

# HOUSE BILL No. 4345

March 12, 2015, Introduced by Rep. Outman and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the heading of chapter 5 of article II and by adding part 162.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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CHAPTER 5

RECYCLING AND ~~RELATED SUBJECTS~~ PROHIBITED PRODUCTS

PART 162

PLASTIC IN PERSONAL CARE PRODUCTS

SEC. 16201. AS USED IN THIS PART:

(A) "OVER-THE-COUNTER DRUG" MEANS A DRUG THAT IS A PERSONAL CARE PRODUCT THAT HAS A LABEL THAT IDENTIFIES THE PRODUCT AS A DRUG AS REQUIRED BY 21 CFR 201.66.

1 (B) "PERSONAL CARE PRODUCT" MEANS AN ARTICLE INTENDED TO BE  
2 RUBBED, Poured, SPRINKLED, OR SPRAYED ON, INTRODUCED INTO, OR  
3 OTHERWISE APPLIED TO THE HUMAN BODY FOR CLEANSING, BEAUTIFYING,  
4 PROMOTING ATTRACTIVENESS, OR ALTERING APPEARANCE, AND ANY ARTICLE  
5 INTENDED FOR USE AS A COMPONENT OF ANY SUCH ARTICLE. PERSONAL CARE  
6 PRODUCT DOES NOT INCLUDE A PRESCRIPTION DRUG.

7 (C) "PLASTIC" MEANS A SYNTHETIC MATERIAL MADE FROM LINKING  
8 MONOMERS THROUGH A CHEMICAL REACTION TO CREATE AN ORGANIC POLYMER  
9 CHAIN THAT CAN BE MOLDED OR EXTRUDED AT HIGH HEAT INTO VARIOUS  
10 SOLID FORMS RETAINING THEIR DEFINED SHAPES DURING THEIR LIFE CYCLE  
11 AND AFTER DISPOSAL.

12 (D) "PLASTIC MICROBEAD" MEANS AN INTENTIONALLY ADDED  
13 NONBIODEGRADABLE SOLID PLASTIC PARTICLE LESS THAN 5 MILLIMETERS IN  
14 ALL DIMENSIONS.

15 SEC. 16202. (1) EFFECTIVE DECEMBER 31, 2017, A PERSON SHALL  
16 NOT MANUFACTURE FOR SALE A PERSONAL CARE PRODUCT, EXCEPT FOR AN  
17 OVER-THE-COUNTER DRUG, THAT CONTAINS PLASTIC MICROBEADS.

18 (2) EFFECTIVE DECEMBER 31, 2018, A PERSON SHALL NOT ACCEPT FOR  
19 SALE A PERSONAL CARE PRODUCT, EXCEPT FOR AN OVER-THE-COUNTER DRUG,  
20 THAT CONTAINS PLASTIC MICROBEADS.

21 (3) EFFECTIVE DECEMBER 31, 2018, A PERSON SHALL NOT  
22 MANUFACTURE FOR SALE AN OVER-THE-COUNTER DRUG THAT CONTAINS PLASTIC  
23 MICROBEADS.

24 (4) EFFECTIVE DECEMBER 31, 2019, A PERSON SHALL NOT ACCEPT FOR  
25 SALE AN OVER-THE-COUNTER DRUG THAT CONTAINS PLASTIC MICROBEADS.

26 SEC. 16203. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A PERSON  
27 WHO VIOLATES THIS PART MAY BE ORDERED TO PAY A CIVIL FINE OF NOT

1 MORE THAN \$1,000.00.

2 (2) A PERSON WHO VIOLATES THIS PART A SECOND OR SUBSEQUENT

3 TIME MAY BE ORDERED TO PAY A CIVIL FINE OF NOT MORE THAN \$2,500.00.