



F. Umlich Sengebau  
Minister

# REPUBLIC OF PALAU

OFFICE OF THE MINISTER

**MINISTRY OF NATURAL RESOURCES, ENVIRONMENT & TOURISM**

P.O. Box 100 Koror, Republic of Palau 96940

Telephone: (680) 767-5435/3125 Fax: (680) 767-3380 E-mail: mnretpalau@gmail.com

**MNRET Serial No. 1928/20**

March 19, 2020

H.E. Tommy E. Remengesau, Jr.  
President of the Republic of Palau  
Office of the President  
P.O. Box 100  
Koror, PW 96940

Transmittal Letter: *The Regulations Governing Reef-Toxic Sunscreens*

Dear Mr. President,

It is an honor to submit to you for your review and approval the regulations that address reef-toxic sunscreens harming our environment. These regulations deliver on the policy direction as set through the Responsible Tourism Education Act, as well as vision for the tourism industry outlined in the Responsible Tourism Policy Framework.

The purpose of these Regulations is to protect Palau's pristine marine environment from the harmful effects of reef-toxic sunscreen. Scientific studies indicate that several chemical sunscreen ingredients are toxic to coral reef ecosystems and ongoing research continues to reveal new threats posed by additional chemical sunscreen ingredients. Palau's coral reefs provide important fishing grounds and ecosystem services, and its famous dive and snorkel sites are essential to the Republic's economy. In recognition of the importance of these coral reef ecosystems, these Regulations adopt a precautionary approach to sunscreen by banning all active ingredients and preservatives known or suspected to be reef-toxic. If future scientific research studies reveal that new ingredients should be banned or proves that any ingredients prohibited by these Regulations are not reef-toxic, then the Minister has the authority to amend the list of banned ingredients. This approach safeguards Palau's natural heritage while remaining flexible and responsive to scientific advancements.

Pursuant to Title 24, Chapter 12, Subchapter VII of the Palau National Code, known as the Responsible Tourism Education Act of 2018, and as the Minister of Natural Resources, Environment and Tourism, I transmit these regulations for your approval. These Sunscreen Regulations give effect to and implement the Act, which bans entering with, importing, selling, and manufacturing reef-toxic sunscreens in the Republic of Palau.

It is my hope that you share my view that the completion of these regulations marks a moment to celebrate. Our Ministry continues to work for a protected and pristine paradise for all to enjoy.  
Sincerely,



F. Umiich Sengebau

Minister of Natural Resources, Environment, and Tourism

**REPUBLIC OF PALAU**  
**Ministry of Natural Resources, Environment and Tourism**

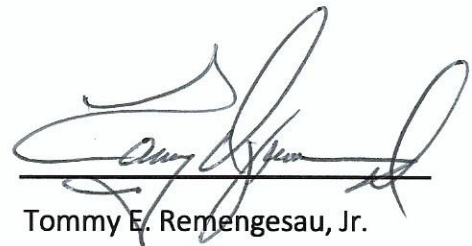
**F. Umiich Sengebau**  
MINISTER OF NATURAL RESOURCES, ENVIRONMENT  
AND TOURISM

**CERTIFICATE OF ADOPTION**

It is hereby certified that the attached *Regulations Governing Reef-Toxic Sunscreens*, were adopted by the Minister of Natural Resources, Environment and Tourism on \_\_\_\_\_, Pursuant to Title 24, Chapter 12, Subchapter VII of the Palau National Code (PNC), known as the Responsible Tourism Education Act of 2018 ("the Act"), and Chapter 1 of Title 6 of the Palau National Code the "Administrative Procedure Act". The regulations shall take effect in thirty (30) days as provided by 6 PNC § 127.



**F. Umiich Sengebau**  
Minister of Natural Resources,  
Environment and Tourism  
Republic of Palau



**Tommy E. Remengesau, Jr.**  
President  
Republic of Palau



# REGULATIONS PROHIBITING REEF-TOXIC SUNSCREENS

## Section 1: General Provisions

### 1.1 Long and Short Title.

The long title of these Regulations is “Regulations Prohibiting Reef-Toxic Sunscreens;” the short title of these Regulations is “Sunscreen Regulations.”

