

Opening Statement
Chairwoman Anna G. Eshoo
Subcommittee on Health
Energy and Commerce Committee
Hearing on “Building Consumer Confidence by Empowering FDA to Improve Cosmetic
Safety”
December 4, 2019

Every day, Americans trust the shampoo, toothpaste, deodorant, and make-up they use are safe.

Millions of Americans go to work in hair salons, nail salons, and spas trusting the products they’re constantly breathing and touching are safe.

Most businesses in the \$80-billion-dollar cosmetic industry argue that these ubiquitous products are safe and should be trusted.

But that trust isn’t based on independent reviews, ingredient lists, the threat of recall, or the public reporting of bad reactions.

Instead, the only thing standing between Americans and a dangerous cosmetic product is an 80-year-old federal law, the 30 employees at the FDA’s Office of Cosmetics and Colors, and strongly worded letters from the FDA.

To put it bluntly: We don’t know what’s in our cosmetics. And what we don’t know could hurt us.

An American child goes to the emergency department every two hours due to harmful exposure to personal care and beauty products.

Salon workers, often minority women, face serious health threats from potential toxins in cosmetics.

Nail polish has been linked to serious health and respiratory problems for nail technicians. Epidemiological studies since the 1980s have found that hair stylists are at risk for skin and respiratory diseases, birth defects, and miscarriages.

With the lack of federal authority, the cosmetic industry regulates itself.

The Personal Care Products Council represents 600 member companies and provides support to the industry to improve product safety. However, the Personal Care Products Council faces potential conflicts as it tries to balance consumers safety with recommendations that could cut into its members’ profits.

States have also stepped up to the challenge.

In California, independent health groups like the California Healthy Nail Salon Collaborative have had to fight to make sure nail salons offer products free of the “toxic trio” of formaldehyde, DBP (di-BUtyl ph-THA-late), and toluene.

This advocacy led to the California Safe Cosmetics Act, which was the first state law to regulate cosmetics manufacturers. The 2005 law requires manufacturers to supply health-related information about cosmetic ingredients and regulates the products used in salons.

Additionally, Prop 65 requires businesses to warn Californians about significant exposures to chemicals that cause cancer, birth defects, or other reproductive harm.

Much of the nation, however, is still unprotected.

The FDA reports that it only physically inspected only a tenth of a percent of the nearly three million imported cosmetics shipments. In its limited inspections, the FDA has found scary problems, including mold in Chinese eyeshadow and mercury in skin cream.

It’s time to pass a strong federal bill to make sure the products used by virtually every American each day are safe. I look forward to working with my colleagues to do so.