

House File 439 - Introduced

HOUSE FILE 439

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A BILL FOR

1 An Act prohibiting the production, manufacture, sale, or offer
2 for sale of personal care or dental products containing
3 microbeads in this state, and providing penalties.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 455L.1 Definitions.

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Department*" means the department of natural resources
5 created under section 455A.2.

6 2. "*Microbead*" means any plastic component of a personal
7 care or dental product measured to be five millimeters or less
8 in size.

9 3. a. "*Personal care or dental product*" means any of the
10 following:

11 (1) An article intended to be rubbed, poured, sprinkled, or
12 sprayed on, introduced into, or otherwise applied to the human
13 body or any part of the human body for cleansing, beautifying,
14 promoting attractiveness, or altering the appearance.

15 (2) An article intended for use as a component of an article
16 described in subparagraph (1).

17 b. "*Personal care or dental product*" does not include any
18 product for which a prescription is required.

19 Sec. 2. NEW SECTION. 455L.2 Personal care or dental
20 products with microbeads prohibited.

21 A person shall not produce, manufacture, sell, or offer
22 for sale in this state any personal care or dental product
23 that contains microbeads that were intentionally added to the
24 product.

25 Sec. 3. NEW SECTION. 455L.3 Civil actions for compliance
26 — penalties.

27 1. The attorney general, on request of the department,
28 shall institute any legal proceeding necessary to enforce this
29 chapter, including a proceeding for a temporary injunction, or
30 to prosecute any person for a violation of this chapter or any
31 rule adopted pursuant to this chapter.

32 2. A person who violates this chapter shall be subject to a
33 civil penalty, not to exceed two thousand five hundred dollars
34 for each day of such violation for a first offense, and not to
35 exceed five thousand dollars for each day of such violation for

1 any subsequent offense.

2 Sec. 4. NEW SECTION. 455L.4 Rules.

3 The department shall adopt rules pursuant to chapter 17A to
4 administer this chapter.

5 EXPLANATION

6 The inclusion of this explanation does not constitute agreement with
7 the explanation's substance by the members of the general assembly.

8 This bill prohibits the production, manufacture, and sale
9 or offer for sale of any personal care or dental product that
10 contains microbeads that were intentionally added to the
11 product. The bill defines "microbead" as any plastic component
12 of a personal care or dental product measured to be five
13 millimeters or less in size.

14 The bill authorizes the attorney general, on request of the
15 department of natural resources, to conduct legal proceedings
16 necessary for enforcement of the bill. The bill provides a
17 maximum civil penalty of \$2,500 per day of the violation for
18 a first offense and \$5,000 per day of the violation for any
19 subsequent offense.