



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 43
[2015 Senate Bill 15]

**Synthetic Plastic Microbead
Prohibition**

2015 Wisconsin Act 43 prohibits the manufacture and acceptance for sale of synthetic plastic microbeads¹ as part of certain personal care products², including certain over-the-counter drugs. The Act phases in those prohibitions over a multiple-year period, with a longer delay for over-the-counter drugs than for other personal care products and a longer delay for accepting items for sale than for manufacturing items, as follows:

- Beginning on December 31, 2017, the Act prohibits the production and manufacturing of personal care products containing synthetic microbeads, except for over-the-counter drugs.
- Beginning on December 31, 2018, the Act prohibits the production and manufacturing of personal care products that are over-the-counter drugs containing synthetic plastic microbeads; beginning on the same date, the Act also prohibits the acceptance for sale of personal care products containing synthetic microbeads, except for over-the-counter drugs.
- Beginning on December 31, 2019, the Act prohibits the acceptance for sale of personal care products that are over-the-counter drugs containing synthetic plastic microbeads.

¹ The Act defines “synthetic plastic microbead” to mean an intentionally added, non-biodegradable, solid plastic particle measuring less than five millimeters at its largest dimension that is used to exfoliate or cleanse in a product that is intended to be rinsed off.

² The Act defines “personal care product” to mean any article, or a component of any article, that is intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering appearance, except that “personal care product” does not include a prescription drug.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.

Under the Act, any person who violates the prohibitions listed above may be required to forfeit up to \$500 for each violation. The Act exempts persons who violate those prohibitions from a general penalty provision, s. 299.97, Stats., which authorizes higher monetary penalties for violations of certain other environmental laws. The Act also authorizes the Department of Justice and district attorneys to bring actions for temporary or permanent injunctive relief for any violations of the Act.

Finally, the Act specifically preempts any regulation of microbeads by local units of government.

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Prepared by: Rachel Letzing, Principal Attorney

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