

# GOVERNMENT AFFAIRS INSIDER

A confidential federal, state, and local legislative report only for members of the Personal Care Products Council (PCPC). Do not forward outside of the PCPC membership.

APRIL 11, 2025

## FEDERAL UPDATES

### UPCOMING EVENTS

#### SAVE THE DATE – CONGRESSIONAL COSMETICS CAUCUS RECEPTION

To increase engagement and grow membership in the 119<sup>th</sup> Congress, the Cosmetics Caucus will be having a kick-off reception on the Hill on **Tuesday, April 29th from 4-6pm**. Congresswomen Malliotakis and Sanchez, the Caucus co-chairs, will join to welcome their colleagues to participate in the caucus, whose focus will be on highlighting the economic impact of the personal care and cosmetics industries. Please stay tuned for additional details and RSVP information.

### FDA ANNOUNCES PLAN TO PHASE OUT ANIMAL TESTING REQUIREMENT FOR MONOCLONAL ANTIBODIES AND OTHER DRUGS

The FDA [announced](#) plans to phase out animal testing requirements for certain drugs. While we do not see immediate implications for sunscreens since the initial focus is on monoclonal antibodies and drugs subject to IND applications, this is an encouraging sign regarding new administration's openness to NAMs. For example, the announcement recognizes that NAMs can help "improve drug safety and accelerate the evaluation process, while reducing animal experimentation, lowering research and development (R&D) costs, and ultimately, drug prices." PCPC believes this is a tremendous opportunity to leverage this same rationale to support our messaging around the use of NAMs in the sunscreen context. More information can be found [here](#).

### FEDERAL WORKFORCE

#### UPDATE ON HHS REORGANIZATION, WORKFORCE REDUCTIONS

Beginning on April 1, FDA began sending out termination notices to employees impacted by the large-scale reductions in force that are occurring as a part Secretary Kennedy Jr.'s plans for a large-scale reorganization of the Department of Health and Human Services. While the initial RIFs largely affected policy staff, management and operations staff, many science-based positions have also been eliminated. The Office of Colors and Cosmetics has so far not seen any cuts, however as additional RIF notices are expected moving forward, there may be impact to the OCAC office. For additional information on the reorganization, which includes personnel cuts, centralization of functions, and consolidation of divisions, please see this [infographic](#).

### CONGRESS

#### PCPC TESTIFIES AT HEARING ON OTC DRUGS

On Tuesday, April 1, the House Energy and Commerce Subcommittee on Health held a hearing titled "Examining the FDA's Regulation of Over-the-Counter Monograph Drugs". PCPC membership was represented by Mr. Carl D'Ruiz from DSM Firmenich, who focused on the challenges with bringing new sunscreen filters to market under the current system and highlighted opportunities for improvements to potentially expedite the approval of new active ingredients. Please see a more detailed [recap of the hearing](#) for more information.

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## USTR JAMIESON GREER TESTIFIES BEFORE CONGRESS

U.S. Trade Representative Jamieson Greer testified before the Senate Finance Committee on April 8 in a hearing on the President's 2025 trade policy agenda. Much of the conversation centered around the President's current tariff actions. Please see a more detailed [recap of the hearing](#) for more information.

# STATE LEGISLATION

## INDUSTRY PRIORITY BILLS BY TOPIC

### ANTI AGING PRODUCTS

#### CALIFORNIA

[AB728](#) (Lee) – Legislation restricting the sale of over-the-counter skin care products or cosmetic products to anyone under the age of 18 if the product contains either of the following ingredients: (1) Vitamin A and its derivatives, including, but not limited to, retinoids and retinol. (2) An alpha hydroxy acid, including, but not limited to, glycolic acid, ascorbic acid (vitamin C), or citric acid.

- **Update:** This legislation will be heard in the ESTM committee on 4/29.
- PCPC has received [proposed amendments](#) which are not in print yet. The amendments add a qualifier of "anti aging" and amend the ingredients to vitamin a and alpha hydroxy acid. There are still many issues with the bill and we will remain in a firm oppose position.
- PCPC is coordinating with partners in Sacramento including the California Retailers Association.
- The author introduced similar legislation in 2024 ([AB2491](#)) which PCPC advocated against, ultimately the legislation was held in the Assembly Appropriations Committee.

### INGREDIENT/PRODUCT BANS

#### CALIFORNIA

[AB916](#) (Lee) – Legislation banning the use of (1) Benzalkonium chloride (BZK), (2) Benzethonium chloride (BZT) and (3) Chloroxylenol (PCMX) in hand soap and body wash beginning January 1, 2028.

