

HOUSE No. 381

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers

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 cosmetic labeling.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/18/2023</i>

HOUSE No. 381

By Representative Rogers of Cambridge, a petition (accompanied by bill, House, No. 381) of David M. Rogers relative to labeling by professional cosmetic manufacturers. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 451 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to cosmetic labeling.

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

1 Chapter 111 of the General Laws is hereby amended by adding the following section:-

2 Section 237. (a) As used in this section, the following terms shall have the following
3 meanings, unless the context clearly requires otherwise:

4 “Cosmetic”, means any article, or its components, intended to be rubbed, poured,
5 sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part of
6 the human body, for cleansing, beautifying, promoting attractiveness, or altering the appearance.

7 “Ingredient”, has the same meaning as that term is defined in 21 CFR section 700.3(e)
8 and does not include any incidental ingredient as defined in 21 CFR section 701.3(l).

9 “Professional” means a person that has been granted a license by the board of registration
10 of cosmetology and barbering to practice in the field of cosmetology, nail care, hairdressing,
11 barbering, or aesthetics.

12 “Professional cosmetic” means a cosmetic that is intended or marketed to be used only by
13 a professional on account of a specific ingredient, increased concentration of an ingredient, or
14 other quality that requires safe handling, or is otherwise used by a professional.

15 (b) A professional cosmetic manufactured on or after July 1, 2020, for sale in the
16 commonwealth shall have a label affixed on the container that satisfies all of the labeling
17 requirements for any other cosmetic pursuant to the Federal Food, Drug, and Cosmetic Act, 21
18 U.S.C. Sec. 301, et seq., and the federal Fair Packaging and Labeling Act, 15 U.S.C. Sec. 1451,
19 et seq.