### 1.2 Authority, Purpose, and Scope.

- A. Pursuant to Title 24, Chapter 12, Subchapter VII of the Palau National Code (PNC), known as the Responsible Tourism Education Act of 2018 (“the Act”), the Minister of Natural Resources, Environment and Tourism hereby adopts and promulgates these Regulations. These Sunscreen Regulations give effect to and implement the Act, which bans entering with, importing, selling, and manufacturing reef-toxic sunscreens in the Republic of Palau (the Republic).
- B. The purpose of these Regulations is to protect Palau’s pristine marine environment from the harmful effects of reef-toxic sunscreen. Scientific studies indicate that several chemical sunscreen ingredients are toxic to coral reef ecosystems and ongoing research continues to reveal new threats posed by additional chemical sunscreen ingredients. Palau’s coral reefs provide important fishing grounds and ecosystem services, and its famous dive and snorkel sites are essential to the Republic’s economy. In recognition of the importance of these coral reef ecosystems, these Regulations adopt a precautionary approach to sunscreen by banning all active ingredients and preservatives known or suspected to be reef-toxic. If future scientific research studies reveal that new ingredients should be banned or proves that any ingredients prohibited by these Regulations are not reef-toxic, the Minister may amend these Regulations to alter the list of banned ingredients. This approach safeguards Palau’s natural heritage while remaining flexible and responsive to scientific advancements.
- C. Through these regulations, MNRET shall:
  - i. provide the list of banned reef-toxic sunscreen ingredients;
  - ii. explain the circumstances under which reef-toxic sunscreens will be confiscated;
  - iii. explain the circumstances under which civil penalties will be imposed; and
  - iv. define the civil penalties for violations of the Act.

### 1.3 Definitions.

Under these Regulations:

- A. **Active ingredient** means the part of a substance or compound that produces its biological or chemical effect.

- B. **Banned ingredient** means any chemical sunscreen active ingredient or preservative listed in the Appendix of this regulation.
- C. **Consumer unit** means a tube, bottle, stick, pot, jar, aerosol or non-aerosol spray, canister, or other container of sunscreen intended for use by any person.
- D. **Customs** means the Division of Customs within the Bureau of Revenue, Customs and Taxation.
- E. **Customs Regulations** means the Customs Regulations for the Republic of Palau Ministry of Finance, Bureau of Revenue, Customs and Taxation, Division of Customs.
- F. **Distribute for sale** means the action or process of supplying goods to any retailer.
- G. **Import** means to bring or cause to be brought any article of tangible property manufactured, grown, produced, or created outside of the Republic of Palau into the Republic.
- H. **Manufacture** means to produce a product for use or sale from raw materials, or to alter an imported product.
- I. **Offered for sale** includes all items in a retailer's inventory.
- J. **Person** means any natural person, firm, corporation, partnership, or other organization or group however organized.
- K. **Port of entry** means any official, temporary, or provisional port or location for customs transactions established in accordance with Title 13, Chapter 11 of the PNC and the Customs Regulations promulgated thereunder.
- L. **Preservative** means a substance added to sunscreen to prevent decay.
- M. **Reef-toxic sunscreen** means sunscreen containing any banned ingredient.
- N. **Retailer** means any person, shop, or business that sells goods to the public.
- O. **Sale** means a transaction between two or more parties in which the buyer receives goods in exchange for money or other goods paid to a seller.
- P. **Sunscreen** means a skincare product sold for topical application formulated to prevent sunburn, decrease the risk of certain cancers and pre-cancerous conditions, or prevent premature skin aging by absorbing or reflecting ultraviolet radiation.
- Q. **Water vessel** means every description of watercraft used or capable of being used as a means of transportation on water, including but not limited to cruise ships, commercial ships, pleasure boats, sailboats, or yachts.



## **Section 2: International Arrival with Reef-Toxic Sunscreens Prohibited**

### 2.1 Customs Declaration Form.

The Customs Declaration Form shall require arriving passengers to declare any sunscreen in their possession in accordance with the Customs Regulations.

