

IC 13-18-9 Chapter 9. Prohibitions on Certain Detergents

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IC 13-18-9-1 Applicability of chapter

Sec. 1. This chapter does not apply to any of the following:

- (1) Detergents for cleaning in place food processing and dairy equipment.
- (2) Phosphoric acid products, including sanitizers, brighteners, acid cleaners, and metal conditioners.
- (3) Detergents for use in commercial machine dishwashers.
- (4) Institutional laundry detergents, including detergents for use in hospitals and health care facilities.
- (5) Detergents for use in dairy, beverage, food processing, and other industrial cleaning equipment.
- (6) A detergent or cleaning compound contained in fuel or lubricating oil.
- (7) Any other use of detergents in which the phosphorus contents are not permitted to:
 - (A) enter a public or private sewer; or
 - (B) be disposed of in the natural environment.

[Pre-1996 Recodification Citation: 13-1-5.5-3(c); 13-1-5.5-4.]

As added by P.L.1-1996, SEC.8. Amended by P.L.25-2008, SEC.1.

IC 13-18-9-2 Alkyl benzene sulfonate limitations

Sec. 2. A person may not use, sell, or otherwise dispose of any hard or nondegradable detergent containing alkyl benzene sulfonate (ABS) in any manner or any location in Indiana or into the boundary waters of Indiana from a source within Indiana.

[Pre-1996 Recodification Citation: 13-1-5.5-1.]

As added by P.L.1-1996, SEC.8.

IC 13-18-9-3 Phosphorus limitations; exemptions

Sec. 3. (a) A person may not use, sell, or otherwise dispose of any detergent containing phosphorus, except:

- (1) for those amounts not exceeding one-half percent (0.5%) by weight incidental to manufacturing; and
- (2) in accordance with rules adopted under IC 4-22-2 by the board;

in Indiana or into the boundary waters of Indiana from a source within Indiana.

(b) The concentration of phosphorus shall be determined by the applicable method prescribed by the American Society for Testing and Materials.

[Pre-1996 Recodification Citation: 13-1-5.5-3(a), (b).]

As added by P.L.1-1996, SEC.8. Amended by P.L.113-2014, SEC.71.

IC 13-18-9-4 Enforcement of chapter

Sec. 4. (a) The department shall enforce this chapter under IC 13-30-3 or IC 13-14-2-6.

(b) The board shall adopt rules under IC 4-22-2 for the disposition of any detergent carried over on September 1, 1974. However, the commissioner may approve the use of phosphates by a manufacturer or processor for cleaning plant or equipment upon application to the commissioner by the manufacturer or processor. The commissioner shall require phosphate removal from the water so used by criteria established by the board.

[Pre-1996 Recodification Citation: 13-1-5.5-5.]

As added by P.L.1-1996, SEC.8.

IC 13-18-9-5 Attorney general; injunction proceedings

Sec. 5. The attorney general shall, upon the request of the department, institute injunction proceedings to enjoin acts constituting a violation of this chapter.

[Pre-1996 Recodification Citation: 13-1-5.5-6.]

As added by P.L.1-1996, SEC.8.

IC 13-18-9-6 Violations

Sec. 6. A person who violates this chapter is subject to the penalties imposed by the following:

- (1) IC 13-30-4.
- (2) IC 13-30-5.
- (3) IC 13-30-8.

In addition, a person who violates this chapter may be subject to criminal prosecution under IC 13-30-10.

[Pre-1996 Recodification Citation: 13-1-5.5-7.]

As added by P.L.1-1996, SEC.8. Amended by P.L.137-2007, SEC.11.