

1 H.4

2 Introduced by Representatives Deen of Westminster, Konline of Dorset, and

3 Krowinski of Burlington

4 Referred to Committee on

5 Date:

6 Subject: Conservation and development; water resources; personal care

7 products; over-the-counter drugs; microbeads

8 Statement of purpose of bill as introduced: This bill proposes to prohibit the

9 manufacture and sale of personal care products and over-the-counter drugs that

10 contain synthetic plastic microbeads.

11 An act relating to prohibiting the manufacture or sale of personal care
12 products and over-the-counter drugs containing microbeads

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. FINDINGS

15 The General Assembly finds:

16 (1) Microbeads are a synthetic alternative ingredient in personal care
17 products that are used in place of natural materials such as ground almonds,
18 oatmeal, and pumice.

19 (2) Microbeads are found in over 100 personal care products that are
20 sold in the State, including facial cleansers, shampoos, and toothpastes, and

1 that ultimately are flushed down drains as part of the intended use of the
2 product.

3 (3) Municipal wastewater treatment plants do not effectively filter
4 microbeads from water discharged to rivers and lakes in the State.

5 (4) Plastic microbeads are persistent organic compounds that attract
6 other pollutants commonly present in the environment, many of which are
7 recognized to have serious deleterious impacts on human health or the
8 environment, including dichlorodiphenyltrichloroethane (DDT),
9 dichlorodiphenyldichloroethylene (DDE), polychlorinated biphenyl (PCBs),
10 and flame-retardants.

11 (5) Chemicals from plastics, such as PCBs, polycyclic aromatic
12 hydrocarbons (PAHs), and polybrominated diphenyl ethers (PBDEs), transfer
13 to fish tissue during digestion, bioaccumulate, and result in liver damage.

14 (6) Fish consumed by humans have been found to have ingested plastic
15 microbeads.

16 (7) There are economically feasible alternatives to plastic microbeads,
17 as indicated by the current use of biodegradable, natural, and abrasive
18 materials in many consumer personal care products.

19 (8) Updating municipal wastewater treatment plants so that they
20 effectively filter microbeads would be costly and take many years.

1 (7) “Biodegradable” means the capability of a substance to break down
2 completely in the natural environment that the substance is likely to encounter
3 within 24 months of its disposal, through a biological process of
4 decomposition into elements or compounds commonly found in that
5 environment.

6 (8) “Over-the-counter drug” means a compound, substance, or
7 preparation that contains a label that identifies the product as a drug, as
8 required by 21 C.F.R. § 201.66, and that includes a drug facts panel or a
9 statement of the active ingredient or ingredients contained in the compound,
10 substance, or preparation.

11 (9)(A) “Personal care product” means any article intended to be rubbed,
12 poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the
13 human body or any part thereof for cleansing, beautifying, promoting
14 attractiveness, or altering the appearance, and any article intended for use as a
15 component of any such article.

16 (B) “Personal care product” shall not include any prescription drug,
17 as that term is defined in 18 V.S.A. § 4201(41).

18 (10) “Plastic” means a synthetic material made from linking monomers
19 through a chemical reaction to create an organic polymer chain that can be
20 molded or extruded at high heat into various solid forms retaining their defined
21 shapes during life cycle and after disposal.

