

HOUSE No. 2063

The Commonwealth of Massachusetts

PRESENTED BY:

John W. Scibak

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the manufacture or sale of personal care products and over-the-counter drugs containing microbeads.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>

HOUSE No. 2063

By Mr. Scibak of South Hadley, a petition (accompanied by bill, House, No. 2063) of John W. Scibak, Sarah K. Peake and Lori A. Ehrlich relative to the manufacture or sale of personal care products and over-the-counter drugs containing microbeads. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to the manufacture or sale of personal care products and over-the-counter drugs containing microbeads.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 94 of the General Laws, as appearing in the 2012 Official Edition,
2 is hereby amended by inserting after section 329 the following new section:-

3 Section 330. (a) As used in this section, the following terms, shall have the following
4 meanings:-

5 Over-the-counter drug, a compound, substance or preparation that contains a label that
6 identifies the product as a drug, as required by 21 CFR 201.66 and that includes a drug facts
7 panel or a statement of the active ingredient or ingredients contained in the compound,
8 substance, or preparation.

9 Personal care product, any article intended to be rubbed, poured, sprinkled, or sprayed on,
10 introduced into, or otherwise applied to the human body or any part thereof for cleansing,

11 beautifying, promoting attractiveness, or altering the appearance, or any article intended for use
12 as a component thereof.

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

16 Synthetic plastic microbead, any intentionally added solid plastic particle measuring less
17 than five millimeters in size and used to exfoliate or cleanse in a rinse-off product.

18 (b) Beginning on January 1, 2018, no person shall produce or manufacture in the
19 Commonwealth a personal care product that contains synthetic plastic microbeads, except for an
20 over-the-counter drug.

21 (c) Beginning on January 1, 2019, no person shall sell, offer for sale, offer for promotion,
22 or otherwise distribute in the Commonwealth a personal care product that contains synthetic
23 plastic microbeads, except for an over-the-counter drug.

24 (d) Beginning on January 1, 2019, no person shall produce or manufacture in the
25 Commonwealth an over-the-counter drug that contains synthetic plastic microbeads.

26 (e) Beginning on January 1, 2020, no person shall sell, offer for sale, or offer for
27 promotion, or otherwise distribute in the Commonwealth an over-the-counter drug that contains
28 synthetic plastic microbeads.

29 (f) A person or entity who violates this section shall be subject to a penalty of not less
30 than \$1,000 and not more than \$10,000 for each offense.