- **Update:** The legislation awaits action in the Health committee, a hearing may be scheduled later this month.
- Previously, this legislation passed the Environmental Safety and Toxic Materials committee on 3/25, PCPC in state counsel testified in opposition.
- PCPC signed onto the coalition opposition [letter](#).
- PCPC is coordinating with the American Cleaning Institute (ACI).

[AB60](#) (Papan) – Legislation to restrict the use of musk chemicals consistent with the EU Annex II and EU Annex III regulations.

- **Update:** The bill passed the Environmental Safety and Toxic Materials committee on 3/25 and had its second reading on 3/27.

[SB236](#) (Weber Pierson) – This legislation would ban the use of several chemicals in hair relaxers in certain concentrations beginning 1/1/2030: (a) Formaldehyde (CAS no. 50-00-0), (b) Isobutylparaben (CAS no. [4247-02-3](#)), (c) Isopropylparaben (CAS no. [4191-73-5](#)), (d) Cyclohexylamine (CAS no. 108-91-8), (e) Cyclotetrasiloxane (CAS no. 556-67-2), (f) Diethanolamine perfluorooctane sulfonate (CAS no. [70225-14-8](#)), (g) Dibutyl phthalate (CAS no. 84-74-2),

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(h) Diethylhexyl phthalate (CAS no. 117-81-7), (i) Lily aldehyde (CAS no. 80-54-6). The legislation would also require that manufacturers of these products register with DTSC.

- **Update:** \*NEW\* This bill was amended on 4/9, updated language is linked and reflected above. The bill will be heard in the Environmental Quality committee on 4/23.

## FLORIDA

[SB196/HB525](#) (Gruters/Miller) – [SB1744](#) (Calatayud) was amended into this bill. The amended SB 196 now requires that cosmetics' single-use packaging be labeled to disclose the presence of several ingredients if intentionally added. For lead, the labeling is required if it is present at 10ppm or more.

- **Update:** The bill was [amended](#) in the Appropriations Committee on Agriculture, Environment, and General Government where it passed on 4/10. The bill awaits consideration in the Rules committee which will be it's final stop before a floor vote.
  - These amendments remove the lead at 1ppm limit and turn the bill from an ingredient ban bill to a labeling bill. PCPC does not believe that this would be federally preempted.
- PCPC has had productive dialogue with the sponsor to amend the bill to a place that industry can comply with and is still actively seeking further amendments.
- PCPC is working closely with the Florida Retail Federation and in state counsel on advocacy efforts.

## ILLINOIS

[HB3409](#) (Harper) – The legislation establishes the Chemicals in Cosmetic Products Act, which aims to regulate the presence of certain chemical ingredients in cosmetic products within the State of Illinois. The primary objective of the Act is to prohibit the manufacture, sale, delivery, holding, or offering for sale of cosmetic products containing specific intentionally added chemical ingredients. These include a range of substances such as Dibutyl phthalate, Diethylhexyl phthalate, Formaldehyde, and various per- and polyfluoroalkyl substances (PFAS), among others. However, the Act provides exemptions for products that were manufactured with the intent to comply with the Act and contain only technically unavoidable trace quantities of the prohibited chemicals due to impurities, manufacturing processes, storage, or packaging.

- **Update:** The bill passed the House on 4/8 and awaits a vote in the Senate.
- The bill mirrors CA AB 2762.

## NEW YORK

[S2057/A.2054](#) (Webb/Glick) – This measure establishes that no person may distribute, sell or offer for sale in this state a personal care product or cosmetic product containing a specified restricted substance. Creates new definitions on nonfunctional byproduct and nonfunctional contaminant. Language includes phthalates, formaldehyde releasing agents, parabens. This prohibition will be effective two years after the effective date of the measure.

- **Update:** The senate bill passed the Environmental Conservation committee on 4/2. Similar to the past two sessions, the bill will advance to the calendar without being referred to a second committee.
- The legislature is still largely focused on the budget and will be back the week of 4/14 to continue negotiations. They will then go on a break the week of 4/21 (previously the week of 4/14 was also part of this break), convening back in session on April 28. PCPC will be hosting another lobby day on April 28 and 29- see link below to register!

## NORTH CAROLINA

[H686](#) (Belk) – Legislation to ban the use of restricted substances in cosmetics by January 1, 2026. The ban would include intentionally added, nonfunctional by-products and nonfunctional contaminants above a practical quantification limit.

Restricted substances defined in the bill include: phthalates, formaldehyde releasing agents, parabens, PFAS, heavy metals and many more.

- **Update:** This bill was referred to the Rules, Calendar, and Operations Committee on 4/3. PCPC has reached out to the bill sponsor to request a meeting.
- PCPC will closely monitor and weigh in if it shows signs of advancing.

