



## **Carla C. Piluso**

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### **HB 3478A: Protecting Oregon's wildlife and waterways by phasing out the manufacturing and sale of personal care products and over-the-counter drugs that contain plastic microbeads.**

**Background:** Often less than a millimeter wide, plastic microbeads have become a popular addition to cosmetics and personal care products. Some popular facial cleansers may contain as much as 300,000 microbeads in a single container.

Microbeads are so small that they are not caught by water treatment plants, so they wind up in lakes, streams, and oceans. As many as 300 tons per year could be ending up in waterways across the US.

**Issue:** These microbeads are small enough to bypass sewer and water treatment filters, act as a sponge for toxins and harm fish and other wildlife. Since wastewater treatment facilities are currently unable to remove plastic microbeads without expensive retrofits, taxpayers would have to shoulder the cost of upgrading treatment centers.

**Solution:** The most effect way to address this issue is at the source—by phasing out the manufacturing and sale of plastic microbeads. HB 3478A phases in a prohibition on the manufacture and sale of personal care products and over-the-counter drugs that contain plastic micro-beads with full implementation by December 31st, 2019. This timeframe ensures manufacturers of all sizes have adequate time to make adjustments and meet all requirements of the Federal Food, Drug and Cosmetic Act.

#### **What does the -11 do?**

This amendment removes the word “synthetic” before every reference of plastic microbeads, as well as removing the definition of plastic from all sections. **The -11 amendment is important to close loopholes that would allow companies to bypass this law** with insufficiently tested, “biodegradable” plastic microbeads. One alternative, polylactic acid, does degrade faster than other plastics, but only under extreme heat—conditions not typically found in aquatic environments.

The -11 amendment would also remove local pre-emption language from the bill at the request of the League of Oregon Cities.

#### **Why I oppose the -8 amendment:**

The -8 amendment aims to establish guidelines for biodegradable plastic microbeads based of international standards. The most current international standard (ATSM D7081) for biodegradable plastics was withdrawn last year. This bill is not the mechanism for the industry to create standards around plastic biodegradability where none currently exist.

Plastic products promoted as biodegradable and compostable are extremely problematic for waste managers throughout the state and opening up this bill to define and describe these standards will illicit pushback from these entities and invites a host of these other waste management and consumer issues to the table.

#### **Are other states working on this issue?**

Illinois, Colorado, Maine, and New Jersey have all passed laws phasing in a ban on the manufacturing and sale of microbeads. Michigan, Minnesota, Wisconsin, Washington and California all have bills on the table.

Earlier this month, the California Assembly passed a bill that is in line with HB3478A-11. The Personal Care Products Council is not opposed to the California bill and passing similar legislation in Oregon will provide industry with certainty.