### 2.2 Prohibition of entry with reef-toxic sunscreen.

It is unlawful for any person to bring reef-toxic sunscreen into the Republic for any reason.

### 2.3 Confiscation of reef-toxic sunscreen.

- A. All reef-toxic sunscreen found by Customs during the entry inspection process at any port of entry shall be confiscated.
- B. Customs may develop a procedure to return confiscated sunscreens to visitors upon their departure from the Republic.

### 2.4 Ports of entry.

- A. Palau International Airport.
  - i. One or more clearly marked disposal bins shall be placed near the airport baggage claim area, but before the customs inspection station, where arriving passengers may surrender reef-toxic sunscreens.
  - ii. Signs shall be posted in the airport arrivals area informing arriving passengers about the prohibition of reef-toxic sunscreens.
- B. All other ports of entry.
  - i. Customs shall incorporate inspections for reef-toxic sunscreen into all examinations conducted in accordance with the Customs Regulations for arriving passengers disembarking from any water vessel.

## **Section 3: Import, Manufacture, and Sale of Reef-Toxic Sunscreens Prohibited**

### 3.1 Import, manufacture, and sale prohibited.

It is unlawful for any person to import, manufacture, sell, offer for sale, or distribute for sale reef-toxic sunscreen in the Republic.

### 3.2 Confiscation.

Customs or law enforcement officers shall confiscate all reef-toxic sunscreens found during any type of lawful inspection, examination, or search.

### 3.3 Civil penalty.

Any person who violates this section shall be subject to the civil penalties in Section 7 of these Regulations.

## **Section 4: Identification of Reef-Toxic Sunscreen**

Customs and law enforcement officers shall exercise reasonable discretion when identifying reef-toxic sunscreen. If a sunscreen is not in the original manufacturers packaging with all ingredients listed or the original label is absent or illegible, officers shall confiscate the sunscreen. If officers cannot determine whether a sunscreen is reef-toxic because the label is printed in a foreign language, the officers shall confiscate the sunscreen.

## **Section 5: Disposal**

Reasonable precautions should be taken to prevent any confiscated or surrendered reef-toxic sunscreen from entering the Republic's marine environment.

## **Section 6: Amendments to the Banned Ingredient List**

The Minister of MNRET may add or remove banned ingredients added by Regulation from the list in the Appendix on the basis of adequate scientific data.

## **Section 7: Civil Penalties**

### 7.1. Violations.

- A. Each consumer unit of sunscreen sold, distributed for sale, manufactured, or imported shall count as a separate violation of these Regulations.
- B. Each violation of these regulations shall result in a fine of up to \$100 per consumer unit of reef-toxic sunscreen.
- C. A person shall be fined separately for each individual violation. For example, if a person imports reef-toxic sunscreen then sells it, they shall be fined separately for the import and sale of each consumer unit of sunscreen.

### 7.2 Fines.

- A. Sale - For consumer units sold or offered for sale, the maximum total fine shall be \$5,000 per enforcement action.
- B. Distribution for sale - For consumer units distributed for sale, the maximum total fine shall be \$5,000 per enforcement action.
- C. Manufacture - For consumer units manufactured, the maximum total fine shall be \$10,000 per enforcement action.

D. Import - For consumer units imported, the maximum total fine shall be \$10,000 per enforcement action.



APPENDIX

\*\*The following is the Republic of Palau's official list of banned sunscreen ingredients. Any sunscreen that contains one or more of these ingredients is a reef-toxic sunscreen. It is prohibited for any person to bring reef-toxic sunscreen into the Republic, as well as for any person to import, manufacture, sell, offer for sale, or distribute for sale reef-toxic sunscreen. The Minister of MNRET may add or remove banned ingredients added by regulation from this list on the basis of adequate scientific data.\*\*