## BYPRODUCT/CONTAMINANT

### CONNECTICUT

[SB884](#) (Cohen) – An Act Concerning the Maximum Allowable Concentration for 1,4 Dioxane in Household Cleaning, Personal Care Products and Cosmetics. The bill would amend general statute to establish the maximum allowable concentration of 1,4 dioxane for household cleaners and personal care products to 1 ppm, 2 ppm and 10 ppm for cosmetics.

- **Update:** The bill is awaiting a vote in the Senate.
- The bill previously passed out of committee with a fiscal note.
- PCPC is part of an opposition coalition to this bill and similar legislation. The coalition is still working with the bill sponsor to further amend the bill to address concentration amount variables, waiver requirements, and testing protocols.

## MICROPLASTICS

### CALIFORNIA

[AB823](#) (Boerner) – Legislation to amend existing Plastic Microbeads Nuisance Prevention Law. Beginning January 1, 2029 it would be prohibited to sell cleaning or personal care products in a non-rinse-off formula containing one ppm or more of plastic microbeads used as an abrasive. Beginning January 1, 2030 it would prohibit the sale of personal care products containing plastic microbeads that are not used as an abrasive. Note the language about coatings that that are not used as an abrasive was removed in the 4/9 amendment.

- **Update:** \*NEW\* This legislation was amended on 4/9 and re-referred to the Environmental Safety and Toxic Materials (ESTM) committee.
- The bill passed the Natural Resources committee on 4/7, PCPC in-state counsel testified in opposition. Iain Davies, PCPC's Director, Environmental Science Programs was present for questions from the committee as a technical expert. Iain also participated in several meetings including with the bill sponsor.
- This legislation is being sponsored by 5 Gyres, Breast Cancer Prevention Partners, Clean Water Action, and Californians Against Waste.

## PFAS

### CALIFORNIA

[SB682](#) (Allen) – This bill would require manufacturers to petition the department of toxic substances control (DTSC) for approval of pfas use, or else those products would be banned starting January 1, 2033. the bill includes a problematic definition of “intentionally added” that would include any source of PFAS “that is reasonably known to be present including the use of processing agents, mold release agents, or fluorination, but does not include contaminated natural resources, such as water.”

- **Update:** This bill passed the Environmental Quality committee on 4/7 and is scheduled for a hearing in the Health committee on 4/30.
- PCPC remains on the opposition coalition [letter](#) led by the American Chemistry Council.

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- This bill is a reintroduction of [SB903](#) which failed in 2024.

## ILLINOIS

[HB2516](#) (Rashid) – Legislation to prohibit the sale, offering for sale or distribution of certain products containing intentionally added PFAS in Illinois, effective Jan. 1. 2032 (previously 2026).

- **Update:** The bill is still in the Energy & Environment committee.
- Four amendments have been offered, one would change the date of compliance to 2032.
- PCPC is still actively working with the Chemical Industry Council of Illinois to amend the definition of intentionally added.

## NEW MEXICO

[HB212](#) (Ferrary) – This legislation would ban PFAS in a wide range of products, including cosmetics as of 1/1/28, , create broad reporting requirements for businesses and impose new regulatory processes. In addition, the New Mexico Environment Department interprets packaging as being covered since it is not explicitly exempted and the definitions (below) have caused confusion.

- **Update:** This bill was signed by the governor on 4/8. PCPC submitted a [veto letter](#) on 4/4.
- PCPC's Legal and Regulatory team will be engaged on the regulatory process as the bill is implemented.
- PCPC advocated for amendments to the intentionally added language and to better align the bill with the PFAS Principles. PCPC is part of a large opposition coalition lead by the American Chemistry Council that opposed the bill. Coalition partners will now focus on seeking changes via the regulatory process.
- Critical definitions in the bill include:
  - "intentionally added" means a per- or polyfluoroalkyl substance deliberately added or used during the manufacture of a product where the continued presence, at any level or concentration, of the per- or polyfluoroalkyl substance is desired or expected in the final product or one of the product's components;
  - "product" means an item created, produced, assembled, packaged or otherwise prepared for sale to a consumer, including a product component sold or distributed for personal, residential, commercial or industrial use or for use in making a product;

## VERMONT

[H238](#) (Sheldon) – Legislation to prohibit the sale of certain covered products that contain intentionally added PFAS starting 1/1/27. Covered products include fluorine treated containers.

- **Update:** On 4/8 the Senate Health and Welfare Committee met again with Matt Chapman from the Department of Environmental Conservation.
- PCPC recognizes the importance of providing support behind the scenes on the remaining issues in the bill. While cosmetics are currently out of scope, we can expect to be looped in on future versions and the precedent of the definitions will impact industry. PCPC will continue to coordinate with allied partners, including the Associated Industries of Vermont and in state contract manufacturers.

