

I Mina'trentai Ocho Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	FISCAL NOTES	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	NOTES
35-38 (COR) As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure; and further amended on the Floor.	V. Anthony Ada Sabina Flores Perez Christopher M. Dueñas Frank F. Blas, Jr. William A. Parkinson Joe S. San Agustin Chris Barnett Sabrina Salas Matanane Tina Rose Muña Barnes Shelly V. Calvo Therese M. Terlaje	AN ACT TO <i>ADD</i> A NEW ARTICLE 2 TO CHAPTER 32, TITLE 10, GUAM CODE ANNOTATED RELATIVE TO PROHIBITING THE IMPORT OF SKINCARE PRODUCTS THAT POSE A DANGER TO GUAM'S CORAL REEFS AND MARINE LIFE.	1/21/25 9:46 a.m.	1/28/25	Committee on Land, Environment, Housing, Agriculture, Parks, and Infrastructure.	Request: 1/28/25 2/27/25	2/10/25 9:00 a.m.	2/28/25 As Amended.	
	SESSION DATE	TITLE	DATE PASSED	TRANSMITTED	DUE DATE	PUBLIC LAW NO.	DATE SIGNED	NOTES	
	3/24/25	AN ACT TO <i>ADD</i> A NEW ARTICLE 10 TO CHAPTER 63, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE IMPORT OF SKINCARE PRODUCTS THAT POSE A DANGER TO GUAM'S CORAL REEFS AND MARINE LIFE.	3/31/25	4/1/25	4/12/25	38--5	4/12/25	Received: 4/12/25 Mess and Comm. Doc. No. 38GL-25-0457	

LOURDES A. LEON GUERRERO
GOVERNOR



UFISINAN I MAGA'HĀGAN GUĀHAN
OFFICE OF THE GOVERNOR OF GUAM

JOSHUA F. TENORIO
LT. GOVERNOR 38GL-25-045
OFFICE OF THE SPEAKER
FRANK F. BLAS JR.

APR 14 2025

Time: 11:45 am

Received: 4/12/25

1:33 pm

LIHESLATURAN GUAHAN
GUAM CONGRESS BLDG.
163 WEST CHALAN SANTO PAPA
HAGATNA GUAM 96910

Sma

Transmitted via Email to: speakerblas@guamlegislature.org

April 12, 2025

THE HON. FRANK BLAS, JR., Speaker
I Mina'trentai Ocho Na Liheslaturan Guåhan
38th Guam Legislature
Guam Congress Building
163 Chalan Santo Papa
Hagåtña, Guam 96910

Re: Bill No. 35-38 (COR), "AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 63, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE IMPORT OF SKINCARE PRODUCTS THAT POSE A DANGER TO GUAM'S CORAL REEFS AND MARINE LIFE."

Håfa Adai Mr. Speaker,

Bill No. 35-38 (COR) prohibits the importation of skincare products on the Guam Banned Skincare Products List containing certain substances, including oxybenzone, octinoxate, and octocrylene that may contribute to reef degradation.

Our coral reefs are vital to Guam's coastal protection, marine biodiversity, and economy. By eliminating toxic pollutants, we align with global efforts to preserve marine life and promote sustainable alternatives. Additionally, Bill No. 35-38 requires the Department of Public Health and Social Services (DPHSS) to maintain and update the Guam Banned Skincare Products List, ensuring businesses and consumers stay informed about restricted products.

For these reasons, I sign Bill No. 35-38 into law as **Public Law No. 38-5**.

Senseramente,

LOURDES A. LEON GUERRERO
I Maga'hågan Guåhan
Governor of Guam

received
APR 16 2025
4:27 P.M. me

Enclosure(s): Bill No. 35-38 (COR) nka P.L. 38-5
cc via email: *Honorable* Joshua F. Tenorio, *Sigundo Maga'låhen Guåhan*, Lt. Governor of Guam
Compiler of Laws

I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

CERTIFICATION OF PASSAGE OF AN ACT TO I MAGA'HÅGAN GUÅHAN

This is to certify that **Bill No. 35-38 (COR)**, "AN ACT TO ADD A NEW ARTICLE 10 TO CHAPTER 63, TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING THE IMPORT OF SKINCARE PRODUCTS THAT POSE A DANGER TO GUAM'S CORAL REEFS AND MARINE LIFE," was on the 31st day of March 2025, duly and regularly passed.



