

NEW LAW SEEKS TO OVERHAUL THE COSMETICS INDUSTRY¹

Emily Main[©]

Lead in lipstick, cancer causers in baby shampoo, reproductive toxins in toenail polish: Personal-care products are rife with hidden hazards. And with each American using an average of 10 personal-care products every day, Congress is finally now considering a bill that would tighten regulation on the personal-care products industry and lead to better guarantees of safe cosmetics. But the initiative is getting resistance not just from the Maybellines and Estée Lauders of the world, but from the natural personal-care product manufacturers who've been producing safer cosmetics for years.

THE DETAILS: The new bill, introduced to the U.S. House of Representatives late last month by Janice Schakowsky (D-Ill.) and eight other Democrats, has been dubbed the Safe Cosmetics Act of 2010. If it passes, it would essentially give the Food and Drug Administration (FDA) authority to regulate the chemicals used in personal-care products and to require safety testing of chemicals already in use. In addition, the bill would:

- Require the phasing out of ingredients linked to cancer (for instance, formaldehyde-based preservatives) as well as birth defects and developmental problems (such as phthalates, used in synthetic fragrances).
- Require companies to list every ingredient on the label, which is something companies aren't currently required to do. They can use the generic term "fragrance" or "preservatives" to mask the hundreds of chemicals used in manufacturing, which are protected as trade secrets but can pose health risks like allergies and hormone disruption.
- Require companies to disclose contaminants that are by-products of manufacturing. Two such by-products, formaldehyde and 1,4-dioxane, are known to cause cancer.
- Require companies to provide more detailed safety information to salon workers, who are exposed every day to large quantities of toxic products such as coal tar-based hair dyes and various nail-care products.

WHAT IT MEANS: "This bill would create a safety system that people already think exists," says Stacey Malkan, cofounder of the Campaign for Safe Cosmetics, a national coalition that works to eliminate hazardous chemicals from personal-care products, and author of *Not Just a Pretty Face: The Ugly Side of the Beauty Industry* (New Society Publishers, 2007). "Right now, people believe that if you look at a label, you're seeing everything that's in the product. And that's not the case." She adds that the provision requiring companies to reveal contaminants is another win for consumers looking for safer products. "There are rampant contamination problems in the industry," says Malkan. "Many baby shampoos contain formaldehyde and 1,4-dioxane, and the manufacturers know they're in there. But there are other chemicals and processes they could be using to keep these chemicals out of products. It's our right to know if our shampoo contains formaldehyde."

¹ Rodale News, August 02, 2010

Ironically, some of the bill's most vocal opponents represent the natural cosmetics industry. "We like the parts of the bill that require transparency in products," says Daniel Fabricant, PhD, vice president of global government and scientific affairs at the Natural Products Association, a trade group representing manufacturers of natural personal-care and cleaning products. "But there are some troubling parts of the bill that may have an adverse effect on our industry." For one, he notes, the bill would require even relatively small companies to pay a fee to the FDA to ensure the agency has funding for safety tests. Fabricant argues that this puts an undue burden on small businesses, as they would pay the same fees as multinational corporations.

Fabricant adds that roughly 70 percent of the companies in the natural personal-care products industry are small businesses, and they're already using safer ingredients and listing ingredients on product labels. What's more, the bill would require businesses to report who their suppliers are. This would put smaller companies at risk, argues Fabricant, because large companies could get information on a company's supply chain and start producing the same product at a lower cost.

Malkan believes most of these complaints are conjecture at this point, and involve details the FDA still needs to work out. "This idea that the bill will crush small natural-products businesses, that sounds like a lot of emotion and fear mongering to me," she says. "I think if people just step back, they'll see that it really provides benefits for these businesses. The main one being, when consumers have better information about what's in these products, the market for safer natural products will grow."

In the meantime, whether the bill passes or not, it's important to be a safe, educated user of personal-care products. The Environmental Working Group's [Skin Deep database](#) ranks personal-care products on safety, and you can buy products directly from its site.

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The Environmental Working Group has also provided a list of ingredients to avoid, which you can find on product labels. Here they are:

- DMDM hydantoin and imidazolidinyl urea—can be contaminated with formaldehyde
- Fragrance and dyes—known to trigger allergies; fragrances may contain phthalates
- Methylchloroisothiazolinone and methylisothiazolinone—known to trigger allergies
- Parabens or “-paraben” preservatives—hormone disruptors
- “PEG” and ingredients ending in “-eth”—could be contaminated with 1,4-dioxane
- Sodium lauryl or laureth sulfate—could be contaminated with 1,4-dioxane
- Triclosan and triclocarban—interfere with thyroid hormones
- Triethanolamine (TEA)—may trigger allergies and may contain toxic contaminants