

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 507

(SENATE AUTHORS: MARTY, Senjem, Rest, Metzen and Ruud)

DATE	D-PG	OFFICIAL STATUS
02/02/2015	192	Introduction and first reading Referred to Environment and Energy
02/05/2015	221	Authors added Rest; Metzen; Ruud
02/12/2015	258a	Comm report: To pass as amended and re-refer to Commerce

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; providing civil penalties; proposing
 coding for new law in 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, 2016, no person shall
2.4 manufacture or sell a personal care product, except for an over-the-counter drug, that
2.5 contains synthetic plastic microbeads.

2.6 (b) Effective December 31, 2017, no person shall manufacture or sell an
2.7 over-the-counter drug that contains synthetic plastic microbeads.

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

2.14 Subd. 4. **Penalties.** A person who violates this section is subject to a civil penalty
2.15 not to exceed \$1,000 for the first violation. A person is subject to a civil penalty not to
2.16 exceed \$2,500 for each repeat violation.

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