



**PERSONAL CARE  
PRODUCTS  
SAFETY ACT**



**PROTECTING CONSUMERS**





From shampoo to lotion, make-up to deodorant, hair dye to shaving cream, millions of Americans use dozens of personal care products every day.

Many consumers would be shocked to learn that federal rules designed to make sure these products are safe haven't been updated for 80 years.

No other products are so widely used with so few federal safeguards. The chemicals in these products aren't reviewed by the Food and Drug Administration (FDA). Companies aren't required to report what ingredients they use and at what concentrations, although many do so voluntarily.

The FDA doesn't even have mandatory recall authority for products that may cause serious harm.

That's why we introduced a bill called the *Personal Care Products Safety Act*.

Consumer advocates and large companies alike support the legislation.

A key component of our bill is a review process for ingredients found in these products, to be conducted by the FDA. Consumer and health advocates are rightly concerned that many of the chemicals and their concentrations in personal care products haven't been reviewed in decades.

Companies would also be required to report adverse health events, follow good manufacturing practices and keep safety records.

These commonsense proposals are long overdue—consumers deserve to know that the products they use every day are safe.

Sincerely,

A handwritten signature in black ink that reads "Dianne Feinstein". The signature is fluid and cursive.

Dianne Feinstein  
United States Senator

A handwritten signature in black ink that reads "Susan M. Collins". The signature is fluid and cursive.

Susan Collins  
United States Senator



# HISTORY

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The *Federal Food, Drug and Cosmetic Act* of 1938 provided the FDA with the ability to oversee products that are “intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body...for cleansing, beautifying, promoting attractiveness, or altering the appearance.”

However, the law only prohibits obvious hazardous substances like mercury or chloroform from being used in personal care products.

The law has had few updates with regard to personal care products since it was passed in 1938. Therefore, FDA currently has virtually no authority to regulate these products, review their safety, and protect consumers.



# HEALTH EFFECTS

Long-term overexposure to the ingredients in some personal care products may increase the potential for negative health effects.

## The New York Times

### Perfect Nails, Poisoned Workers

By: Sarah Maslin Nir

The prevalence of respiratory and skin ailments among nail salon workers is widely acknowledged. More uncertain, however, is their risk for dire medical issues. Some of the chemicals in nail products are known to cause cancer; others have been linked to abnormal fetal development, miscarriages and other harm to reproductive health.

A number of studies have also found that cosmetologists — a group that includes manicurists, as well as hairdressers and makeup artists — have elevated rates of death from Hodgkin's disease, of low birth-weight babies and of multiple myeloma, a form of cancer.

Skin disorders are also omnipresent among nail salon workers. Many of the chemicals in nail salon products are classified by government agencies as skin sensitizers, capable of provoking painful reactions.

When Ki Ok Chung, a manicurist who worked in salons for almost two decades, had her fingerprints taken in the early 2000s for her United States citizenship, she made an upsetting discovery: Her prints were almost nonexistent. They had to be taken seven times. She says constant work with files, solvents and emollients is responsible.



# PERSONAL CARE PRODUCTS SAFETY ACT

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In April 2015, Senators Feinstein and Collins first introduced the *Personal Care Products Safety Act* to protect consumers and streamline industry compliance by strengthening the FDA's authority to regulate the ingredients in personal care products. This bill was reintroduced in May 2017 and March 2019.

The bill is the result of numerous discussions with stakeholders and extensive consultation with the FDA, and is supported by consumer, health and industry groups.

*The Personal Care Products Safety Act* would:

- Require the FDA to review a minimum of five ingredients per year.
- Provide the FDA the authority to order recalls of certain personal care products that threaten consumer safety.
- Provide the FDA the authority to require labeling of products that include ingredients not appropriate for children and those that should be professionally administered. Complete label information, including ingredients and product warnings, would also be required to be posted online since approximately 40 percent of personal care products are purchased over the Internet.
- Require companies to provide contact information on their products for consumers and report serious adverse events to the FDA within 15 days, including death, hospitalization and disfigurement. Health effects that could have resulted in a serious adverse event, such as hospitalization, if the consumer went without medical intervention would also be required to be reported.
- Require manufacturers to register annually with the FDA and provide the agency with information on the ingredients used in their personal care products.
- Direct the FDA to issue regulations on Good Manufacturing Practices.

