
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. Once microbeads
14 enter the marine environment, they are impossible to remove and
15 are a significant source of environmental degradation.

16 The legislature further finds that several states have
17 already proposed legislation to phase out the sale of personal
18 care products that contain microbeads and in December 2012,



1 Unilever announced that all of its products would be plastic
 2 free by 2015. Procter and Gamble, L'Oreal, Colgate-Palmolive,
 3 and Johnson and Johnson have also pledged to phase out the use
 4 of microbeads in their products. Microbeads are unnecessary, as
 5 there are several natural alternatives to microbeads, including
 6 oatmeal, ground almonds, and pumice.

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

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

15 **"PART . PLASTIC MICROBEADS**

16 **§328-A Definitions.** As used in this part, unless the
 17 context otherwise requires:

18 "Personal care product" means any article intended to be
 19 rubbed, poured, sprinkled, or sprayed on, introduced into, or
 20 otherwise applied to the human body or any part thereof for
 21 cleansing, beautifying, promoting attractiveness, or altering



1 the appearance, and any article intended for use as a component
2 of any such article, including but not limited to hand and body
3 soaps, exfoliates, shampoos, toothpastes, and scrubs. "Personal
4 care product" does not include a product for which a
5 prescription is required for distribution or dispensation.

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

11 "Plastic microbead" means any intentionally added solid
12 plastic particle measuring five millimeters or less that is used
13 in personal care products.

14 **§328-B Prohibition on sale of personal care products**
15 **containing plastic microbeads.** Beginning on December 31, 2017,
16 no person shall offer for sale a personal care product that
17 contains plastic microbeads.

18 **§328-C Penalties.** Any person who violates section 328-B
19 shall be subject to:

20 (1) For a first violation, a fine of not more than
21 \$;



- 1 (2) For a second violation, a fine of not more than
- 2 \$; and
- 3 (3) For a third or subsequent violation, a fine of not
- 4 more than \$."
- 5 SECTION 3. This Act shall take effect on July 1, 2015.



Report Title:

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

Description:

Prohibits the sale of personal care products that contain
plastic microbeads beginning on December 31, 2017. Requires
violators to pay a fine. (SD1)

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not legislation or evidence of legislative intent.*

