
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 672 Session of
2015

INTRODUCED BY WILEY, ALLOWAY, YAW, COSTA, HUGHES, FONTANA,
RAFFERTY, BREWSTER, DINNIMAN AND LEACH, JANUARY 13, 2016

REFERRED TO ENVIRONMENTAL RESOURCES AND ENERGY, JANUARY 13, 2016

AN ACT

1 Providing for a synthetic plastic microbead prohibition.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Synthetic
6 Plastic Microbead Prohibition Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Over-the-counter drug." Any drug that contains a label
12 which identifies the product as a drug, as required by 21 CFR
13 201.66 (relating to format and content requirements for over-
14 the-counter (OTC) drug product labeling). The label shall
15 include:

16 (1) "Drug Facts" panel;

17 (2) a statement of the active ingredient or active

1 ingredients with a list of those ingredients contained in the
2 compound, substance or preparation.

3 "Personal care product." Any article intended to be
4 introduced into or applied to the human body for cleansing,
5 beautifying, promoting attractiveness or altering the
6 appearance, or any item intended for use as a component thereof.

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

12 "Secretary." The Secretary of Environmental Protection of
13 the Commonwealth.

14 "Synthetic plastic microbead." Any intentionally added solid
15 plastic particle that is not biodegradable in water and
16 measuring less than five millimeters in size and used to
17 exfoliate or cleanse in a rinse-off product.

18 Section 3. Prohibition.

19 (1) On or after January 1, 2018, no person shall produce
20 or manufacture in this Commonwealth a personal care product
21 containing synthetic plastic microbeads, except for an over-
22 the-counter drug.

23 (2) On or after January 1, 2019, no person shall:

24 (i) sell, offer for sale or offer for promotion in
25 this Commonwealth a personal care product containing
26 synthetic plastic microbeads, except for an over-the-
27 counter drug; or

28 (ii) produce or manufacture in this Commonwealth an
29 over-the-counter drug that contains synthetic plastic
30 microbeads.

1 (3) On or after January 1, 2020, no person shall sell,
2 offer for sale or offer for promotion in this Commonwealth an
3 over-the-counter drug containing synthetic plastic
4 microbeads.

5 Section 4. Penalties.

6 (a) First offense.--A first violation of section 3 shall be
7 a misdemeanor of the third degree. An individual convicted under
8 this subsection shall pay a fine of not less than \$1,000 and not
9 more than \$10,000 for each offense.

10 (b) Second and subsequent offenses.--If the violation is of
11 a continuing nature, each day during which it continues
12 constitutes an additional, separate and distinct offense.

13 (c) Powers and duties of secretary.--The secretary may
14 institute a civil action for injunctive relief to enforce the
15 provisions of section 3 and to prohibit and prevent a violation
16 of this act.

17 Section 5. Preemption.

18 The provisions of this act shall preempt any ordinance or
19 resolution of a municipality, county or other local government
20 entity concerning synthetic plastic microbeads.

21 Section 6. Effective date.

22 This act shall take effect in 60 days.