

**HOUSE . . . . . No. 2108**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Peter J. Koutoujian**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to healthy cosmetics.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter J. Koutoujian	10th Middlesex
Denise Provost	27th Middlesex
Elizabeth A. Malia	11th Suffolk
Lori Ehrlich	8th Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4347 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO HEALTHY COSMETICS.

*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 shall  
4 have the following meanings:-Cosmetic Ingredient Review is a public-private partnership that  
5 reviews and assesses the safety of ingredients used in cosmetics in an open, unbiased, and expert  
6 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.

9   Manufacturer means any entity, including a distributor, whose name appears on the label of a  
10 cosmetic product pursuant to the requirements of Section 701.12 of Title 21 of the U.S. Code of  
11 Federal Regulations,

12   Unsafe Cosmetic Ingredient means a cosmetic ingredient that has been identified as unsafe at any  
13 level for use in a cosmetic product in a report submitted to the U.S. Federal Food and Drug  
14 Administration by the Cosmetic Ingredient Review (CIR).

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

20 187K. A cosmetic product that contains an ingredient that is identified as an Unsafe Cosmetic  
21 Ingredient as defined in this section, shall be deemed to be adulterated or misbranded 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, 2011.

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

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