

JAN 21 2022

A BILL FOR AN ACT

RELATING TO MICROBEADS.

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

1 SECTION 1. The purpose of this Act is to phase in a
2 prohibition on the manufacture and sale in the State of certain
3 personal care products and non-prescription drugs that contain
4 plastic microbeads. The legislature notes that nothing in this
5 Act shall be construed to apply to rinse-off cosmetics and
6 rinse-off cosmetics that are also non-prescription drugs, as
7 these products are exclusively regulated by the federal
8 government pursuant to the federal Microbead-Free Waters Act of
9 2015.

10 SECTION 2. Chapter 328, 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 "§328- Prohibition of plastic microbeads; personal care
14 products; non-prescription drugs. (a) Beginning July 1, 2022,
15 no person shall manufacture in the State a personal care
16 product, except for a non-prescription drug, that contains
17 plastic microbeads.



1 (b) Beginning July 1, 2023, no person shall:

2 (1) Sell or offer for sale in the State a personal care
3 product, except for a non-prescription drug, that
4 contains plastic microbeads; or

5 (2) Manufacture in the State a non-prescription drug that
6 contains plastic microbeads.

7 (c) Beginning July 1, 2024, no person shall sell or offer
8 for sale in the State a non-prescription drug that contains
9 plastic microbeads.

10 (d) Nothing in this section shall be construed to apply to
11 any rinse-off cosmetic or rinse-off cosmetic that is also a non-
12 prescription drug as regulated pursuant to the federal
13 Microbead-Free Waters Act of 2015, Public Law 114-114.

14 (e) As used in this section:

15 "Personal care product" means an article intended to be
16 rubbed, poured, sprinkled, or sprayed on, introduced into, or
17 otherwise applied to the human body or any part thereof for
18 cleansing, beautifying, promoting attractiveness, or altering
19 the appearance, and any article intended for use as a component
20 of the article. "Personal care product" does not include any
21 prescription drug.



1 "Plastic microbead" means a solid plastic particle that is
2 less than five millimeters in size and that is intended to be
3 used to exfoliate or cleanse the human body or any part thereof.

4 SECTION 3. If any provision of this Act, or the
5 application thereof to any person or circumstance, is held
6 invalid, the invalidity does not affect other provisions or
7 applications of the Act that can be given effect without the
8 invalid provision or application, and to this end the provisions
9 of this Act are severable.

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

12
INTRODUCED BY:



S.B. NO. 2290

Report Title:

Plastic Microbeads; Manufacture or Sale; Personal Care Products;
Non-prescription Drugs; Prohibition

Description:

Beginning 7/1/2022: bans the manufacture of a personal care product, except a non-prescription drug, that contains plastic microbeads. Beginning 7/1/2023: bans the sale or offer for sale of a personal care product, except a non-prescription drug, that contains plastic microbeads and bans the manufacture of a non-prescription drug that contains plastic microbeads. Beginning 7/1/2024: bans the sale or offer for sale of a non-prescription drug that contains plastic microbeads. Specifically exempts rinse-off cosmetics and rinse-off cosmetics that are also non-prescription drugs regulated by the federal Microbead-Free Waters Act of 2015.

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