

Overview of the Draft for the “Prohibition of the Import and Sale of Mercury Thermometers”

Mercury is an accumulating biological substance with long-lasting effects; even in minute traces it can cause serious damage to the environment and the human body. Global usage of mercury reached its peak in 1970. In its Global Mercury Assessment report, the UN noted that products containing mercury are one of the largest man-made sources of mercury discharged into the environment. Implementing measures to regulate products containing mercury and restrict their widespread usage is now an established trend worldwide. Sweden, Denmark and Holland in Europe, and a number of states in the US have already prohibited the use of mercury thermometers for taking body temperature, as well as other products containing mercury.

Of the types of thermometers available, mercury thermometers are still prevalent in households and medical establishments – in other words, a large quantity remain in widespread usage. These types of thermometers are fragile and, if broken, the mercury that spills out is difficult to collect and dispose of properly, a situation that creates a high risk of exposure. Taiwan’s domestic industries now have the technology to produce non-mercury digital thermometers. These digital thermometers are becoming more and more common and regulations for testing and product certification have now been established. Measures prohibiting the import and sale of mercury thermometers will be implemented in stages. The top priority will be to prohibit the use of mercury thermometers in homes, and then regulation will be expanded to include medical establishments.

Average domestic demand for mercury thermometers taking body temperature is currently at 520,000 units annually. Each thermometer contains approximately 1.2 grams of mercury, which, when multiplied by the quantity above, comes to approximately 632 kilograms each year. The implementation of the items in this official announcement is expected to reduce the yearly amount of mercury – 632 kilograms – currently spread across a large environmental swatch.

This official announcement contains five items, the main points for which are as follows:

1. Defines the terms for prohibited products and regulated establishments. (Official Announcement Item 1)
2. Determines the conditions and time limits for prohibiting the import of mercury thermometers, and exceptions where such imports will be allowed. (Official Announcement Item 2)

3. Determines the conditions and time limits for prohibiting the sale of mercury thermometers, and exceptions where the sale of the said thermometers will be allowed. (Official Announcement Item 3)
4. Determines the competent authority responsible for mercury thermometer imports, sales and relevant operations. (Official Announcement Item 4)
5. Determines the date this official announcement will take effect. (Official Announcement Item 5)

Itemized Description of the Draft for the “Prohibition of the Import and Sale of Mercury Thermometers”

| Official Announcement | Description |
|--|---|
| Basis: Article 21 of the Waste Disposal Act | |
| Official Announcement Items | |
| <p>1. The definition of the terms in this official announcement are as follows:</p> <p>(1) Thermometer: A device that takes body temperature within a 35°C - 42°C range.</p> <p>(2) Mercury thermometer: A device containing mercury that takes body temperature within a 35°C - 42°C range</p> <p>(3) Importer: Enterprises that engage in the import of thermometers</p> <p>(4) Vendor: An enterprise that engages in the wholesale or retail sale of thermometers, as well as the donation of thermometers; a medical establishment that engages in the wholesale or retail sale, or donation of, thermometers is also included in this definition</p> <p>(5) Medical establishment: An establishment that provides medical services performed by a physician</p> | <p>1. Addressing the types of regulated products and their respective importers, vendors and medical establishments, the scope of restrictions and exceptions shall be clearly established so as to avoid disputes over generalized definitions.</p> <p>2. The definitions for thermometer and mercury thermometer are based on the National Standards of the Republic of China drawn up by the Bureau of Standards, Metrology and Inspection (MOEA).</p> <p>3. The definition for medical establishment is based on Article 2 of the Medical Care Act.</p> |
| <p>2. The import of mercury thermometers shall be prohibited. However, enterprises that obtained a permit for the import of mercury thermometers issued by the competent authority prior to the promulgation date of this official announcement are not subject to this restriction.</p> | <p>1. Determines the prohibition of mercury thermometer imports.</p> <p>2. In order to avoid affecting the rights of enterprises that had obtained a medical equipment permit and metrology service operating license (herein referred to as established import enterprises) prior to the implementation of this official announcement, a transition period will be established.</p> |
| <p>3. Vendors shall not sell mercury thermometers. However, mercury thermometers sold to a medical establishment prior to July 1, 2011, are not subject to this restriction.</p> | <p>1. Determines the prohibition of the sale of mercury thermometers.</p> <p>2. Taking into consideration the sale of products inventoried prior to the promulgation of this official announcement, and in order to avoid affecting the rights of established import enterprises, the regulation of thermometer use in households and</p> |

| | |
|--|--|
| | <p>medical establishments will be carried out first. Regulation will then be gradually expanded to include medical establishments once the validity of all mercury import permits expires.</p> |
| <p>4. The competent authority shall send personnel carrying personal identification to the site of import and sale, and to relevant medical establishments, to inspect the operating status of mercury thermometer imports and sales. The said personnel shall request relevant data; importers, vendors and medical establishments cannot refuse.</p> | <p>Pursuant to Article 21 of the Waste Disposal Act, the responsibility of the competent authority to inspect mercury thermometer import and sales activities shall be determined.</p> |
| <p>5. Other than official announcement item 2 and official announcement item 3, this official announcement shall take effect on July 1, 2008.</p> | <p>Determines the date this official announcement shall take effect, to allow relevant enterprises sufficient time to respond.</p> |