



## 2015 SENATE BILL 15

January 29, 2015 – Introduced by Senators COWLES, OLSEN, CARPENTER, DARLING, ERPENBACH, FARROW, HARSDORF, LASSA, MILLER, L. TAYLOR and VINEHOUT, cosponsored by Representatives CZAJA, KITCHENS, MASON, BORN, E. BROOKS, DANOU, DOYLE, HEATON, JOHNSON, KAHL, KOLSTE, KRUG, KULP, T. LARSON, MACCO, MEYERS, A. OTT, QUINN, RIPP, ROHRKASTE, SARGENT, SPIROS, STEFFEN, SWEARINGEN, THIESFELDT, VANDERMEER, MURPHY, WEATHERSTON, MILROY, SINICKI, STUCK and ALLEN. Referred to Committee on Natural Resources and Energy.

1     **AN ACT to amend** 299.97 (1); and **to create** 299.50 of the statutes; **relating to:**  
2             the manufacture and acceptance for sale of products containing microbeads.

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### *Analysis by the Legislative Reference Bureau*

This bill generally prohibits, with certain exceptions, the manufacture of a personal care product containing microbeads (small, non-biodegradable plastic particles) beginning December 31, 2017. “Personal care product” is defined in the bill. The bill also prohibits, with certain exceptions, accepting a personal care product containing microbeads for sale beginning December 31, 2018.

The bill creates different effective dates for these prohibitions for over-the-counter drugs. “Over-the-counter drug” is also defined in the bill. Under this bill, a person may not manufacture a personal care product that is an over-the-counter drug containing microbeads beginning December 31, 2018, and may not accept such a product for sale beginning December 31, 2019. This bill does not apply to the manufacture or sale of prescription drugs.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3             **SECTION 1.** 299.50 of the statutes is created to read:

**SENATE BILL 15****SECTION 1****1           299.50   Products containing synthetic plastic microbeads.   (1)**

2       DEFINITIONS. In this section:

3           (a) “Over-the-counter drug” means a substance or product that may be  
4       dispensed without a prescription and that contains a label which identifies the  
5       product as a drug as required by 21 CFR 201.66 and which includes a drug facts panel  
6       or a statement of the active ingredient or ingredients with a list of those ingredients  
7       contained in the compound, substance, or preparation.

8           (b) “Personal care product” means any article, or a component of any article,  
9       that is intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or  
10       otherwise applied to the human body for cleansing, beautifying, promoting  
11       attractiveness, or altering appearance, except that “personal care product” does not  
12       include a prescription drug.

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

17          (d) “Political subdivision” means a city, village, town, or county.

18          (e) “Synthetic plastic microbead” means any intentionally added  
19       non-biodegradable, solid plastic particle measuring less than 5 millimeters at its  
20       largest dimension that is used to exfoliate or cleanse in a product that is intended to  
21       be rinsed off.

22           **(2) RESTRICTIONS.** (a) Beginning on December 31, 2017, no person may produce  
23       or manufacture a personal care product containing synthetic plastic microbeads,  
24       except for a product that is an over-the-counter drug.

25           (b) Beginning on December 31, 2018, no person may do any of the following:

