

The Campaign for Safe Cosmetics



The Need for Federal Safe Cosmetics Legislation

Shampoo, deodorant, lotion, toothpaste, baby powder, after shave – the average American uses about 10 personal care products a day, resulting in exposure to more than 100 unique chemicals. The vast majority of the roughly 12,500 chemicals used by the \$50 billion beauty industry have never been assessed for safety.

Many of these chemicals are linked to adverse health effects like cancer, birth defects and other serious health issues. The toxic exposures from personal care products add to our daily exposure to hazardous chemicals from our air, water, food and other consumer products. Cosmetics chemicals have been found in our bodies, breast milk and even the umbilical cord blood of new born babies. New studies show that toxic cosmetic ingredients are ending up in our drinking water, rivers and lakes and even in the sewage sludge spread on our food-producing farm fields.

This is a problem that affects us all.

Who Is Minding the Beauty Aisle?

Most people assume the government, in this case the Food and Drug Administration, regulates cosmetics the same way it does food and drugs to ensure they are safe. In reality, cosmetics are one of the least regulated consumer products on the market today.

Because of gaping holes in federal law, it is legal for cosmetics companies to use virtually any ingredient with no pre-market safety assessment, including chemicals linked to cancer, reproductive and developmental harm, hormone disruption and other adverse health effects. As a result, cosmetics sold in the U.S. contain ingredients and impurities with known health hazards, including lead, mercury, hydroquinone, coal tar, formaldehyde, 1,4-dioxane, acrylamide, phthalates and even placenta.

The federal law that governs this enormous industry – which is the same size as the biotech industry – is 2.5 pages long and has not been amended significantly since it was enacted more than 70 years ago.

In the absence of government authority, the safety of personal care product ingredients has been ceded to an industry-funded and self-policing body, the Cosmetic Ingredient Review (CIR) Panel. In the 35 years since its creation, it has evaluated less than 20 percent of the ingredients used in cosmetics – meaning that the vast majority have not been assessed for safety by the FDA, CIR or any other entity.

Even for the few chemicals it does evaluate, the CIR does not look at the cumulative effect of exposures to toxic cosmetic ingredients; the aggregate exposure of cosmetic ingredients in combination with other toxic chemical exposures; the timing of exposure which can magnify the harm, particularly for infants and young children; or worker exposures in beauty salons and manufacturing plants.

Introducing Safe Cosmetics Legislation

In response to growing concern about unsafe chemicals in our cosmetics and personal care products, Rep. Jan Schakowsky (D-IL), Rep. Edward Markey (D-MA) and Rep. Tammy Baldwin (D-WI) have reintroduced the *Safe Cosmetics Act of 2011*. This legislation will overhaul the federal Food, Drug and Cosmetic Act – the law governing the FDA Office of Cosmetics and Colors – giving this office the authority and resources it needs to ensure that cosmetics do not contain harmful ingredients.

The Safe Cosmetics Act of 2011 will:

- Require safety assessment of all cosmetics ingredients using a health-based standard that includes protections for children, the elderly, workers and other vulnerable populations.
- Phase out of cosmetic ingredients linked to cancer, birth defects and reproductive or developmental harm.
- Require registration of cosmetic manufacturing, packaging and distributing facilities. Microbusinesses with annual revenue under \$2 million are exempt from registration.
- Close labeling loopholes by requiring full ingredient disclosure on product labels and websites including salon products and the constituent ingredients in fragrances.
- Give workers access to information about hazardous chemicals in personal care products used in professional salons.
- Require data-sharing to avoid duplicative testing, encourage transparency and reduce the need for animal testing. Validated alternatives to animal testing will also be encouraged.
- Give the FDA recall authority and require notification of adverse health effects to the FDA.
- Provide adequate funding and support to the FDA Office of Cosmetics and Colors so it can provide effective oversight to the cosmetics industry.
- Establish a pro-rated registration fee to generate the resources needed to administer the Act, while exempting small businesses with annual revenue under \$10 million.
- Direct the FDA to provide technical support to small businesses to help them carry out the requirements of the Act.
- Protect stronger state and local laws.

About the Campaign for Safe Cosmetics

The Campaign for Safe Cosmetics is a national coalition of nonprofit women's health, public health and environmental health organizations. Our goal is to protect the health of consumers and workers by moving the cosmetics industry to phase out the use of chemicals linked to cancer, birth defects and other serious health concerns, and replace them with safer alternatives. We are working with responsible businesses and thousands of citizen-activists to shift the cosmetics market toward safer products and to advocate for effective laws that protect our health from toxic chemicals. *To learn more about this issue please contact Janet Nudelman, Breast Cancer Fund, jnudelman@breastcancerfund.org or Jason Rano, Environmental Working Group, jrano@ewg.org.*