

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Prohibit Synthetic Plastic Microbeads in Personal Care Products and Over-the-counter Drugs**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 38 MRSA §419-D** is enacted to read:

### **§ 419-D. Synthetic plastic microbeads**

**1. Definitions.** As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Over-the-counter drug" means a drug that is a personal care product that contains a label that identifies the product as a drug as required by 21 Code of Federal Regulations, Section 201.66 (2014). Such a label includes but is not limited to a drug facts panel or a statement of the active ingredients with a list of those ingredients contained in the base compound, substance or preparation.

B. "Personal care product" means any article intended to be rubbed, poured, sprinkled or sprayed on, introduced into or otherwise applied to any part of the human body for cleansing, beautifying, promoting attractiveness or altering the appearance, and any item intended for use as a component of any such article. "Personal care product" does not include a prescription drug.

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

D. "Synthetic plastic microbead" means any intentionally added nonbiodegradable solid plastic particle measuring less than 5 millimeters in size and used to exfoliate or cleanse in a product intended to be rinsed off.

**2. Prohibitions.** A person may not:

A. After December 31, 2017, manufacture for sale a personal care product, except for an over-the-counter drug, that contains synthetic plastic microbeads;

B. After December 31, 2018, accept for sale a personal care product, except for an over-the-counter drug, that contains synthetic plastic microbeads;

C. After December 31, 2018, manufacture for sale an over-the-counter drug that contains synthetic plastic microbeads; and

D. After December 31, 2019, accept for sale an over-the-counter drug that contains synthetic plastic microbeads.

## **SUMMARY**

This bill establishes dates after which the manufacture for sale or acceptance for sale of personal care products containing synthetic plastic microbeads is prohibited. It also establishes dates after which the manufacture for sale or acceptance for sale of an over-the-counter drug containing synthetic plastic microbeads is prohibited.