

Lawmakers introduced Safe Cosmetics Act to protect consumers from harmful ingredients in personal care products, gives FDA ability to order recalls of dangerous products

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WASHINGTON, D.C. – Representatives Jan Schakowsky (D-Ill.) and Edward J. Markey (D-Mass.), co-authors of H.R. 2359, the Safe Cosmetics Act of 2011, released the following statement today as the Energy and Commerce Subcommittee on Health holds the hearing, “Examining the Current State of Cosmetics.” In the coming weeks, Congress will be considering provisions related to the regulation of cosmetics and personal care products in the reauthorization of the FDA User Fee programs. The Safe Cosmetics Act calls for removal of ingredients in cosmetics that are carcinogens or cause birth defects, gives the Food and Drug Administration (FDA) authority to recall dangerous cosmetic products, and requires disclosure of all ingredients on a label so that customers know what they are purchasing.

“The fact is this: cosmetics contain ingredients that can cause cancer as well as reproductive and developmental harm,” said **Rep. Schakowsky**. “Men, women, and children are exposed every day to dozens or hundreds of harmful ingredients in their shampoos, cologne, makeup, lotions, and other products. Today’s testimony will underscore the need for these provisions as well as the complexity of this industry and the need for thorough consideration of any legislation making changes to cosmetics regulation.”

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“America’s medicine cabinets shouldn’t have to be labeled ‘hazardous to your health’ due to products like creams, conditioners and cosmetics that contain toxic ingredients,” said **Rep. Markey**

“Parents shouldn’t have to worry about whether the baby lotion, shampoo or talcum powder they are putting on their babies’ skin might harm them. I will fight to include our bill in the FDA legislation that Congress will consider this summer as part of the Prescription Drug Free Act to ensure that consumers are protected and toxic ingredients never make their way into the products we use every day.”

Key provisions of the Safe Cosmetics Act of 2011 include:

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: The label on each package of cosmetics would be required to list the name of each ingredient. This includes the components of a fragrances and preservatives.

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 cosmetics.

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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