

# The Campaign for Safe Cosmetics

## Safe Cosmetics Act—A New Bill for a New Year

### Language Changes in the Safe Cosmetics Act of 2011

Issue	H.R.5786, Safe Cosmetics Act of 2010	Safe Cosmetics Act of 2011
<b>Registration</b>	<p>All cosmetic companies register with the FDA.</p> <p>Small business under \$1 million in annual revenue exempt from registration fees.</p> <p>Register changes in formulation or suppliers within 60 days.</p> <p>Requires companies to report number of employees.</p>	<p>Micro-businesses (defined as having less than \$2 million in annual revenue) not required to register.</p> <p>Small businesses under \$10 million in annual revenue exempt from fees.</p> <p>Register changes in formulation or suppliers once per year.</p> <p>Drops the requirement to report number of employees.</p>
<b>Labeling</b>	<p>Required labeling of individual components of botanical substances.</p> <p>Required full listing of all ingredients – including fragrance – on product label.</p>	<p>Strikes “botanical” from the definition of “ingredient” making clear that botanicals such as essential oils, olive oil, etc. will continue to be labeled as under current law.</p> <p>Allows FDA to require labeling of specific constituent ingredients of concern (e.g. common allergens as is required in the EU).</p> <p>Allows FDA to determine location of ingredient disclosure – label or website.</p>

<p><b>Contaminants</b></p>	<p>Required listing on the label of all contaminants present “above technically feasible detection limits.”</p>	<p>Requires FDA to create a list of the contaminants likely to be found in certain cosmetic ingredients, provide testing protocols for those contaminants, and provide guidance on the level at which contaminants must be listed.</p> <p>Creates a petition process for adding contaminants to the list.</p> <p>Requires suppliers to test for and provide a list of specific contaminants present in specific ingredients to manufacturers based on FDA guidance.</p>
<p><b>Safety Assessment of Products and Ingredients</b></p>	<p>Silent on how the safety assessment of products should take place.</p> <p>Requires manufacturers to provide safety data for cosmetic ingredients.</p>	<p>Allows manufacturers to use supplier safety assessments to certify ingredient safety.</p> <p>Clarifies that if all ingredients have been substantiated for safety, FDA will presume final product is safe.</p> <p>Gives FDA the authority to require product testing if there is reason to believe the combination of certain ingredients poses a health concern.</p> <p>Prioritizes food grade ingredients for safety determination by FDA.</p>

### **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 visit [www safecosmetics.org/safecosmeticsact](http://www safecosmetics.org/safecosmeticsact)*