

HOUSE No. 3974

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 25, 2014.

The committee on Public Health to whom were referred the petition (accompanied by bill, House, No. 1900) of Garrett J. Bradley and others relative to the treatment individuals with autism receive in medical settings and the petition (accompanied by bill, House, No. 2062) of Kathi-Anne Reinstein for legislation to regulate the ingredients used in the manufacture of cosmetics, reports recommending that the accompanying bill (House, No. 3974) ought to pass.

For the committee,

JEFFREY SANCHEZ.

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The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act relative to safe cosmetics in the Commonwealth of Massachusetts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 94 of the General Laws is hereby amended by inserting after
2 section 187H the following sections:-

3 187I. For the purposes of this section and sections 187J and 187 K the following terms
4 shall have the following meanings:- Cosmetic Ingredient Review is a public-private partnership
5 that reviews and assesses the safety of ingredients used in cosmetics in an open, unbiased, and
6 expert manner, and publishes the results in open, peer-reviewed, scientific literature. Cosmetic
7 Ingredient Review is a collaborative effort supported by the U.S. Food and Drug Administration,
8 Consumer Federation of America, and the cosmetic industry. Manufacturer means any entity,
9 including a distributor, whose name appears on the label of a cosmetic product pursuant to the
10 requirements of Section 701.12 of Title 21 of the U.S. Code of Federal Regulations, Unsafe
11 Cosmetic Ingredient means a cosmetic ingredient that has been identified as unsafe at any level
12 for use in a cosmetic product in a report submitted to the U.S. Federal Food and Drug
13 Administration by the Cosmetic Ingredient Review (CIR).

14 187J. Manufacturers who distribute, sell, offer for sale or manufacture for sale cosmetic
15 products shall report to the department of public health on the use of any unsafe cosmetic
16 ingredient in a cosmetic product. If a manufacturer does not manufacture any cosmetic product
17 that contains an unsafe cosmetic ingredient, then no reporting is required to the department of
18 public health.

19 187K. A cosmetic product that contains an ingredient that is identified as an Unsafe
20 Cosmetic Ingredient as defined in this section, shall be deemed to be adulterated or misbranded
21 or both.

22 187L. The Department of Public Health shall report to the General Court on the reports
23 submitted pursuant to section 187J, investigations and enforcement action, and
24 recommendations, if any, together with drafts of legislation necessary to carry its
25 recommendations into effect, by filing the same with the clerk of the House of Representatives
26 on or before January 1, 2015.

27 SECTION 2. For the purposes of section 187J the effective date shall be one year
28 following enactment.

29 SECTION 3. For the purposes of section 187K the effective date shall be two years
30 following enactment.