

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 834

- 02/12/2015 Authored by Uglem, Hansen, Fischer, Torkelson, McNamara and others
- The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance
- 03/02/2015 By motion, recalled and re-referred to the Committee on Commerce and Regulatory Reform
- 03/19/2015 Adoption of Report: Placed on the General Register
- Read Second Time
- 05/06/2015 Referred to the Chief Clerk for Comparison with S. F. No. 674
- 05/07/2015 Postponed Indefinitely

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 nonbiodegradable  
2.2 solid plastic particle measured less than five millimeters in size and used to exfoliate  
2.3 or cleanse in a rinse-off product.

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

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

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

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

2.13 Subd. 3. **Preemption.** This section preempts any ordinance or resolution of a  
2.14 municipality, county, or any other local government entity concerning synthetic plastic  
2.15 microbeads.