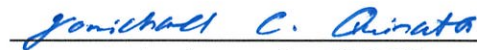
Frank F. Blas, Jr.
Speaker

Attested:



Sabrina Salas Matanane
Legislative Secretary

This Act was received by *I Maga'hågan Guåhan* this 1st day of April, 2025, at 4:08 o'clock P.M.



Assistant Staff Officer
Maga'håga's Office

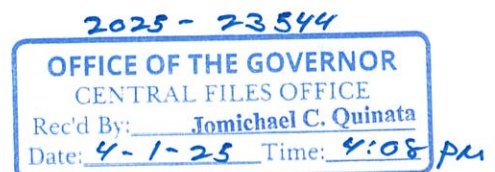
APPROVED:



Lourdes A. Leon Guerrero
I Maga'hågan Guåhan

Date: 4/12/2025

Public Law No. 38-5



I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN
2025 (FIRST) Regular Session

Bill No. 35-38 (COR)

As amended by the Committee on Land, Environment,
Housing, Agriculture, Parks and Infrastructure;
and further amended on the Floor.

Introduced by:

V. Anthony Ada
Sabina Flores Perez
Christopher M. Dueñas
Frank F. Blas, Jr.
William A. Parkinson
Joe S. San Agustin
Chris Barnett
Sabrina Salas Matanane
Tina Rose Muña Barnes
Shelly V. Calvo
Therese M. Terlaje
Vincent A.V. Borja
Eulogio Shawn Gumataotao
Jesse A. Lujan
Telo T. Taitague

**AN ACT TO *ADD* A NEW ARTICLE 10 TO CHAPTER 63,
TITLE 5, GUAM CODE ANNOTATED, RELATIVE TO
PROHIBITING THE IMPORT OF SKINCARE
PRODUCTS THAT POSE A DANGER TO GUAM'S
CORAL REEFS AND MARINE LIFE.**

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds
3 that there is a growing trend among coastal countries, states and territories to ban the
4 importation of skincare products, such as sunscreens, that contain chemicals or

1 substances that are harmful to their marine ecosystems. Such bans include products
2 that contain the chemicals oxybenzone, octinoxate, and octocrylene.

3 *I Liheslaturan Guåhan* further finds that the U.S. Virgin Islands bans the
4 importation and possession of all three (3) of these products while the state of Hawaii
5 bans the importation of oxybenzone and octinoxate. Closer to Guam, the Republic
6 of Belau bans the import of products containing oxybenzone, octinoxate,
7 octocrylene, 4-methyl-benzylidene camphor, triclosan, methyl paraben, ethyl
8 paraben, butyl paraben, benzyl paraben and phenoxyethanol.

9 *I Liheslaturan Guåhan* further finds that according to the U.S. National Park
10 Service, sunscreen pollution can have major impacts on corals, fish, mammals, and
11 the whole ecosystem. Not only can it bleach or deform corals, but it can also impair
12 the growth of green algae, an essential part of the food web. The effects can be seen
13 all the way up the food chain, even affecting at-risk species like the Hawaiian green
14 sea turtle. Unfortunately, through water sampling around coral reef sites, the U.S.
15 National Park Service has detected high concentrations of some of these harmful
16 chemicals such as oxybenzone, octinoxate, and avobenzone.

17 Therefore, it is the intent of *I Liheslaturan Guåhan* to ban the import of
18 skincare products containing the chemicals oxybenzone, octinoxate and octocrylene
19 and to give the Guam Department of Agriculture, the Guam Environmental
20 Protection Agency, and the Guam Department of Public Health and Social Services
21 the authority to restrict the import of products that contain chemicals or other
22 substances that may harm Guam’s marine ecosystem.

23 **Section 2.** A new Article 10 is *added* to Chapter 63, Title 5, Guam Code
24 Annotated, to read as follows:

25 **“ARTICLE 10**

26 **ENVIRONMENTALLY TOXIC/HAZARDOUS SKINCARE PRODUCTS**

27 § 631001. Definitions.

1 § 631002. Guam Banned Skincare Products List.

2 § 631003. Process for Adding Substances that Pose a Threat to Guam’s
3 Marine Ecosystem to the Guam Banned Skincare Products List.

