



March 20th 2025

RE: Oppose – RI H 5492 Microplastics Reduction Act

Dear Honorable David Bennett, Chair and Members of the House Environment and Natural Resources Committee,

We are writing to respectfully **oppose** H 5492 related to the Microplastics Reduction Act which would ban the sale, offer or distribution into commerce any product containing synthetic polymer micro particles beginning January 1 2028.

We the undersigned support Rhode Island legislators' efforts to protect its communities, environment, and natural resources. However, **this bill puts into place a ban on polymer micro particles without completion of a science-and risk-based assessment.**

A science-and risk-based system is necessary to better understand the potential risks from microplastics. The bill bans micro particles before the evaluation of data from studies of soil, water and other media or development of a strategy to reduce microplastics.

As a general principle, we support funding research necessary to close information needs identified by the World Health Organization and to inform risk assessment. Several critical measures are needed to ensure regulators have access to high quality data and include:

- Adoption of a standardized definition for microplastic and supporting definitions to avoid uncertainties when enforcing the regulation.
- Development and adoption of standardized and validated analytical methods to accurately measure microplastics in various environmental media.
- Development and use of scientifically robust hazard screening and testing methods, including quality assurance and quality control criteria for hazard testing, and reference materials.
- Adoption of a risk assessment framework that addresses the complexities of microplastics, hazards and exposures.

The bill is based on the premise of a widely agreed upon science-based definition of "microplastics". However, there is currently no recognized definition of microplastics.

A single definition of microplastics should be adopted based on those developed by consensus driven processes such as the ASTM and ISO organizations which would prevent ambiguity between scientists and regulators. It should also be noted that the current definition used in the

bill would classify dyed wool as a “synthetic polymer microparticles.” It is likely that many other polymer types would be unintentionally classified under such a non-specific definition. .

One of the significant unintended effects of this bill is its potential to restrict or ban certain types of printing materials. The bill incorrectly assumes that a product containing microparticles will release them and that is certainly not the case as it applies to printing applications. One of the most pressing issues is the impact the bill will have on printing materials, including toners used in laser printers, photocopiers, and other printing devices. Toner used in printing is ground to a very fine particle size to enhance image resolution. The toner once applied to paper or other substrate is fused when dried making the printed film solid. Historically, toner particles averaged 14-16 micrometers in size, but manufacturers have reduced particle sizes to approximately 8-10 micrometers for 600 dots per inch (dpi) resolution. Smaller particle sizes are critical for high-resolution printing.

In addition, nanoparticle ink technology is being used to print a variety of products and is now being used for innovative products such as solar panels, innovative electronics, and smart tags. As a result, this bill would effectively ban or restrict the use of many types of printing materials, as inks and toners often contain synthetic microplastic components. This could lead to significant disruptions across various sectors, including education, business, government, and publishing, all of which rely on printed materials for day-to-day operations.

We recommend only the use of proper QA/QC testing protocols for microplastics.

The development and adoption of standardized analytical methods, test methods, quality assurance and quality control criteria, and reference and test materials would ensure measurements of microplastics in the environment are comparable and able to be replicated across laboratories.

We strongly recommend the Committee considers the concerns and recommendations laid out in this letter to provide for reasonable, achievable, and consistent timelines, scopes and other key elements. We encourage the Legislature to take this approach not only with this bill but any future legislation impacting other industries and products.

Sincerely,

American Chemistry Council

American Fuel and Petrochemical Manufacturers

Consumer Brands Association

Consumer Healthcare Products Association (CHPA)

Flexible Packaging Association

Fragrance Creators Association

Personal Care Products Council

Plastics Industry Association

Printing United Alliance

Sealed Air

Vinyl Siding Institute

US Tire Manufacturers Association