfm

Mercury-added product manufacturers and their representatives are required to submit an updated Mercury-added Product Notification Form 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. the mercury is eliminated from the product;
3. the manufacturer stops manufacturing the mercury-added product or product category;
4. the mercury-added product or product category is no longer sold in states requiring Notification; and/or
5. the manufacturer begins to produce additional mercury-added products.

For more information contact: Terri Goldberg, NEWMOA/IMERC (617) 367-8558 x302, tgoldberg@newmoa.org.

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Compliance Dates for the Phase-Out of the Sale of Certain Mercury-added Products in Connecticut, Maine, New York, and Rhode Island

The first deadline for mercury-added product phase-outs was **July 1, 2004 in Connecticut and applies to mercury-added products with more than 1 gram of mercury or 250 parts per million (ppm)**. Manufacturers of these products must either phase-out the sale of these products in Connecticut or submit a "Phase-out Exemption Application" that meets the criteria specified in the State's law. Manufacturers can find the Exemption Application at: www.newmoa.org/prevention/mercury/imerc/phaseoutinfo.cfm. **Rhode Island** has enacted a similar set of requirements that become effective **July 1, 2005**.

January 1, 2005 is the compliance date for the ban on the sale of mercury fever or body thermometers and mercury-added novelty products in **New York State**.

January 1, 2005 is the compliance date for the ban on the sale of elemental mercury, except for medical, dental, research, or manufacturing purposes in **New York State**.

January 1, 2006 is the compliance date for the ban on the sale of non-industrial thermostats in **Maine**.

The next deadline for mercury-added product phase-outs will be **July 1, 2006 in Connecticut and it applies to mercury-added fabricated products with more than 100 milligrams of mercury or 50 parts per million (ppm)**. Manufacturers of these products must either phase-out their sale in Connecticut or submit a "Phase-out Exemption Application" that meets the criteria specified in the State's law. The phase-out exemption request must be submitted by **July 1, 2005**. Manufacturers can find the Exemption Application at: www.newmoa.org/prevention/mercury/imerc/phaseoutinfo.cfm. **Rhode Island** has enacted a similar set of requirements that become effective **July 1, 2007**.

July 1, 2006 is the compliance date for the ban on the sale of **mercury-added instruments and measuring devices, and switches and relays in Maine**. Manufacturers can use the same Exemption Application Form as described above to apply for an exemption to this sales bans. The Maine Department of Environmental Protection (DEP) is drafting rules for processing exemption requests. The DEP will send written notice of the sales ban to all IMERC listed manufacturers that make the banned products.

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Illinois Enacts Mercury Reduction Legislation & Joins IMERC

Illinois has enacted the following mercury product laws:

- *Fever thermometers and novelty items.* The **sale of mercury fever thermometers and novelty items was banned July 1, 2004**. Giving these items as a gift or promotional items was also banned. This includes thermometers distributed in maternity or new baby kits. Manufacturing of mercury fever thermometers was also banned **July 1, 2004**. See Illinois Public Act 093-0165.
- *Switches and relays.* With some exemptions, the sale and distribution of mercury switches and relays, individually or as a product component will be banned after **July 1, 2007**. Manufacturers of mercury switches and relays, scientific equipment or instruction equipment may apply for an exemption by July 1, 2006. See Illinois Public Act 093-0964.
- *School use of mercury.* Beginning **July 1, 2005**, no person shall purchase or accept, for use in primary and secondary schools bulk elemental mercury, chemicals containing mercury compounds, or instructional equipment or materials containing mercury that was added during their manufacture. Other products containing mercury that was added during their manufacture and measuring devices used as teaching aids are exempt. See Illinois Public Act 093-0964.
- *Room temperature thermostats and mercury switches in vehicles.* By **January 1, 2005**, the IL EPA must submit to the Governor and General Assembly a report that includes an evaluation of programs to reduce and recycle mercury from mercury thermostats and vehicle components that are mercury-added and recommendations for altering the programs to make them more effective. See Illinois Public Act 093-0964.

For more information visit: www.ilga.gov.

Illinois Environmental Protection Agency (EPA) has decided to join IMERC to help them coordinate implementation of this legislation with the other member states. IMERC welcomes Illinois EPA and looks forward to working with them.

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IMERC

The Interstate Mercury Education & Reduction Clearinghouse (IMERC) produces IMERC Alert as a way of communicating critical information with manufacturers, distributors, and importers of mercury-added products and trade organizations that represent those companies. The Alert is designed to provide quick and easy updates on the regulatory requirements of IMERC-member states concerning mercury-added products and other related developments and activities. *IMERC Alert* is distributed primarily through an e-mail list of companies and organizations that have reported to IMERC that they produce or distribute mercury-added products, and it is posted on the IMERC web page at www.newmoa.org/prevention/mercury/imerc. IMERC will be issuing this Alert periodically-based on when announcements and new information become available. IMERC would appreciate receiving comments and suggestions on this bulletin; send your ideas to tgoldberg@newmoa.org.

IMERC was established by state environmental officials from Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont to help them implement laws and programs aimed at getting mercury out of consumer products, the waste stream, and the environment. Washington State officially joined IMERC in 2003. Illinois officially joined IMERC in 2004. IMERC is a program of the Northeast Waste Management Officials' Association (NEWMOA). In 2001 the NEWMOA member states launched IMERC to provide:

- ongoing technical and programmatic assistance to states that have enacted mercury education and reduction legislation
- a single point of contact for industry and the public for information on mercury-added products and member states' mercury education and reduction programs.

NEWMOA's staff provides logistical, facilitation, and technical support for the activities of IMERC.

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