

**RCW 70A.230.020 Fluorescent lamps—Labeling requirements—  
Prohibition on sale—Exceptions—Penalty—Rule making—Definitions.**

(1) Effective January 1, 2004, a manufacturer, wholesaler, or retailer may not knowingly sell at retail a fluorescent lamp if the fluorescent lamp contains mercury and was manufactured after November 30, 2003, unless the fluorescent lamp is labeled in accordance with the guidelines listed under subsection (2) of this section. Primary responsibility for affixing labels required under this section is on the manufacturer, and not on the wholesaler or retailer.

(2) Except as provided in subsection (3) of this section, a lamp is considered labeled pursuant to subsection (1) of this section if the lamp has all of the following:

(a) A label affixed to the lamp that displays the internationally recognized symbol for the element mercury; and

(b) A label on the lamp's packaging that: (i) Clearly informs the purchaser that mercury is present in the item; (ii) explains that the fluorescent lamp should be disposed of according to applicable federal, state, and local laws; and (iii) provides a toll-free telephone number, and a uniform resource locator internet address to a website, that contains information on applicable disposal laws.

(3) The manufacturer of a mercury-added lamp is in compliance with the requirements of this section if the manufacturer is in compliance with the labeling requirements of another state.

(4) The provisions of this section do not apply to products containing mercury-added lamps.

(5) (a) Except as provided in (b) of this subsection, beginning January 1, 2029, a manufacturer, wholesaler, or retailer may not knowingly sell a compact fluorescent lamp or linear fluorescent lamp.

(b) In-state distributors, wholesalers, and retailers in possession of compact fluorescent lamps or linear fluorescent lamps on January 1, 2029, may exhaust their existing stock through sales to the public until July 1, 2029.

(6) The provisions of subsection (5) of this section do not apply to:

(a) A special purpose mercury-containing light;

(b) The products specified in RCW 70A.230.110; or

(c) The sale or purchase of compact fluorescent lamps or linear fluorescent lamps as a casual or isolated sale as defined in RCW 82.04.040.

(7) A violation of this section is punishable by a civil penalty not to exceed \$1,000 for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed \$5,000 for each repeat violation. Penalties collected under this section must be deposited in the model toxics control operating account created in RCW 70A.305.180. Penalties imposed under this section are appealable to the pollution control hearings board established in chapter 43.21B RCW.

(8) The department may adopt rules to implement, administer, and enforce the requirements of this section.

(9) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Compact fluorescent lamp" means a compact low-pressure, mercury-containing, electric-discharge light source in which a fluorescent coating transforms some of the ultraviolet energy generated by the mercury discharge into visible light, and includes all of the following characteristics:

- (i) One base (end cap) of any type including, but not limited to, screw, bayonet, two pins, and four pins;
  - (ii) Integrally ballasted or nonintegrally ballasted;
  - (iii) Light emission between a correlated color temperature of 1700K and 24000K and a Duv of +0.024 and -0.024 in the international commission on illumination (CIE) uniform color space (CAM02-UCS);
  - (iv) All tube diameters and all tube lengths;
  - (v) All lamp sizes and shapes for directional and nondirectional installations including, but not limited to, PL, spiral, twin tube, triple twin, 2D, U-bend, and circular.
- (b) "Linear fluorescent lamp" means a low-pressure, mercury-containing, electric-discharge light source in which a fluorescent coating transforms some of the ultraviolet energy generated by the mercury discharge into visible light, and includes all of the following characteristics:
- (i) Two bases (end caps) of any type including, but not limited to, single-pin, two-pin, and recessed double contact;
  - (ii) Light emission between a correlated color temperature of 1700K and 24000K and a Duv of +0.024 and -0.024 in the CIE CAM02-UCS;
  - (iii) All tube diameters including, but not limited to, T5, T8, T10, and T12;
  - (iv) All tube lengths from 0.5 to 8.0 feet, inclusive; and
  - (v) All lamp shapes including, but not limited to, linear, U-bend, and circular.
- (c) "Special purpose mercury-containing light" includes any of the following lights that contain mercury:
- (i) A lamp designed and marketed exclusively for image capture and projection, including photocopying, printing, either directly or in preprocessing, lithography, film and video projection, and holography; or
  - (ii) A lamp that has a high proportion of ultraviolet light emission and is one of the following:
    - (A) A lamp with high ultraviolet content that has ultraviolet power greater than two milliwatts per kilolumen (mW/klm);
    - (B) A lamp for germicidal use, such as the destruction of DNA, that emits a peak radiation of approximately 253.7 nanometers;
    - (C) A lamp designed and marketed exclusively for disinfection or fly trapping from which either the radiation power emitted between 250 and 315 nanometers represents at least five percent of, or the radiation power emitted between 315 and 400 nanometers represents at least 20 percent of, the total radiation power emitted between 250 and 800 nanometers;
    - (D) A lamp designed and marketed exclusively for the generation of ozone where the primary purpose is to emit radiation at approximately 185.1 nanometers;
    - (E) A lamp designed and marketed exclusively for coral zooxanthellae symbiosis from which the radiation power emitted between 400 and 480 nanometers represents at least 40 percent of the total radiation power emitted between 250 and 800 nanometers;
    - (F) Any lamp designed and marketed exclusively in a sunlamp product, defined as any electronic product designed to incorporate one or more ultraviolet lamps and intended for irradiation of any part of the living human body, by ultraviolet radiation;
    - (G) Any lamp designed and marketed exclusively for use in a sunlamp product, as defined in 21 C.F.R. Sec. 1040.20(b)(9), January 1, 2023;

(H) A lamp designed and marketed exclusively for use in medical or veterinary diagnosis or treatment, or in a medical device;

(I) A lamp designed and marketed exclusively for use in the manufacturing or quality control of pharmaceutical products;

(J) A lamp designed and marketed exclusively for spectroscopy and photometric applications, such as UV-visible spectroscopy, molecular spectroscopy, atomic absorption spectroscopy, nondispersive infrared (NDIR), Fourier transform infrared (FTIR), medical analysis, ellipsometry, layer thickness measurement, process monitoring, or environmental monitoring;

(K) A lamp used by academic and research institutions for conducting research projects and experiments; or

(L) A compact fluorescent lamp used to replace a lamp in a motor vehicle manufactured on or before January 1, 2020. [2024 c 339 s 2; 2003 c 260 s 3. Formerly RCW 70.95M.020.]