

WASHINGTON, DC (June 24, 2011) – Rep. Jan Schakowsky (D-IL), Rep. Ed Markey (D-MA), and Rep. Tammy Baldwin (D-WI) today announced the introduction of the Safe Cosmetics Act of 2011. The legislation will close major loopholes in federal law that allow companies to use ingredient in cosmetics and personal care products known to damage human health and the environment.

□ The Food and Drug Administration does not regulate cosmetics the same way it does food and drugs to ensure safety. In reality, cosmetics are one of the least regulated consumer products on the market today and existing law has not been updated since 1938.

“The growing number of reports of serious health problems arising from the use of dangerous chemicals in personal care products show a need to update our laws and protect men, women, and children from harmful exposure,” said **Rep. Schakowsky**. “Currently, manufacturers are not required to disclose all their ingredients on labels and the FDA has no power to supervise the use of toxic chemicals in cosmetics. Americans are left in the dark about harmful mystery ingredients in personal care products; consumers deserve confidence that the products that they use will not hurt them.”

The \$50 billion cosmetics industry uses roughly 12,500 unique chemical ingredients in personal care products—the vast majority of which have never been assessed for safety by any publicly accountable body. And according to the Campaign for Safe Cosmetics, Americans use an average of 10 personal care products each day, resulting in exposure to more than 126 unique chemicals.

The Safe Cosmetics Act would require stricter labeling requirements and gives the FDA the ability to order recalls of dangerous products. The legislation was introduced in the 111th Congress – this year’s bill includes changes designed to ease any potential burdens on small cosmetic manufacturers and clarify the intent of the bill.

Rep. Ed Markey: “The personal care products that make us clean should not make us sick. America’s diaper bags and medicine cabinets should never have to be labeled ‘hazardous to your health’ due to products like creams, conditioners and cosmetics that contain dangerous ingredients. The Safe Cosmetics Act will close a gaping hole in the federal law that allows potentially toxic chemicals to remain in the cosmetic products we use every day. I look forward

to working with my colleagues to move this much-needed legislation forward.”

□ **Rep. Tammy Baldwin:** “The health risks caused by harmful chemicals such as formaldehyde in cosmetic products demonstrate the pressing need to see that the products we use are safe. The Safe Cosmetics Act is critical to ensuring that personal care products do not compromise the health of workers and consumers.”

Key Provisions in the Safe Cosmetics Act of 2011:

- **Post Market Testing:** Requires the Secretary of HHS to conduct annual random sample tests for pathogens or contaminants in cosmetic products.
- **Registration of Cosmetic Companies and Registration Fees:** Cosmetics companies would be required to register with FDA and pay a registration fee based on annual gross receipts or sales. Small businesses with less than \$2 million in revenues from cosmetics would be exempt from registration; businesses with less than \$10 million in revenues from cosmetics would be exempt from registration fees.
- **Ingredient Labels on Cosmetics:**
- **Cosmetic and Ingredient Testing and Safety:** FDA would establish a list of ingredients prohibited from being used in cosmetics. This includes carcinogens and reproductive and developmental toxins.
- **Market Restrictions:** Provides the FDA with recall authority for products that are misbranded, adulterated, or otherwise fail to meet the safety standard and can request a voluntary recall or order the ceasing of distribution of any such cosmetic product.
- **Mandatory Reporting of Adverse Health Effects:** Cosmetic manufacturers, packagers, and distributors would have to provide the FDA with reports of adverse health effects associated with the use of a cosmetic.
- **Worker Issues:** Requires companies that manufacture cosmetics for salon use to provide information on any health hazards linked with those cosmetics.
- **States Rights:** States may set more stringent standards.

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