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Nauman  
3/6/15

CS FOR HOUSE BILL NO. 14( )  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY

Offered:  
Referred:

Sponsor(s): REPRESENTATIVES JOSEPHSON, Gruenberg

A BILL  
FOR AN ACT ENTITLED

1 "An Act banning the manufacture, sale, or offering for sale of a cosmetic that contains  
2 plastic microbeads; and providing for an effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 \* Section 1. AS 17.20.290(a) is amended to read:

5 (a) The following acts and the causing thereof are prohibited:

6 (1) the manufacture, or sale, or delivery, holding, or offering of sale of  
7 food, drug, device, or cosmetic that is adulterated or misbranded;

8 (2) the adulteration or misbranding of food, drug, device, or cosmetic;

9 (3) the receipt in commerce of food, drug, device, or cosmetic that is  
10 adulterated or misbranded, and the delivery or proffered delivery of them for pay or  
11 otherwise;

12 (4) the sale, delivery for sale, holding for sale, or offering for sale of an  
13 article in violation of AS 17.20.050 - 17.20.070 and 17.20.100;

14 (5) the dissemination of a false advertisement;

(6) the refusal to permit entry or inspection, or to permit the taking of a sample, as authorized by AS 17.20.200;

(7) the giving of a guaranty or undertaking that is false, except by a person who relied on a guaranty or undertaking to the same effect signed by and containing the name and address of the person residing in the state from whom the person who relied on the guarantee or undertaking received the food, drug, device, or cosmetic in good faith;

(8) the removal or disposal of a detained or embargoed article in violation of AS 17.20.230 - 17.20.270;

(9) the alteration, mutilation, destruction, obliteration, or removal of the whole or part of the labeling of, or the doing of any other act with respect to, a food, drug, device, or cosmetic, if the act is done while the article is held for sale and results in the article being misbranded;

(10) forging, counterfeiting, simulating, or falsely representing, or without proper authority using a mark, stamp, tag, label, or other identification device authorized or required by regulations adopted under AS 17.20.230 - 17.20.270;

(11) the using, on the labeling of a drug or in an advertisement relating to a drug, of a representation or suggestion that an application with respect to the drug is effective under AS 17.20.110 or that the drug complies with the provisions of that section;

(12) the sale or offering for sale of frozen fish as fresh fish;

(13) the improper labeling and drug substitution by pharmacists under AS 17.20.105;

**(14) the manufacture, sale, or offering for sale of a cosmetic that contains synthetic plastic microbeads.**

\* Sec. 2. AS 17.20.290(b) is amended to read:

(b) The commissioner of environmental conservation or a designee of the commissioner is responsible for enforcing the provisions of (a)(1) - (10) of this section, if the subject of the prohibited act involves food or cosmetics, and the provisions of (a)(12) **and (14)** of this section. This subsection does not limit the authority of peace officers.

1     \* **Sec. 3.** AS 17.20.370 is amended by adding a new paragraph to read:

2                     (17) "synthetic plastic microbeads" means intentionally added solid  
3     plastic particles that measure less than five millimeters in size that are intended for use  
4     to exfoliate or cleanse in a cosmetic.

5     \* **Sec. 4.** This Act takes effect January 1, 2018.