Chemical Class	Chemical Abstract Service (CAS) Registry Number	International Nomenclature of Cosmetics Ingredients (INCI)	United States Approved Name (USAN)	Australian Approved Name (AAN)	IUPAC Name	Other Names/ Common Trade Names
Anthraniilates	134-09-8	Menthyl Anthranilate	Meradimate	Menthyl Anthranilate	5-Methyl-2-(1-Methylcyclohexanol-2-Amino)benzoate	Cyclohexanol
	In addition to the ingredient listed above, all other anthranilates are banned.					
Benzimidazole sulfonic acid derivatives	27503-81-7	Phenylbenzimidazole Sulfonic Acid	Ensilazole	Phenylbenzimidazole Sulfonic Acid	2-Phenylbenzimidazole-5-sulphonic acid	
	180898-37-7	Disodium Phenyl Dibenzenimidazole Tetrasulfonate	Bisulfazole disodium	Disodium Phenyl Dibenzenimidazole Tetrasulfonate	Monosodium salt of 2,2'-bis-(1,4-phenylene)1H-benzimidazole-4,6-disulphonic acid)	Neo Helioflan AP, DPDT, Bismidazylate
	In addition to the two ingredients listed above, all other benzimidazole sulfonic acid derivatives are banned.					
Benzophenone-based chemicals	131-57-7	Benzophenone-3	Oxybenzone	Oxybenzone	2-Benzoyl-5-methoxyphenol	BZ-3
	4065-45-6	Benzophenone-4	Sulisobenzone	Sulisobenzone	2-Hydroxy-4-methoxybenzophenone-5-sulfonic acid	
	131-53-3	Benzophenone-8	Dioxybenzone	Dioxybenzone	2,2-Dihydroxy-4-Methoxybenzophenone	
	302776-68-7	Diethylanilino Hydroxybenzoyl Hexyl Benzoate		Diethylanilino Hydroxybenzoyl Hexyl Benzoate	Benzoic acid, 2-[4-(diethylamino)-2-hydroxybenzoyl]-, hexylester	Uvinal A+, DHHB
	In addition to the four ingredients listed above, all other benzophenone-based chemicals are banned.					
Benzylidene Derivatives	15087-24-8	3-Benzylidene Camphor			(3E)-3-benzylidene-1,7,7-trimethylbicyclo[2.2.1]heptan-2-one	
	36861-47-9	4-Methylbenzylidene Camphor	Enzacamene	4-Methylbenzylidene Camphor	3-(4-Methylbenzylidene)d-1 camphor	
	56039-58-8	Benzylidene Camphor Sulfonic Acid		Benzylidene Camphor Sulfonic Acid	alpha-(2-Oxoborn-3-ylidene)-toluene-4-sulphonic acid	
	52793-97-2	Camphor Benzalkonium Methosulfate		Camphor Benzalkonium Methosulfate	N,N-Trimethyl-4-(2-oxoborn-3-ylidene)methyl) anilinium methyl sulphate	Mexoryl SO
	113783-61-2	Polymerizamidomethyl Benzylidene Camphor			Polymer of N-(2 and 4)-[2-oxoborn-3-ylidene)methyl]benzyl acrylamide	
	207574-74-1	Polysilicone-15			Polysilicone-15	Parasol SLX
	92761-26-7	Terephthalylidene Dicapthor Sulfonic Acid		Ecamsule	Ecamsule	3,3'-(1,4-Phenylene)dimethylenebis[7,7-dimethyl-2-oxo-bicyclo-(2,2,1)hept-1-yl methanesulfonic acid]
In addition to the seven ingredients listed above, all other benzylidene derivatives are banned.						
Cinnamates	104-28-9	Cinoxate	Cinoxate	Cinoxate	2-Ethoxyethyl-p-Methoxycinnamate	
	71617-10-2	Isoamyl p-Methoxycinnamate	Amiloxate	Isoamyl Methoxycinnamate	Isopentyl-4-methoxycinnamate	
	5466-77-3	Ethylhexyl Methoxycinnamate	Ocinoxate	Ocyl Methoxycinnamate	2-Ethylhexyl 4-Methoxycinnamate	Eusolex 2292, Uvinal MC80
In addition to the three ingredients listed above, all other cinnamates are banned.						
Dibenzoyl Derivatives	70356-09-1	Butyl Methoxydibenzoylmethane	Avobenzone	Butyl Methoxydibenzoylmethane	1-(4-tert-Butylphenyl)-3-(4-methoxyphenyl) propane-1,3-dione	BMDM, Parsol 1789
	In addition to the ingredient listed above, all other dibenzoyl derivatives are banned.					

