

HOUSE BILL NO. 6122

May 19, 2022, Introduced by Reps. Pohutsky, Steckloff, Sowerby, Breen, LaGrand, Koleszar, Brabec, Brenda Carter, Stone, Weiss, Hope, Haadsma, Tyrone Carter, Young, Manoogian, Morse and Allor and referred to the Committee on Commerce and Tourism.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding part 151.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 151 PLASTIC MICROBEADS

Sec. 15101. As used in this part:

(a) "Over-the-counter drug" means a personal care product that
has a label under 21 CFR 201.66 identifying the product as a drug.

(b) "Personal care product" means an article intended to be

1 rubbed, poured, sprinkled, or sprayed on, introduced into, or
2 otherwise applied to the human body for cleansing, beautifying,
3 promoting attractiveness, or altering appearance, and any article
4 intended for use as a component of any such article. Personal care
5 product does not include a prescription drug.

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

11 (d) "Plastic microbead" means a plastic particle less than 5
12 millimeters in each dimension.

13 Sec. 15103. A person shall not do any of the following:

14 (a) Beginning January 1, 2022, manufacture for sale a personal
15 care product, except for an over-the-counter drug, that contains
16 intentionally added plastic microbeads.

17 (b) Beginning January 1, 2023, accept for sale a personal care
18 product, except for an over-the-counter drug, that contains
19 intentionally added plastic microbeads.

20 (c) Beginning January 1, 2023, manufacture for sale an over-
21 the-counter drug that contains intentionally added plastic
22 microbeads.

23 (d) Beginning January 1, 2025, accept for sale an over-the-
24 counter drug that contains intentionally added plastic microbeads.

25 Sec. 15105. (1) Subject to subsection (2), a person who
26 violates section 15103 may be ordered to pay a civil fine of not
27 more than \$1,000.00 per day for each over-the-counter drug or other
28 personal care product universal product code that is the subject of
29 a violation.

1 (2) A person who violates section 15103 a second or subsequent
2 time may be ordered to pay a civil fine of not more than \$2,500.00
3 per day for each over-the-counter drug or other personal care
4 product universal product code that is the subject of a violation.

5 (3) A violation of section 15103 may be prosecuted by the
6 prosecuting attorney of the county where the violation occurred or
7 by the attorney general.