

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Mercury-added Product Prohibition Act is
5 amended by changing Section 30 and adding Section 17 as
6 follows:

7 (410 ILCS 46/17 new)

8 Sec. 17. Sale and distribution of cosmetics, toiletries, or
9 fragrances containing mercury.

10 (a) No person shall distribute or sell any cosmetics,
11 toiletries, or fragrances containing mercury. Any person who
12 knowingly sells or distributes mercury-containing cosmetics,
13 toiletries, or fragrances in this State is guilty of a petty
14 offense and shall be fined an amount not to exceed \$500.

15 (b) A manufacturer that distributes cosmetics, toiletries,
16 or fragrances containing mercury to persons in this State must
17 disclose the level of mercury in its cosmetics, toiletries, or
18 fragrances. A manufacturer who fails to disclose the level of
19 mercury in its cosmetics, toiletries, or fragrances is guilty
20 of a business offense and shall be fined \$10,000.

21 (410 ILCS 46/30)

22 Sec. 30. Penalty for violation. Except as otherwise

1 provided in Section 17, a ~~A~~ person who violates this Act shall
2 be guilty of a petty offense and upon conviction shall be
3 subject to a fine of not less than \$50 and not more than \$200
4 for each violation.

5 (Source: P.A. 93-165, eff. 1-1-04.)

6 Section 99. Effective date. This Act takes effect January
7 1, 2009.