

HOUSE No. 1513

The Commonwealth of Massachusetts

PRESENTED BY:

Kathi-Anne Reinstein

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 adoption of the accompanying bill:

An Act relative to healthy cosmetics.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-----------------------------|---------------------|------------------|
| <i>Kathi-Anne Reinstein</i> | <i>16th Suffolk</i> | <i>1/19/2011</i> |

HOUSE No. 1513

By Ms. Reinstein of Revere, a petition (accompanied by bill, House, No. 1513) of Kathi-Anne Reinstein for legislation to regulate the ingredients used in the manufacture of cosmetics. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2108 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:- 187I. For the purposes of this section and sections
3 187J and 187 K the following terms shall have the following meanings:- Cosmetic Ingredient
4 Review is a public-private partnership that reviews and assesses the safety of ingredients used in
5 cosmetics in an open, unbiased, and expert manner, and publishes the results in open, peer-
6 reviewed, scientific literature. Cosmetic Ingredient Review is a collaborative effort supported by
7 the U.S. Food and Drug Administration,
8 Consumer Federation of America, and the cosmetic industry. Manufacturer means any
9 entity, including a distributor, whose name appears on the label of a cosmetic product pursuant to
10 the 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
26 Representatives on or before January 1, 2011.

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.