

Microbeads

The Act requires a phase out, and ultimately, a ban on the manufacture and sale of personal care products that contain plastic synthetic microbeads. The Act bans the manufacture of personal care products containing plastic synthetic microbeads by the end of 2017, the sale of such personal care products and the manufacture of over-the-counter drugs containing the beads by the end of 2018, and the sale of over-the-counter drugs with microbeads by the end of 2019.

Synthetic plastic microbeads are used in personal care products because of their exfoliating properties and excellent safety profile, but there are concerns about the potential environmental impact as microbeads may not be captured by wastewater treatment facilities. This Act was passed unanimously in the Legislature, and received the support of industry.

Submitted as:

Illinois

[SB 2727](#)

Status: Signed into law on June 9, 2014.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Definitions.*]

2 (a) As used in this Section:

3 “Over the counter drug” means a drug that is a personal care product that contains a label that
4 identifies the product as a drug as required by 21 CFR 201.66. An “over the counter drug”
5 label includes: (1) A drug facts panel; or (2) A statement of the active ingredients with a list
6 of those ingredients contained in the compound, substance, or preparation.

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8 “Personal care product” means any article intended to be rubbed, poured, sprinkled, or
9 sprayed on, introduced into, or otherwise applied to the human body or any part thereof for
10 cleansing, beautifying, promoting attractiveness, or altering the appearance, and any article
11 intended for use as a component of any such article. “Personal care product” does not include
12 any prescription drugs.

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

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

1 (b) The General Assembly hereby finds that microbeads, a synthetic alternative ingredient to
2 such natural materials as ground almonds, oatmeal, and pumice, found in over 100 personal
3 care products, including facial cleansers, shampoos, and toothpastes, pose a serious threat to
4 the State's environment.

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6 Microbeads have been documented to collect harmful pollutants already present in the
7 environment and harm fish and other aquatic organisms that form the base of the aquatic
8 food chain. Recently, microbeads have been recorded in Illinois water bodies, and in
9 particular, the waters of Lake Michigan.

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11 Although synthetic plastic microbeads are a safe and effective mild abrasive ingredient
12 effectively used for gently removing dead skin, there are recent concerns about the potential
13 environmental impact of these materials. More research is needed on any adverse
14 consequences, but a number of cosmetic manufacturers have already begun a voluntary
15 process for identifying alternatives that allay those concerns. Those alternatives will be
16 carefully evaluated to assure safety and implemented in a timely manner.

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18 Without significant and costly improvements to the majority of the State's sewage treatment
19 facilities, microbeads contained in products will continue to pollute Illinois' waters and
20 hinder the recent substantial economic investments in redeveloping Illinois waterfronts and
21 the ongoing efforts to restore the State's lakes and rivers and recreational and commercial
22 fisheries.

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24 (c) Effective [insert effective date], no person shall manufacture for sale a personal care product,
25 except for an over the counter drug, that contains synthetic plastic microbeads as defined in
26 this Section.

27 (d) Effective [insert effective date], no person shall accept for sale a personal care product,
28 except for an over the counter drug, that contains synthetic plastic microbeads as defined in
29 this Section.

30 (e) Effective [insert effective date], no person shall manufacture for sale an over the counter
31 drug that contains synthetic plastic microbeads as defined in this Section.

32 (f) Effective [insert effective date], no person shall accept for sale an over the counter drug that
33 contains synthetic plastic microbeads as defined in this Section.

34
35 Section 2. [*Penalties.*]

36 Any person who violates this Section of this Act shall be liable for a civil penalty of up to \$1,000
37 for the first violation of that Section and a civil penalty of up to \$2,500 for a second or
38 subsequent violation of that Section.