4 § 631004. Posting and Updating the Guam Banned Skincare Products List.

5 **§ 631001. Definitions.**

6 (a) “Skincare Products” are any substances, including, but not
7 limited to, cosmetics, hair care products, sunscreen products, bath and shower
8 products, and any product used for cleansing, enhancing the appearance of, or
9 protecting the skin, hair and nails of a person.

10 (b) “FDA approved substances” are any chemical or substance found
11 in skincare products that requires the approval of the United States Food and
12 Drug Administration.

13 (c) “Non-FDA approved substances” are any chemical or substance
14 found in skincare products that do not require the approval of and are not
15 banned by the United States Food and Drug Administration.

16 (d) “FDA banned substances” are any chemical or substance that is
17 prohibited by the United States Food and Drug Administration for use in
18 skincare products.

19 (e) “Guam EPA/DPHSS banned substances” are any chemical or
20 substance that is prohibited by the Guam Environmental Protection Agency
21 (Guam EPA or GEPA) or the Guam Department of Public and Social Services
22 (DPHSS) for use in skincare products.

23 (f) “Guam EPA or GEPA” means the Guam Environmental
24 Protection Agency.

25 (g) “DPHSS” means the Guam Department of Public Health and
26 Social Services.

27 **§ 631002. Guam Banned Skincare Products List.**

1 The Guam Banned Skincare Products List includes:

2 (a) Any skincare products that include FDA banned substances,
3 Guam Department of Agriculture, Guam EPA/DPHSS banned substances, and
4 substances banned by any United States federal department or agency, public
5 law, or by the Guam Administrative Rules and Regulations.

6 (b) Skincare products that contain the following substances:

7 (1) Oxybenzone (benzophenone-3);

8 (2) Octinoxate (octyl methoxycinnamate); and

9 (3) Octocrylene.

10 (c) Any FDA approved substances or non-FDA approved substances
11 that have been determined by the Guam Department of Agriculture, the Guam
12 Environmental Protection Agency, or the Guam Department of Public Health
13 and Social Services to pose a threat to Guam's marine ecosystem, including
14 all species of marine life and their habitats.

15 (d) Items on the Guam Banned Skincare Products list shall not be
16 imported into Guam. Violations of the ban are subject to civil fines that are
17 not less than One Hundred Dollars (\$100.00) and no more than Five Thousand
18 Dollars (\$5,000.00). The civil fines shall be deposited in the Guam
19 Environmental Trust Fund and used in accordance with 10 GCA, Chapter 45,
20 Article 2. The civil fines enacted by this Section are in addition to any other
21 fines that exist pursuant to other provisions of public law.

22 **§ 631003. Process for Adding Substances that Pose a Threat to Guam's**
23 **Marine Ecosystem to the Guam Banned Skincare Products List.**

24 (a) The Guam Department of Agriculture, the Guam Environmental
25 Protection Agency, and the Guam Department of Public Health and Social
26 Services shall, either separately or jointly, develop rules and regulations,
27 pursuant to Chapter 9, 5 GCA, to add FDA approved or non-FDA approved

1 skincare products to the Guam Banned Skincare Products List in § 631002 of
2 this Article if such products are found to contain any substance that poses a
3 threat to Guam’s marine ecosystem.

4 (b) Notice of the ban shall be given as follows:

5 (1) Banned products containing a non-FDA approved
6 substance that is determined to be a threat to Guam’s marine ecosystem
7 – not less than thirty (30) days.

8 (2) Banned products containing an FDA approved substance
9 that is determined to be a threat to Guam’s marine ecosystem – not less
10 than one hundred eighty (180) days.

11 **§ 631004. Posting and Updating the Guam Banned Skincare Products**
12 **List.**

13 The Guam Banned Skincare Products List shall be posted on the
14 websites of the Guam Department of Agriculture, the Guam Environmental
15 Protection Agency, and the Guam Department of Public Health and Social
16 Services; and the list shall be updated within thirty (30) days of each addition
17 to the list.”

18 **Section 3. Effective Date.** This Act shall be effective upon enactment,
19 except that § 631002(c) and (d) of Article 10, Chapter 63, 5 GCA as enacted by
20 Section 2 of this Act, shall be effective one hundred eighty (180) days from the date
21 of enactment.