

JAN 19 2018

A BILL FOR AN ACT

RELATING TO OXYBENZONE AND OCTINOXATE.

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

1 SECTION 1. The legislature finds that sunscreens
2 containing the active ingredients oxybenzone and octinoxate have
3 significant negative impacts on the marine environment.
4 Oxybenzone and octinoxate kill coral planula and gametes,
5 increase the susceptibility of coral to undergo coral bleaching
6 at temperatures lower than 87.8 degrees Fahrenheit, and cause
7 potential damage to coral and other marine organisms' genomic
8 integrity. Oxybenzone and octinoxate also degrade coral
9 physiology and coral reef community integrity, reduce coral
10 acclimation and resiliency to climate change factors, and
11 degrade coral reefs by inhibiting recruitment. Exposure to
12 oxybenzone and octinoxate also increases the risk of endocrine
13 disruption, causing demographic feminization and other types of
14 reproductive diseases, in marine invertebrates and vertebrates
15 and marine mammals.

16 The legislature further finds that oxybenzone and
17 octinoxate act as pseudo-persistent pollutants in Hawaii coastal



1 waters, meaning their environmental contamination levels are
2 constantly refreshed and renewed daily by swimmers and
3 beachgoers who use products with these chemicals. Unless
4 actively mitigated, individuals swimming and participating in
5 other ocean activities will continue to pollute Hawaii waters.

6 The purpose of this Act is to protect the integrity of
7 Hawaii's oceans by prohibiting the use, sale, or distribution of
8 sunscreens or personal care products containing oxybenzone or
9 octinoxate.

10 SECTION 2. Chapter 187A, Hawaii Revised Statutes, is
11 amended by adding a new section to part I to be appropriately
12 designated and to read as follows:

13 "§187A- Oxybenzone and octinoxate; sunscreen and
14 personal care product restrictions. (a) No person shall use or
15 apply sunscreen, sunblock, or personal care products containing
16 oxybenzone or octinoxate, unless the sunscreen, sunblock, or
17 personal care product is a prescription drug as defined in
18 section 328-112.

19 (b) For purposes of this section:

20 "Oxybenzone" means the chemical (2-Hydroxy-4-
21 methoxyphenyl)-phenylmethanone under the International Union of



1 Pure and Applied Chemistry chemical nomenclature registry, that
2 has a chemical abstract service registry number 131-57-7, whose
3 synonyms include benzophenone-3, Escalol 567, Eusolex 4360,
4 KAHSCREEN BZ-3, 4-methoxy-2-hydroxybenzophenone and Milestab 9,
5 and that is intended to be used as protection against
6 ultraviolet light radiation with a spectrum wavelength from 370
7 nanometers to 220 nanometers in an epidermal sunscreen-
8 protection personal-care product.

9 "Octinoxate" means the chemical (RS)-2-Ethylhexyl (2E)-3-
10 (4-methoxyphenyl)prop-2-enoate under the International Union of
11 Pure and Applied Chemistry chemical nomenclature registry, that
12 has a chemical abstract service registry number 5466-77-3, whose
13 synonyms include ethylhexylmethoxycinnamate, octyl
14 methoxycinnamate, Eusolex 2292, and Uvinul MC80, and that is
15 intended to be used as protection against ultraviolet light
16 radiation with a spectrum wavelength from 370 nanometers to 220
17 nanometers in an epidermal sunscreen-protection personal-care
18 product."

19 SECTION 3. Chapter 328, Hawaii Revised Statutes, is
20 amended by adding a new section to part I to be appropriately
21 designated and to read as follows:



S.B. NO. 2187

1 "§328- Sale of sunscreen and personal care products
2 containing oxybenzone or octinoxate; prohibited. (a) It shall
3 be unlawful to sell, offer for sale, or distribute for sale
4 sunscreen or personal care products that contain oxybenzone or
5 octinoxate, unless the product is a prescription drug as defined
6 in section 328-112.

7 (b) For purposes of this section:

8 "Oxybenzone" shall have the same meaning as in section
9 187A- .

10 "Octinoxate" shall have the same meaning as in section
11 187A- ."

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2019.

14
INTRODUCED BY:



By Request



S.B. NO. 2187

Report Title:

Maui County Package; Sunscreen; Oxybenzone; Octinoxate

Description:

Prohibits the use, sale, and distribution of sunscreens and personal care products that contain oxybenzone or octinoxate. Effective 7/1/19.

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

