



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Honolulu, HI 96801-3378
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Testimony in SUPPORT of SB 2326
RELATING TO MICROBEADS

SENATOR MIKE GABBARD, CHAIR
SENATE COMMITTEE ON AGRICULTURE AND ENVIRONMENT
Hearing Date: 2/12/2020 Room Number: 224

1 **Fiscal Implications:** Unknown at this time.

2 **Department Testimony:** The Department supports this measure with comments. This measure
3 seeks to amend HRS 328 by requiring a phase out and ultimate prohibition on the manufacture
4 and sale in Hawaii of personal care products and non-prescription drugs containing synthetic
5 plastic microbeads two millimeters in size or larger. The Department is aware that the
6 accumulation and possible impacts of microplastic particles in the marine environment is
7 recognized as an important environmental issue and supports efforts to decrease microplastic
8 pollution in Hawaii's waters to protect our marine environment. Banning personal care products
9 with plastic microbeads is a small step towards achieving this overall goal.

10 However, for the purposes of consistency, the Department requests language referencing civil
11 penalties (page 2, lines 10-13) be deleted. Any violations to HRS 328 should be addressed
12 consistently with administrative and civil penalties already in place.

13 The Department also offers the following comment that the proposed definition of "Non-
14 prescription drug" on page 3, line 1 is unnecessary as HRS 328 part I contains a suitable
15 definition for "Nonprescription drug", "over-the-counter drug", or "nonlegend drug", to mean a
16 drug, or medicine that may be lawfully sold without a practitioner's order.

17 **Offered Amendments:** None

18 Thank you for the opportunity to testify on this measure.

SB-2326

Submitted on: 2/10/2020 8:44:33 PM

Testimony for AEN on 2/12/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Stuart Coleman	Testifying for WAI: Wastewater Alternatives & Innovations	Support	No

Comments:

Dear Chair Gabbard, Vice Chair Ruderman and Committee Members,

I'm writing to express strong support for SB2326, which would ban plastic microbeads from personal care products. This bill would help enforce the national ban and close loopholes from that bipartisan effort. Mahalo for your consideration.

Aloha,

Stuart Coleman, Exec. Dir.

WAI: Wastewater Alternatives & Innovations

2927 Hibiscus Pl., Hon., HI 96815

February 11, 2020

Senator Mike Gabbard, Chair
Senator Russell E. Ruderman, Vice Chair
Committee on Agriculture and Environment
State Capitol
415 South Beretania Street
Honolulu, HI 96813

Chair Gabbard and Vice Chair Ruderman:

On behalf of the members of the Personal Care Products Council (PCPC)¹, I am writing to oppose SB 2326, prohibiting the sale of personal care products with synthetic plastic microbeads.

The personal care products industry's deep commitment to product safety and environmental stewardship includes protection of the marine environment that sustains life on our planet. That's why the industry responded early and aggressively to concerns over microbeads, even though these ingredients make up a very tiny fraction of plastic litter in waterways. The industry announced a voluntary phase-out of microbeads, and then worked with elected officials, environmental advocacy groups and others to support laws that permanently ban them. Several states adopted laws and the Council of State Governments accepted the language into their Shared State Legislation Volume 75. Subsequently, the Microbead-Free Waters Act, was signed into law by President Obama in 2015 and bans the manufacturing of products containing microbeads as of July 1, 2017.

No ingredient commonly used in cosmetics and personal care products has been detected in marine plastic litter. Research looking at the occurrence and environmental fate of ingredients is currently being conducted, although to date there is no evidence to show that personal care products contribute to marine litter.

In addition, it is important to note that microbead litter can be effectively removed from water by wastewater treatment plants. In studies conducted in the U.S. and Europe, treatment facilities were found to remove more than 99 percent of these particles. Moreover, the main type of plastic that was detected in these studies was fibers, which were never used in cosmetics.

As part of the industry's commitment to a more sustainable future, we continue to work with environmental groups and others to find real solutions to plastic debris in waterways, for the benefit of our consumers and the marine environment we all share.

For all of the above reasons, we respectfully ask for your NO vote on SB 2326.

Sincerely,



Karin Ross
Vice President, Government Relations

¹ PCPC is the leading national trade association for the global cosmetics and personal care products industry. Founded in 1894, PCPC's 600 member companies manufacture, distribute, and supply the vast majority of finished personal care products marketed in the United States. As the makers of a diverse range of products that millions of consumers rely on every day, from sunscreens, toothpaste and shampoo to moisturizer, lipstick and fragrance, our member companies are global leaders committed to product safety, quality and innovation.



