

JAN 23 2015

A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds there is growing public
2 concern about the environmental impact of tiny particles of
3 plastic called microbeads. Barely visible without a microscope,
4 microbeads are gentle scrubbers that are added to numerous
5 personal care products, including shampoos, soaps, and
6 toothpastes. Consumers using products containing microbeads are
7 washing down the drain what many once thought was harmless
8 consumer waste. However, research has indicated that wastewater
9 treatment plants are unable to filter out microbeads and as a
10 result, microbeads pass through sewage systems and eventually
11 enter into waterways where the microbeads can absorb toxic
12 chemicals. These toxic microbeads are then consumed by marine
13 life and passed along the aquatic food chain. Microbeads are
14 not biodegradable and once they enter the marine environment,
15 microbeads are impossible to remove and are a significant source
16 of environmental degradation.



1 The legislature further finds that several states have
2 already proposed legislation to phase out the sale of personal
3 care products that contain microbeads and in December 2012,
4 Unilever announced that all of its products would be plastic
5 free by 2015. Procter and Gamble, L'Oreal, Colgate-Palmolive,
6 and Johnson and Johnson have also pledged to phase out the use
7 of microbeads in their products. Microbeads are unnecessary, as
8 there are several biodegradable, natural alternatives to
9 microbeads, including oatmeal, ground almonds, and pumice.

10 The purpose of this Act is to reduce the State's production
11 of waste and its negative impact on the environment by
12 prohibiting the sale of personal care products that contain
13 microbeads and decreasing the accumulation of marine
14 microplastics.

15 SECTION 2. Chapter 328, Hawaii Revised Statutes, is
16 amended by adding a new part to be appropriately designated and
17 to read as follows:

18 **"PART . SYNTHETIC PLASTIC MICROBEADS**

19 **§328-A Definitions.** As used in this part, unless the
20 context otherwise requires:



1 "Personal care product" means any article intended to be
2 rubbed, poured, sprinkled, or sprayed on, introduced into, or
3 otherwise applied to the human body or any part thereof for
4 cleansing, beautifying, promoting attractiveness, or altering
5 the appearance, and any article intended for use as a component
6 of any such article, including but not limited to hand and body
7 soaps, exfoliates, shampoos, toothpastes, and scrubs. "Personal
8 care product" does not include a product for which a
9 prescription is required for distribution or dispensation.

10 "Plastic" means a synthetic material made from linking
11 monomers through a chemical reaction to create an organic
12 polymer chain that can be molded or extruded at high heat into
13 various solid forms retaining their defined shapes during life
14 cycle and after disposal.

15 "Synthetic plastic microbead" means any intentionally added
16 non-biodegradable solid plastic particle measuring five
17 millimeters or less that is used to exfoliate or cleanse in a
18 rinse-off product.

19 **§328-B Prohibition on sale of personal care products**
20 **containing synthetic plastic microbeads.** Beginning on



January 1, 2016, no person shall offer for sale a personal care product that contains synthetic plastic microbeads.

§328-C Penalties. Any person who violates section 328-B shall be subject to:

(1) For a first violation, a fine of not more than

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(2) For a second violation, a fine of not more than

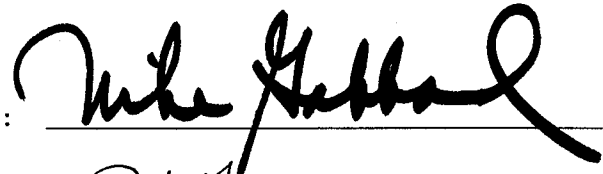

\$; and



(3) For a third or subsequent violation, a fine of not


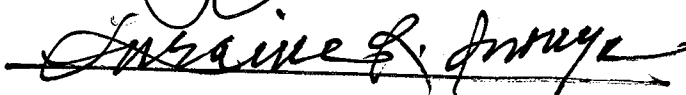
more than \$."

SECTION 3. This Act shall take effect on July 1, 2015.

INTRODUCED BY:



S.B. NO. 689

Report Title:

Environment; Environmental Protection; Health; Synthetic Plastic Microbeads; Prohibition; Personal Care Products

Description:

Prohibits the sale of personal care products that contain synthetic plastic microbeads beginning on January 1, 2016.
Requires violators to pay a fine.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

