



Personal care products are largely unregulated. The FDA does not even require safety testing of ingredients in personal care products before they are used.

- The federal law designed to ensure that personal care products are safe has remained largely unchanged since 1938.

Men, women and children are all exposed to ingredients in personal care products every day:

- Personal care products, called “cosmetics” in the law, are much more than makeup and fragrance – they include lotion, toothpaste, body wash, shampoo, deodorant and many other products that people use daily.
- On average, women use 12 personal care products a day, exposing themselves to 168 chemical ingredients. Men use six, exposing themselves to 85 unique chemicals.

The Personal Care Products Safety Act, a bipartisan bill, introduced by Sens. Dianne Feinstein (D-Calif.) and Susan Collins (R-Maine) would reform regulation of personal care products, requiring companies to ensure that their products are safe before marketing them and giving FDA the tools it needs to protect the public.

The act would empower FDA to review the safety of ingredients:

- Each year, the agency would do a safety review of five ingredients and contaminants. At the outset, these would include formaldehyde-releasing chemicals and a long-chained paraben.

The act would give FDA the same tools for ensuring the safety of personal care products as it uses to regulate food and drugs:

- Companies would be required to register facilities.
- Companies would be required to disclose ingredients they use to FDA.
- Manufacturers would be required to ensure that products are made in a clean environment.
- FDA could inspect factories and records.
- Companies would be required to report serious adverse events to FDA within 15 days.
- FDA could require recalls of dangerous products.
- FDA could require specific labeling and warnings for products that contain ingredients not suitable for all populations.

The act makes a number of accommodations for small businesses:

- Companies with average gross annual sales below \$500,000 are exempt from the requirements of the act.
- Companies with average gross annual sales between \$500,000 and \$2 million (or between \$1 million and \$2 million if produced in a private residence) – with a few exemptions – are provided with simplified registration, recordkeeping and compliance requirements.
- Companies with gross annual sales less than \$10 million are exempt from the fee provision.

Cosmetics companies would provide \$20.6 million annually in fee revenue.