

Washington, DC (February 16, 2012) - Reps. Jan Schakowsky (D-Ill.) and Edward J. Markey (D-Mass.) released the following joint statement in response to the President's budget request for additional funding through user fees for the Food and Drug Administration (FDA) to conduct oversight of the cosmetics industry:

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“The Food and Drug Administration recognizes that as the number of potentially harmful ingredients in our personal care products has grown, so has the responsibility to monitor the industry selling them in order to protect the public. Currently, Americans are left in the dark about the potentially harmful mystery ingredients in their personal care products. Consumers deserve to have confidence that the products they use every day use will not harm them. The FDA is tasked with ensuring cosmetic products are safe but is working from woefully inadequate, incomplete, and often outdated data on cosmetic products and ingredients. The Safe Cosmetics Act will help improve the FDA cosmetics program, and we will work the agency and our Congressional colleagues to move this legislation forward.” (Schakowsky, Markey)

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. According to the Campaign for Safe Cosmetics, Americans use an average of ten personal care products each day, resulting in exposure to more than 126 unique chemicals. The Safe Cosmetics Act would require large cosmetics companies to register with the FDA and pay a registration fee to help pay for oversight of the industry. The legislation includes provisions designed to ease any potential burdens on small cosmetic manufacturers.

Reps. Schakowsky, Markey and Tammy Baldwin (D-Wisc.) introduced the *Safe Cosmetics Act* (H.R. 2359) last year to 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.

Key Provisions in the Safe Cosmetics Act of 2011:

- **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.

- **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.
 - **Post Market Testing:** Requires annual random sample tests for pathogens or contaminants in cosmetic products.
 - **Ingredient Labels on Cosmetics:**
 - **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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