

# I MINA'TRENTAI OCHO NA LIHESLATURAN GUÅHAN

## 2025 (FIRST) Regular Session

### VOTING RECORD

<b>Bill No. 35-38 (COR)</b> As amended by the Committee on Land, Environment, Housing, Agriculture, Parks and Infrastructure; and further amended on the Floor.	Speaker Antonio R. Unpingco Legislative Session Hall Guam Congress Building March 31, 2025				
NAME	Yea	Nay	Not Voting/ Abstained	Out During Roll Call	Absent
Vice Speaker V. Anthony Ada	✓				
Senator Chris Barnett	✓				
Speaker Frank F. Blas, Jr.	✓				
Senator Vincent A.V. Borja	✓				
Senator Shelly V. Calvo	✓				
Senator Christopher M. Dueñas	✓				
Senator Eulogio Shawn Gumataotao	✓				
Senator Jesse A. Lujan	✓				
Senator Tina Rose Muña Barnes	✓				
Senator William A. Parkinson	✓				
Senator Sabina Flores Perez	✓				
Senator Sabrina Salas Matanane	✓				
Senator Joe S. San Agustin	✓				
Senator Telo T. Taitague	✓				
Senator Therese M. Terlaje	✓				

**TOTAL**

**15**

**0**

Yea

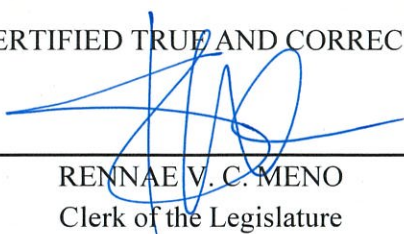
Nay

Not Voting/  
Abstained

Out During  
Roll Call

Absent

CERTIFIED TRUE AND CORRECT:



RENNAE V. C. MENO  
Clerk of the Legislature

I = Pass

***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

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

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

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

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

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

23 **“ARTICLE 10**  
24 **ENVIRONMENTALLY TOXIC/HAZARDOUS SKINCARE PRODUCTS**

- 25 § 631001. Definitions.
- 26 § 631002. Guam Banned Skincare Products List.

1 § 631003. Process for Adding Substances that Pose a Threat to Guam’s  
2 Marine Ecosystem to the Guam Banned Skincare Products List.

3 § 631004. Posting and Updating the Guam Banned Skincare Products List.

4 **§ 631001. Definitions.**

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

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

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

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

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

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

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

26 **§ 631002. Guam Banned Skincare Products List.**

27 The Guam Banned Skincare Products List includes:

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

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

6 (1) Oxybenzone (benzophenone-3);

7 (2) Octinoxate (octyl methoxycinnamate); and

8 (3) Octocrylene.

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

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

21 **§ 631003. Process for Adding Substances that Pose a Threat to Guam's**  
22 **Marine Ecosystem to the Guam Banned Skincare Products List.**

23 (a) The Guam Department of Agriculture, the Guam Environmental  
24 Protection Agency, and the Guam Department of Public Health and Social  
25 Services shall, either separately or jointly, develop rules and regulations,  
26 pursuant to Chapter 9, 5 GCA, to add FDA approved or non-FDA approved  
27 skincare products to the Guam Banned Skincare Products List in § 631002 of

1 this Article if such products are found to contain any substance that poses a  
2 threat to Guam’s marine ecosystem.

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

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

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

10 **§ 631004. Posting and Updating the Guam Banned Skincare Products**

11 **List.**

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

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