

HOUSE No. 1934

The Commonwealth of Massachusetts

PRESENTED BY:

Carolyn C. Dykema

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to micro-bead free waters.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>1/15/2015</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>10/9/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>10/9/2019</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>10/9/2019</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>10/9/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>10/9/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>10/9/2019</i>
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>	<i>10/9/2019</i>

HOUSE No. 1934

By Ms. Dykema of Holliston, a petition (accompanied by bill, House, No. 1934) of Carolyn C. Dykema and others for legislation to ban plastic beads used in facial scrubs, shampoos and toothpastes. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to micro-bead free waters.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 94 of the General Laws, as appearing in the 2012 official edition, is
2 hereby amended by inserting after Section 192A the following new section:-

3 Section 192B. (a) as used in this section, the following terms, shall, unless the context
4 clearly indicates otherwise, have the following meanings

5 "Over the counter drug" means a drug that is a personal care product that contains an
6 over-the-counter drug label that identifies the product as a drug as required by 21 CFR 201.66.

7 An over the counter drug label includes:

8 (1) A drug facts panel; or

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

11 "Personal care product" includes (1) articles intended to be rubbed, poured, sprinkled,
12 or sprayed on, introduced into, or otherwise applied to the human body or any part thereof for
13 cleansing, beautifying, promoting attractiveness, or altering the appearance, and (2) articles
14 intended for use as a component of any such articles. "Personal care product" does not include
15 any prescription drugs.

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

19 "Synthetic plastic microbead" means any intentionally added non-biodegradable solid
20 plastic particle measured less than 5 millimeters in size and is used to exfoliate or cleanse in a
21 rinse-off product.

22 (b) Effective December 31, 2017, no person shall manufacture for sale a personal care
23 product, except for an over the counter drug, that contains synthetic plastic microbeads as
24 defined in this Section.

25 (c) Effective December 31, 2018, no person shall accept for sale a personal care
26 product, except for an over the counter drug, that contains synthetic plastic microbeads as
27 defined in this Section.

28 (d) Effective December 31, 2018, no person shall manufacture for sale an over the
29 counter drug that contains synthetic plastic microbeads as defined in this Section.

30 (e) Effective December 31, 2019, no person shall accept for sale an over the counter
31 drug that contains synthetic plastic microbeads as defined in this Section.