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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 143

01/12/2015 Authored by Mullery, Clark, Fischer, Kahn and Johnson, C.,
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to environment; prohibiting the sale of certain personal care products
1.3 containing microplastics; providing civil penalties; proposing coding for new
1.4 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 MICROPLASTICS**
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) "Microplastic" means a plastic with a diameter of five millimeters or less.

1.11 (c) "Personal care product" means a nonmedicinal consumable product that is
1.12 intended to be used in the topical care and grooming of the body and hair and that is rubbed,
1.13 poured, sprinkled, or sprayed on, or otherwise applied to a human body, for cleansing,
1.14 beautifying, promoting attractiveness, or altering the appearance without affecting the
1.15 body's structure or functions. Personal care products are specifically for use in such
1.16 activities as cleansing, toning, moisturizing, hydrating, exfoliating, conditioning, anointing,
1.17 massaging, coloring or decorating, soothing, deodorizing, perfuming, and styling.

1.18 (d) "Plastic" means a synthetic material made from a polymer chain that can be
1.19 molded, catalyzed, or extruded into various forms.

1.20 Subd. 2. **Prohibition; exemptions.** (a) Except as provided in paragraph (b), after
1.21 July 1, 2016, no person may sell or offer for sale in this state a personal care product
1.22 that contains microplastics.

1.23 (b) Paragraph (a) does not apply:

2.1 (1) to a personal care product containing microplastics in less than one part per
2.2 million by weight; or

2.3 (2) if it is demonstrated to the commissioner of the Pollution Control Agency that an
2.4 otherwise prohibited personal care product is designed in a manner or for such uses that
2.5 it will not, through normal use, enter into the waters of this state, as defined in section
2.6 97A.015, subdivision 54.

2.7 Subd. 3. **Penalties.** A person who violates this section is subject to a civil penalty
2.8 not to exceed \$250 for each unit of personal care product sold or offered for sale in this
2.9 state in addition to any other penalty provided in law.

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