

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, SUPPORTING A PETITION TO THE US FOOD AND DRUG ADMINISTRATION (FDA) TO REQUEST A BAN ON THE USE OF OXYBENZONE, OCTINOXATE AND OCTOCRYLENE IN SUNSCREEN/PERSONAL CARE PRODUCTS, AND TO PLACE THOSE CHEMICALS INTO CATEGORY II - NOT SAFE FOR HUMAN USE; AUTHORIZING THE MAYOR TO SIGN THE PETITION ON BEHALF OF THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission passed ordinance No. 19-03, which declared it unlawful to sell or distribute SPF Sunscreen protection containing oxybenzone or octinoxate without a prescription; and

WHEREAS, subsequent to enactment of the City Ordinance, the Florida Legislature amended FS 499.002, to preempt regulation of over-the-counter drugs and cosmetics to the State, effectively removing the City's authority to enact Ordinance 19-03; and

WHEREAS, the City Commission continues to hold concern about the effect of certain substances used in sunscreen/personal care products - specifically the "three O's" - oxybenzone, octinoxate and octocrylene, on the environment and on the health of sunscreen users; and

WHEREAS, to protect the health, welfare and safety of residents and of the environment of the City of Key West, the City Commission finds that it is reasonable to support a petition to the Food and Drug Administration prepared by advocate Joseph C. DiNardo requesting a ban on the use of the "three O's", and to place those chemicals into "Category II" - not safe for human use.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the City Commission supports a petition prepared by Joseph C. DiNardo to be submitted to the FDA, requesting a ban on the use of oxybenzone, octinoxate and octocrylene in sunscreen products, and recommending that those substances be placed into Category II.

Section 2: That the Mayor is authorized to join/sign the petition on behalf of the City of Key West, upon consent of the City Attorney.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2021.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2021.

Filed with the Clerk on _____, 2021.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK