



(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To provide that certain water beads products shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. Pallone (for himself, Ms. Kelly, and Ms. Pettersen) introduced the following bill; which was referred to the Committee on _____

A BILL

To provide that certain water beads products shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ban Water Beads Act”.

SEC. 2. CERTAIN WATER BEADS PRODUCTS CONSIDERED BANNED HAZARDOUS PRODUCTS.

(a) IN GENERAL.—On and after the date that is 180 days after the date of the enactment of this Act, a water beads product, without regard to the date of manufacture or importation, shall be considered a banned hazardous product under section 8 of the Consumer Product Safety Act (15 U.S.C. 2057).

(b) ADDITIONAL REGULATIONS.—If the Consumer Product Safety Commission determines such action would eliminate or adequately reduce a risk of injury, the Commission may promulgate, under section 553 of title 5, United States Code, regulations to carry out 1 or more of the following:

(1) With respect to paragraph (1) of subsection (c) of this section, adding to the list of materials that compose a water beads product.

(2) With respect to paragraph (2) of such subsection, adding to the list of products that are defined as water beads products.

(3) With respect to paragraph (3) of such subsection, adding to the list of product categories applicable to water beads products.

(c) WATER BEADS PRODUCT DEFINED.—In this section, the term “water beads product” means a consumer product that—

(1) is composed, in whole or in part, of water-absorbing superabsorbent polymers, such as polyacrylamides and polyacrylates;

(2) at the point of sale to a consumer, contains at least 1 individual bead that can—

(A) fit entirely within the cylinder described in section 1501.4 of title 16, Code of Federal Regulations; and

(B) through water absorption, expand to a size of at least 3 millimeters (in 1 or more dimensions); and

(3) is designed, intended, or marketed as—

(A) a toy (as such term is defined in section 3.1.91 of ASTM F963–17 (Standard Consumer Safety Specification for Toy Safety), or any successor to such document);

(B) educational material; or

(C) art material or art material product (as such term is defined in section 23(b)(1) of the Federal Hazardous Substances Act (15 U.S.C. 1277(b)(1))).