# INGREDIENT REVIEW

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Consumer and health advocates are rightly concerned about the use and concentration of some chemicals in personal care products.

For example, according to the Centers for Disease Control and Prevention, short-term respiratory exposure to formaldehyde has been reported to cause a range of negative health effects. Initially, these can include headaches and shortness of breath in consumers and the professionals who apply the chemicals.

However, long-term respiratory exposure to formaldehyde has been associated with increased risk of cancer, and the Occupational Safety and Health Administration requires salon owners to provide their workers with protective equipment, including masks and goggles, when applying this chemical.

In another example, propyl paraben, which is used as a preservative in a wide range of products, mimics estrogen and may be appropriate only in certain concentrations. According to scientific studies, chemicals that mimic estrogen can disrupt the endocrine system and have been linked to a wide range of health effects, including reproductive system disorders.



# INGREDIENT REVIEW

The bill would require the FDA to evaluate a minimum of five ingredients per year to determine their safety and appropriate use. The review process set forth in the bill would provide companies with clear guidance about whether ingredients should continue to be used and if so, what the concentration levels should be and whether consumer warnings are needed. For example, a chemical may be deemed inappropriate for use in children's products, or appropriate for professional application only.

The first set of chemicals for review includes:

- Diazolidinyl urea, which is used as a preservative in a wide range of products including deodorant, shampoo, conditioner, bubble bath and lotion
- Diethyl phthalate, which is used in nail polishes and hair sprays
- Methylene glycol/formaldehyde, which is used in hair treatments
- Propyl paraben, which is used as a preservative in a wide range of products including shampoo, conditioner and lotion
- Quaternium-15, which is used as a preservative in a wide range of products including shampoo, shaving cream, skin creams and cleansers



# SUPPORTERS

## Health and Consumer Organizations

- American Academy of Pediatrics
- American Autoimmune Related Diseases Association
- The Beautywell Project
- Caregiver Action Network
- Endocrine Society
- Environmental Working Group
- The Gerontological Society of America
- Good Housekeeping Institute
- March of Dimes
- National Alliance for Hispanic Health
- National Psoriasis Foundation (NPF)
- National Women's Health Network



# SUPPORTERS

## Companies

- Amyris/ Biossance
- Au Naturele Cosmetics
- Beautycounter
- Coalition of Handcrafted Entrepreneurs
- Cosmetic Research Lab
- Cote
- Credo
- DermOne Skincare
- The Detox Market
- The Estee Lauder Companies (25 brands including Estée Lauder, Clinique, Origins, Tommy Hilfiger, MAC, La Mer, Bobbi Brown, Donna Karan, Aveda, Michael Kors)
- Earth Mama Organics
- Follain
- Goddess Garden
- The Handcrafted Soap and Cosmetic Guild
- Handmade Cosmetic Alliance
- Henry Rose
- Herban Lifestyle
- Inside Outer Beauty Market
- Johnson & Johnson (Brands include OGX, Neutrogena, Aveeno, Clean & Clear, Lubriderm, JOHNSON'S Baby)
- L'Oreal (30 brands including L'Oréal Paris, Lancome, Giorgio Armani Beauty, Yves Saint Laurent, Kiehl's, Essie, Garnier, Maybelline-New York, Vichy, La Roche-Posay, Redken)
- Makes 3 Organics
- May Lindstrom
- Milk + Honey
- OSEA Malibu
- P3 Pure, LLC
- Peet Rivko
- Procter & Gamble (12 brands including Pantene, Head & Shoulders, Herbal Essences, Secret, Ivory, Olay, Aussie, Old Spice)
- Revlon (5 brands including Revlon, American Crew, Elizabeth Arden, Almay, Mitchum)
- RMS Beauty
- S.W. Basics
- Silk Therapeutics
- SkinOwl
- Tenoverten
- Tomorrow's Leaf
- Unilever (15 brands include Dove, Tresemmé, St. Ives, Noxzema, Nexxus, Pond's, Suave, Vaseline, Degree, Axe, and Seventh Generation)
- Vapour Organic Beauty





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