Diphenyl Acrylic Acid Derivatives													
	6197-30-4	Octocrylene		Octocrylene		Octocrylene		Octocrylene					Octocrylene
	In addition to the ingredient listed above, all other diphenyl acrylic acid derivatives are banned.												
Para-Amino benzoic Acid (PABA) Derivatives													
	21245-02-3	Ethylhexyl Dimethyl PABA		Padimate O		Padimate O		Padimate O					Ocyl dimethyl PABA
	150-13-0	PABA		Amino benzoic Acid		Amino benzoic Acid		Amino benzoic Acid					
	116242-27-4	PEG-25 PABA											
	In addition to the three ingredients listed above, all other PABA derivatives are banned.												
Salicylates													
	118-60-5	Ethylhexyl Salicylate		Octisalate		Octisalate		Octisalate					Eusolex OS, Neo Helioplano OS
	118-56-9	Homosalate		Homosalate		Homosalate		Homosalate					
	2174-16-5	TEA-Salicylate		Trolamine Salicylate		Trolamine Salicylate		Trolamine Salicylate					
	In addition to the three ingredients listed above, all other salicylates are banned.												
Triazine/Triazole Derivatives													
	187393-00-6	Bis-Ethylhexyloxyphenol Methoxyphenyl Triazine		Benzotriazinol		Benzotriazinol		Benzotriazinol					Timosorb S, MMBT
	154702-15-5	Diethylhexyl Butamido Triazine		Isotriazinol		Isotriazinol		Isotriazinol					
	88122-99-0	Ethylhexyl triazine						Octyl Triazine					Uvinul T 150
	103597-45-1	Methylene Bis-Benzotriazolyl Tetramethylbutylphenol		Bisocetazole		Bisocetazole		Methylene Bis-Benzotriazolyl Tetramethylbutylphenol					Timosorb M, BEMT
	55514-22-2	Phenylene Bis-Diphenyl-triazine											
	155633-54-8	Drometrizole Trisiloxane						Drometrizole Trisiloxane					Mexoryl XL, DTS, Silatriazole
	31274-51-8	Tris-biphenyl triazine						Tris-biphenyl triazine					
	In addition to the seven ingredients listed above, all other triazine/ triazole derivatives are banned.												
Parabens													
	99-76-3	Methylparaben		Methylparaben		Methylparaben		Methylparaben					Methyl paraben
	120-47-8	Ethylparaben		Ethylparaben		Ethylparaben		Ethylparaben					Ethyl paraben
	94-26-8	Butylparaben		Butylparaben		Butylparaben		Butylparaben					Butyl paraben
	94-18-8	Benzylparaben		Benzylparaben		Benzylparaben		Benzylparaben					Benzyl paraben
	94-13-3	Propylparaben		Propylparaben		Propylparaben		Propylparaben					Propyl paraben
	4247-02-3	Isobutylparaben		Isobutylparaben		Isobutylparaben		Isobutylparaben					Isobutyl paraben
	4191-73-5	Isopropylparaben		Isopropylparaben		Isopropylparaben		Isopropylparaben					Isopropyl paraben
	In addition to the seven ingredients listed above, all other parabens are banned.												
Other Preservatives													
	3380-34-5	Triclosan		Triclosan		Triclosan		Triclosan					Trichlorohydroxydiphenyl ether
	101-20-2	Triclocarban		Triclocarban		Triclocarban		Triclocarban					Triclocarbanum, Triclocarban anhydrous
	122-99-6	Phenoxyethanol		Phenoxyethanol		Phenoxyethanol		Phenoxyethanol					Phenoxyethanolum