**Conservation Council
for Hawai'i**

Hawai'i's voice for wildlife

Kō Hawai'i / leo no nā holoholona lōhiu



**Submitted to the Senate Committee on Agriculture and Environment
Hearing: February 12, 2020 1:30pm
Conference Room 224
SB2326: Relating to Microbeads**

Conservation Council for Hawaii (CCH) supports SB 2326 in efforts to ban the use of microbeads in the manufacturing of personal care products and non-prescription drugs here in Hawai'i. Microbeads are detrimental to our water sources, oceans, and wildlife due to the fact that they do not breakdown and can release harmful chemicals for extended periods of time in land, ocean and water environments as well as wildlife that may ingest them.

Thank you for the opportunity to submit testimony in support of SB 2326.

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President Rachel Sprague | Vice President: Lisa Hinano Rey | Secretary: Julie Leialoha

Treasurer: Sunshine Woodford | Directors: Robin Kaye, Steven Lee Montgomery

National Wildlife Representatives: Les Welsh, Rachel Sprague

Executive Director: Moana Bjur | Operations and Events Director: Jonnetta Peters



Beach Environmental Awareness Campaign Hawai'i

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DATE: Wednesday 12th February, 2020

TO: Chair Gabbard, and Members of the Committee on Agriculture and the Environment

FROM: Suzanne Frazer, President, Beach Environmental Awareness Campaign Hawai'i

RE: **TESTIMONY: COMMENTS ON SB2326**
Relating to microbeads
Committee meeting on Wednesday 12th February, 2020 at 1:30PM

Aloha Chair Gabbard and Committee Members,

I am writing comments regarding SB2326 on behalf of Beach Environmental Awareness Campaign Hawai'i (B.E.A.C.H.).

B.E.A.C.H. requests that you please hold this bill in committee as it needs extensive amendments concerning language and definitions. A statewide microbead bill should be based off and use the same language and definitions as the Federal Microbead Free Waters Act which was passed in 2015 by President Obama.

This bill, SB2326 as written is going in a backwards direction from where it should be going. It should be building on from the Microbead Free Waters Act to ban plastic microbeads in other products not covered under the Act (which only refers to rinse-off products) not providing loopholes which SB2326 does.

Also we do not support bills the pre-empt counties from passing a stronger ban on plastic.

Please do not pass this bill. Thank you.

Sincerely,



Suzanne Frazer.

B.E.A.C.H. Co-Founder & President



SB-2326

Submitted on: 2/4/2020 7:50:04 PM

Testimony for AEN on 2/12/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

Chair of the House or Senate Committee

Bill/Resolution Number: SB2326

Day/Date of Hearing: February 12, 2020

I am Sophia Daniel, student at Kaiser High School and I am testifying in support of Bill 2326. Microbeads are small plastic beads, ranging from two millimeters and up in size, in products such as toothpaste, hand sanitizer, face washes, nail polish, lip gloss, and shampoo. One tube of facial scrub can contain 330,000 microbeads! These beads are intended to go down the drain when we use products that contain them and become difficult to recover because it is too small to be filtered out of sewage treatment facilities here in Hawai'i, posing significant health impacts on marine species and human health. When the bead or beads enter the ocean, they act as a sponge, absorbing organic pollutants, becoming a million times more toxic than the water around it. It is then consumed by marine species. They are found all over the world in bays, gulfs, inland waterways, and seas.

As a state, we need to stop producing microbeads because they are toxic and pollute the environment. According to 5Gyres.org, the United States emits 8 billion microbeads into aquatic habitats everyday, equalling 2.9 trillion per year. The personal care product industry uses microbeads instead of natural substitutes because microbeads are cheaper and smoother. Smoother is better because this means consumers will use it more often, which prompts the consumer to buy more. Consumers also do not know common ingredients used to make microbeads such as polyethylene, polypropylene, polyethylene terephthalate, and polymethyl methacrylate, so those who buy products which contain microbeads contribute to the issue of

plastic pollution and pollute the environment without knowing. I support this bill because it decreases plastic pollution from entering our environment that is difficult to clean out.

Sophia Daniel

(808) 492-0729

SB-2326

Submitted on: 2/6/2020 8:42:30 PM

Testimony for AEN on 2/12/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Azuma Chrupalyk	Individual	Support	No

Comments:

SB-2326

Submitted on: 2/10/2020 5:59:40 PM

Testimony for AEN on 2/12/2020 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments:

Dear Honorable Committee Members:

Please support SB2326. Plastic microbeads are being banned all over the country and globally because the plastic is not biodegradable. The small size of these beads means they reach the lowest levels of the food web, including fish larvae. This also means humans will be the ultimate consumers of these microbeads.

Additionally, many plastics are made with petroleum, the manufacture of which is a great contributor to the heat-trapping gases responsible for the greenhouse effect we are now seeing.

Thank you for your time and the opportunity to present my testimony.

Sincerely,

Andrea Quinn

Kihei, Maui