

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 674

(SENATE AUTHORS: MARTY, Hoffman, Rest and Reinert)

DATE	D-PG	OFFICIAL STATUS
02/09/2015	242	Introduction and first reading Referred to Commerce
02/12/2015	283	Author added Rest
03/26/2015	1362 1397	Comm report: To pass and re-referred to Environment and Energy Chief author stricken, shown as co-author Hoffman Chief author added Marty Author added Reinert
04/07/2015	1471a 1490	Comm report: To pass as amended Second reading
05/05/2015		Special Order: Amended Third reading Passed

1.1 A bill for an act
 1.2 relating to environment; prohibiting sale of certain personal care products
 1.3 containing synthetic plastic microbeads; proposing coding for new law in
 1.4 Minnesota Statutes, chapter 325E.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[325E.382] CERTAIN PRODUCTS CONTAINING MICROBEADS**
 1.7 **PROHIBITED.**

1.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms
 1.9 have the meanings given.

1.10 (b) "Over-the-counter drug" means a drug that is a personal care product that
 1.11 contains a label that identifies the product as a drug as required by Code of Federal
 1.12 Regulations, title 21, section 201.66. An "over-the-counter drug" label includes:

1.13 (1) a drug facts panel; or

1.14 (2) a statement of the active ingredients with a list of those ingredients contained in
 1.15 the compound, substance, or preparation.

1.16 (c) "Personal care product" means any article intended to be rubbed, poured,
 1.17 sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or
 1.18 any part thereof for cleansing, beautifying, promoting attractiveness, or altering the
 1.19 appearance, and any article intended for use as a component of any such article. "Personal
 1.20 care product" does not include prescription drugs.

1.21 (d) "Plastic" means a synthetic material made from linking monomers through
 1.22 a chemical reaction to create an organic polymer chain that can be molded or extruded
 1.23 at high heat into various solid forms retaining their defined shapes during life cycle and
 1.24 after disposal.

2.1 (e) "Synthetic plastic microbead" means any intentionally added plastic particle
2.2 measured less than five millimeters in size.

2.3 Subd. 2. **Prohibitions.** (a) Effective December 31, 2017, no person shall
2.4 manufacture for sale a personal care product, except for an over-the-counter drug, that
2.5 contains synthetic plastic microbeads.

2.6 (b) Effective December 31, 2018, no person shall accept for sale a personal care
2.7 product, except for an over-the-counter drug, that contains synthetic plastic microbeads.

2.8 (c) Effective December 31, 2018, no person shall manufacture for sale an
2.9 over-the-counter drug that contains synthetic plastic microbeads.

2.10 (d) Effective December 31, 2019, no person shall accept for sale an over-the-counter
2.11 drug that contains synthetic plastic microbeads.

2.12 Subd. 3. **Exemptions.** A person may petition the commissioner of the Pollution
2.13 Control Agency for an exemption from the prohibitions in this section. The commissioner
2.14 may grant an exemption only if the person seeking the exemption provides clear and
2.15 convincing evidence that the synthetic plastic microbeads contained in a personal care
2.16 product or over-the-counter drug completely break down within two weeks in a natural
2.17 aquatic environment in Minnesota.

2.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.