

**PROPOSED AMENDMENTS TO
HOUSE BILL 3478**

1 On page 1 of the printed bill, delete line 15.

2 In line 16, delete “(C)” and insert “(B)”.

3 In line 18, delete “(D)” and insert “(C)”.

4 Delete lines 26 through 30 and delete page 2.

5 On page 3, delete line 1 and insert:

6 **“SECTION 2.** Section 1 of this 2015 Act is amended to read:

7 **“Sec. 1.** (1) As used in this section:

8 “(a) ‘Over-the-counter drug’ means a personal care product for which the
9 United States Food and Drug Administration requires a label with the title
10 ‘Drug Facts’ or ‘Active ingredients’ under 21 C.F.R. 201.66, as in effect on
11 the effective date of this 2015 Act.

12 “(b) ‘Personal care product’ means a product or component of a product
13 that a consumer purchases with the intent to apply the product or component
14 to the human body to clean or alter the appearance of the body.

15 “(c) ‘Synthetic plastic microbead’ means a solid plastic particle that a
16 manufacturer intentionally incorporates into a personal care product and
17 that:

18 “(A) Measures less than five millimeters in diameter;

19 “(B) The manufacturer intends as a method for exfoliating skin or other-
20 wise cleaning the human body; and

21 “(C) The manufacturer intends for the consumer to rinse off from the body
22 after use.

1 “(2)(a) **Except as provided in paragraph (b) of this subsection**, a
2 person may not manufacture **or accept** for sale a personal care product[,
3 *other than an over-the-counter drug,*] that contains synthetic plastic micro-
4 beads.

5 “(b) **A person may not manufacture for sale, but may accept for**
6 **sale, an over-the-counter drug that contains synthetic plastic micro-**
7 **beads.**

8 “(3) A local government or other governmental subdivision of this state
9 may not enact a rule, regulation, ordinance or resolution concerning syn-
10 thetic plastic microbeads in personal care products or over-the-counter drugs
11 that differs from the requirements of this section.

12 “(4) Violation of the provisions of this section is an unlawful trade prac-
13 tice under ORS 646.608 that is subject to enforcement under ORS 646.632 or
14 an action under ORS 646.638.

15 “**SECTION 3.** Section 1 of this 2015 Act, as amended by section 2 of this
16 2015 Act, is amended to read:

17 “**Sec. 1.** (1) As used in this section:

18 “(a) ‘Over-the-counter drug’ means a personal care product for which the
19 United States Food and Drug Administration requires a label with the title
20 ‘Drug Facts’ or ‘Active ingredients’ under 21 C.F.R. 201.66, as in effect on
21 the effective date of this 2015 Act.

22 “(b) ‘Personal care product’ means a product or component of a product
23 that a consumer purchases with the intent to apply the product or component
24 to the human body to clean or alter the appearance of the body.

25 “(c) ‘Synthetic plastic microbead’ means a solid plastic particle that a
26 manufacturer intentionally incorporates into a personal care product and
27 that:

28 “(A) Measures less than five millimeters in diameter;

29 “(B) The manufacturer intends as a method for exfoliating skin or other-
30 wise cleaning the human body; and

1 “(C) The manufacturer intends for the consumer to rinse off from the body
2 after use.

3 “[(2)(a)] **(2)** [*Except as provided in paragraph (b) of this subsection,*] A
4 person may not manufacture or accept for sale a personal care product **or**
5 **over-the-counter drug** that contains synthetic plastic microbeads.

6 “[(b) *A person may not manufacture for sale, but may accept for sale, an*
7 *over-the-counter drug that contains synthetic plastic microbeads.*]

8 “(3) A local government or other governmental subdivision of this state
9 may not enact a rule, regulation, ordinance or resolution concerning syn-
10 thetic plastic microbeads in personal care products or over-the-counter drugs
11 that differs from the requirements of this section.

12 “(4) Violation of the provisions of this section is an unlawful trade prac-
13 tice under ORS 646.608 that is subject to enforcement under ORS 646.632 or
14 an action under ORS 646.638.”.

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