

West's Hawai'i Revised Statutes Annotated

Division 1. Government

Title 19. Health

Chapter 342D. Water Pollution (Refs & Annos)

Part I. Definitions and General Provisions

HRS § 342D-21

[§ 342D-21]. Sale and distribution of sunscreen
containing oxybenzone or octinoxate, or both; prohibition

Effective: July 1, 2018

Currentness

(a) Beginning January 1, 2021, it shall be unlawful to sell, offer for sale, or distribute for sale in the State any sunscreen that contains oxybenzone or octinoxate, or both, without a prescription issued by a licensed healthcare provider.

(b) No county shall enact any ordinance or regulatory restriction to prohibit the sale, use, labeling, packaging, handling, distribution, or advertisement of sunscreens containing oxybenzone or octinoxate, or both, prior to January 1, 2021.

(c) For purposes of this section:

“Licensed healthcare provider” means a physician or osteopathic physician licensed pursuant to chapter 453, or an advanced practice registered nurse licensed pursuant to chapter 457.

“Octinoxate” refers to the chemical (RS)-2-Ethylhexyl (2E)-3-(4-methoxyphenyl)prop-2-enoate under the International Union of Pure and Applied Chemistry chemical nomenclature registry; that has a chemical abstract service registry number 5466-77-3; the synonyms of which include but are not limited to ethylhexyl methoxycinnamate, octyl methoxycinnamate, Eusolex 2292, Neo Heliopan AV, NSC 26466, Parsol MOX, Parsol MCX, and Uvinul MC80; and is intended to be used as protection against ultraviolet light radiation with a spectrum wavelength from 370 nanometers to 220 nanometers in a sunscreen.

“Oxybenzone” refers to the chemical (2-Hydroxy-4-methoxyphenyl)-phenylmethanone under the International Union of Pure and Applied Chemistry chemical nomenclature registry; that has a chemical abstract service registry number 131-57-7; the synonyms of which include but are not limited to benzophenone-3, Escalol 567, Eusolex 4360, KAHSCREEN BZ-3, Uvasorb MET/C, Syntase 62, UV 9, Uvinul 9, Uvinul M-40, Uvistat 24, USAF Cy-9, Uniphenone-3U, 4-methoxy-2-hydroxybenzophenone and Milestab 9; and is intended to be used as protection against ultraviolet light radiation with a spectrum wavelength from 370 nanometers to 220 nanometers in a sunscreen.

“Prescription” means an order for medication, that is dispensed to or for an ultimate user. “Prescription” shall not include an order for medication that is dispensed for immediate administration to the ultimate user, such as a chart order to dispense a drug to a bed patient for immediate administration in a hospital. “Prescription” includes an order for a sunscreen.

“Sunscreen” means a product marketed or intended for topical use to prevent sunburn. Sunscreen does not include products marketed or intended for use as a cosmetic, as defined in [section 328-1](#), for the face.

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Committee Chair King

Credits

Laws 2018, ch. 104, § 2, eff. July 1, 2018.

H R S § 342D-21, HI ST § 342D-21

Current through Act 31 of the 2021 Regular Session, pending text revision by the revisor of statutes. Some statute sections may be more current; see credits for details.

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