



american cleaning institute®

Thursday, April 4, 2024

Chairman David Bennett
Committee on Environment and Agriculture
Rhode Island State House of Representatives
82 Smith Street
Providence, Rhode Island 02903

**Re: HB 7515 An Act Relating to Health and Safety -- Microplastics Reduction Act –
OPPOSED**

Thank you for the opportunity to provide comments on HB 7515, the *Microplastics Reduction Act*. The American Cleaning Institute (ACI) – the association for detergent and cleaning product manufacturers – serves the growth and innovation of the U.S. cleaning products industry by advancing the health and quality of life of people and protecting our planet. ACI's members have a long history of using scientific research to bring safe and effective products to market. For these reasons we are very interested in HB 7515, seeking to prohibit the sale of any product containing synthetic polymer microparticles (SPMs). These comments highlight our industry's use of microplastics (herein referred to as SPMs), international regulations, and our concerns about how this proposal could impact products that benefit consumers every day. We hope our comments will assist your committee in addressing the most ardent potential adverse impacts of SPMs.

Use

Synthetic polymer microparticles are typically used as slow-release agents for fragrances in cleaning products. Fragrances are used to mask unwanted scents from chemical formulations and have been shown to promote public health through healthy cleaning habits. There is a sustainability advantage provided by the ability of SPMs to protect fragrances, thus the ability for one of our members to use 30% less perfume and reducing their carbon footprint. Other cleaning product ingredients may benefit from encapsulation by SPMs that require added protection or timed releases. Encapsulation is just one element of cleaning products that is achieved through microchemistries. Microparticle technology is also employed to help cleaning products cling to surfaces that need to be cleaned, provide abrasive properties, increase mixture thickness and inhibit scaling of unwanted substances – all very important elements of effective cleaning practices. Banning “microplastics” as described in this bill would be detrimental to the household cleaning products that are used in homes across Rhode Island every day.

International Regulations

The European Chemicals Agency (ECHA) has conducted some of the most comprehensive research with stakeholders in the development of regulations for products containing SPMs. The regulations¹ recognize the contributions of certain SPMs while providing a timely transition

¹ <https://eur-lex.europa.eu/eli/reg/2023/2055/oj>

away from uses where releases to the environment are inevitable. This approach addresses the concerns of consumers, governments and industry. ACI's members have been actively involved in these discussions and applaud the European Commission's adoption of the regulations. ACI asks that Rhode Island recognize the extensive resourcing that has been committed to the development of these science-based regulations in the EU. Rhode Islanders stand to benefit from the innovation that will stem from ensuring compliance with these international regulations.

Concerns

Our overarching concern with HB 7515 is the broad approach which ignores key attributes which do not cause SPMs to be harmful for people or the environment. All plastics are polymers but not all polymers are plastic. There are biodegradable polymers that do not contribute to plastic pollution. Without confining the definition of "microplastic" to those that exhibit the adverse properties that this legislation seeks to address, significant resources could be wasted by the state and industry because of additional research and compliance costs. We seek to avoid any regrettable substitution from one product to another if these SPMs are unduly regulated. For example, solid product forms with polymer content greater than 1% mass would be captured in this definition. Manufacturers may be incentivized to move away from dry products forms like powdered detergents which offer significant transportation benefits and use less water. ACI asks that the definition of "microplastics" be amended to better tailor the products that could be in scope of any potential legislative proposal.

1. Biodegradable Standard

Biodegradation is an advanced science that can be applied to evaluate the persistence of microparticles and has been leveraged for decades to develop safe materials for use in many products and applications that improve quality of life such as detergents, personal care products, agrochemicals, and pharmaceuticals. ECHA included the biodegradation derogation for the EU synthetic polymer microparticles restriction because they recognized if a material completely mineralizes (ultimate biodegradation) at a rapid pace in the environment, the environmental concerns are negated. The standardized test methods and pass criteria proposed by ECHA were fine-tuned through public consultation, at workshops and face to face meetings by experts from academia, regulatory agencies, NGOs, and industry. The resulting derogation outlines a test scheme that ensures a scientifically robust exemption for biodegradable microparticles.

2. No Exemption for Water Soluble Polymers

SPMs that are water soluble do not have the same impact on the environment as those that are insoluble due to the way in which they are modified during this process and lose their particulate form. As in determining other degradability characteristics, standardized methodologies are needed to measure solubility and a threshold is needed to address the existing concern. OECD Guidelines 120 and 105 have been recognized as sufficient test methods to determine a polymer's solubility. Like SPMs that are biodegradable, we ask that your committee recognize that water soluble microparticles are not covered by the definition of microplastics.

Microplastics Testing

A foundation in science is at the core of ACI's activity and engagement. We strive to prioritize technical programs that can assist in providing a scientifically sound foundation for public, legislative and regulatory judgments about products and ingredients. To that end, we support efforts by the state to study and understand the presence, source and impacts of microplastics found in Rhode Island natural environments. We believe that such activity, if pursued with adequate resourcing and stakeholder involvement can lead to better informed, productive and effective measures to address microplastic pollution.

We would like to reiterate that ACI members support efforts to protect the health of their customers and the planet. We hope your committee will take more time to contemplate ACI input on this proposal. ACI looks forward to providing the necessary input regarding the performance of our industry's products to achieve desired regulatory goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Brennan Georgianni". The signature is fluid and cursive, with the first name being more prominent.

Brennan Georgianni
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