## LABELING

### NEW YORK

[S6723/A1797](#) (Baskin/Hyndman) – Legislation requiring that hair relaxers that contain a carcinogen or a reproductive toxicant shall provide a clear and conspicuous warning label on the packaging or product itself.

- **Update:** A companion bill was recently filed in the senate and referred to the Consumer Protection committee, the assembly bill passed on 3/10.

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- These bills have been introduced for several sessions since 2017.

## SUNSCREEN INGREDIENT BAN IN COSMETICS AND OTC'S

### GUAM

[Bill No. 35-38](#) (Ada) – An act to add a new article to the Guam Code relative to prohibiting the import of skincare products that pose a danger to Guam's coral reefs and marine life. This legislation would ban the import of (1) Oxybenzone (benzophenone-3), (2) Octinoxate (octyl methoxycinnamate) and (3) Octocrylene in skincare and sunscreen products. The bill gives authority to the Guam Environmental Protection Agency or the Guam Department of Public Health and Social Services to restrict the import of products that pose a threat to Guam's Marine Ecosystem including all species of marine life and their habitats. This legislation is effective 180 days from the date of enactment.

- **Update:** This bill passed on 3/31. While we heard that the impact to PCPC members may be low, we understand that this sets a bad precedent as it expands Hawaii's previous ban to all cosmetics and skincare. As such, PCPC and CHPA are drafting a veto request letter to the governor.
- PCPC reached out to the bill sponsors to voice our concerns.

## OTHER BILLS OF INTEREST

### FLUSHABLE WIPES

#### HAWAII

[HB918](#) (Gabbard) – Legislation to require labeling for disposable wipes products.

- **Update:** The bill was returned to the House on 4/8 and awaits further action. The bill passed the Ways and Means committee on 4/4, previously it passed the senate Ways and Means committee on 4/2.
- PCPC is working with coalition partners at INDA to coordinate advocacy.

## PACKAGING/SINGLE USE BANS IN LODGING ESTABLISHMENTS

#### HAWAII

[HB348](#) (Lowen) – Legislation to prohibit hotels from providing personal care products in small plastic bottles to guests.

- **Update:** The bill passed the senate on 4/8 and was returned to the House where it awaits action. Previously Consumer Protection & Commerce and Judiciary committees on 4/1.

## HAIR TEXTURE EDUCATION

#### VERMONT

[H472](#) (House Committee on Government Operations and Military Affairs) – Legislation to require textured hair training for cosmetology certificates.

- **Update:** This bill was referred to the senate Government Operations committee on 4/1.

#### WASHINGTON

[HB1874](#) (Morgan) – Legislation to require training for cosmetologists, barbers, estheticians and hair designers on the care, styling, and treatment of textured hair.

- **Update:** This bill passed its third reading on 4/8.



## SUNUCATE

### NEW JERSEY

[A 1028/S 1548](#) (Munoz/Turner) – This is SUNucate legislation that would require school districts to adopt a policy concerning a student's use of sunscreen and sun-protective clothing, such as hats and sunglasses, while outdoors at school and school-sponsored functions.

- **Update:** This bill was recently signed into law making New Jersey the 30<sup>th</sup> jurisdiction to implement SUNucate legislation.
- PCPC signed onto the [SUNucate coalition letter](#) urging Governor Murphy to sign the bill into law.
- PCPC submitted a [letter of support](#) and signed onto the [SUNucate coalition letter](#).

## CROWN ACT

### MISSOURI

[HB284/SB38](#) (Proudie/Washington) – This legislation creates the "Missouri Creating a Respectful and Open World for Natural Hair (Missouri CROWN) Act", which governs discriminatory practices as they relate to protective hairstyles.

- **Update:** The senate bill is scheduled for an executive session in the Emerging Issues committee on 4/14. The bill was previously heard in the house Emerging Issues committee on 3/31.

## STATE LEGISLATIVE CHARTS BY ISSUE

You can visit the [this page](#) to gain access to PCPC's state legislative tracking service where you can find the latest information on all pending legislation, not just priority bills being reported here.

- [CHEMICAL BAN LEGISLATION](#)
- [CROWN ACT LEGISLATION](#)
- [PFAS LEGISLATION](#)
- [SUNUCATE LEGISLATION](#)
- [PACKAGING / RECYCLING / EXTENDED PRODUCER RESPONSIBILITY LEGISLATION](#)

## STATE LEGISLATIVE SESSIONS & NEWS

- 40 state legislatures met this week.
- **New York:** The legislature passed its fourth budget extender, keeping the state government funded through 4/15 as negotiations are expected to continue through the weekend. Lawmakers are scheduled to return to Albany next week to resume talks.
- **Oregon:** The first chamber deadline was 4/9.