

118TH CONGRESS
1ST SESSION

H. R. 6468

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

NOVEMBER 21, 2023

Mr. PALLONE (for himself, Ms. KELLY of Illinois, and Ms. PETTERSEN) introduced the following bill; which was referred to the Committee on Energy and Commerce

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. CERTAIN WATER BEADS PRODUCTS CONSIDERED**
7 **BANNED HAZARDOUS PRODUCTS.**

8 (a) IN GENERAL.—On and after the date that is 180
9 days after the date of the enactment of this Act, a water

1 beads product, without regard to the date of manufacture
2 or importation, shall be considered a banned hazardous
3 product under section 8 of the Consumer Product Safety
4 Act (15 U.S.C. 2057).

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

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

14 (2) With respect to paragraph (2) of such sub-
15 section, adding to the list of products that are de-
16 fined as water beads products.

17 (3) With respect to paragraph (3) of such sub-
18 section, adding to the list of product categories ap-
19 plicable to water beads products.

20 (c) WATER BEADS PRODUCT DEFINED.—In this sec-
21 tion, the term “water beads product” means a consumer
22 product that—

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

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

3 (A) fit entirely within the cylinder de-
4 scribed in section 1501.4 of title 16, Code of
5 Federal Regulations; and

6 (B) through water absorption, expand to a
7 size of at least 3 millimeters (in 1 or more di-
8 mensions); and

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

10 (A) a toy (as such term is defined in sec-
11 tion 3.1.91 of ASTM F963–17 (Standard Con-
12 sumer Safety Specification for Toy Safety), or
13 any successor to such document);

14 (B) educational material; or

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

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