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Mislabeled and Toxic Cosmetics Increase Health Risks and Skepticism

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By [Krystina Steffen](#), *staff writer* – November 29, 2011

It should not be hard to buy cosmetics that are good for the skin and body. Yet current disputes over what should be disclosed on labels show how hard it is for the consumer to find organic products or even safer cosmetics that are not loaded with harsh chemicals or misleading promises. Most of this could be prevented if the U.S. Food and Drug Administration had more control over cosmetics. A bill currently in the U.S. House of Representatives, the Safe Cosmetics Act of 2011 (H.R. 2359), could change these discrepancies if it overcomes fierce opposition from the Professional Beauty Association. [1]

At the center of the battle on this bill is stricter ingredient disclosure on packaging and publications. Those who are for the bill want consumers to be able to know when their cosmetics have nanomaterials and contaminants in manufacturing or packaging. They are also pushing to phase out of ingredients that have been proven toxic. [2] Some stores, the biggest being Whole Foods, want to go a step further and regulate products in the cosmetic aisles that claim to be organic. In stores like this, personal care products with an organic label must have 70 percent or more organic content, which then can qualify for a USDA “Made With Organic” ingredients claim and NSF/ANSI’s 305 certification. To be “USDA Organic”, the product must contain 95 percent organic ingredients. [3]

Opponents of H.R. 2359 allege that this bill would drive up costs for cosmetic companies, many of which are small businesses that could not afford the label changes, pre-market testing, and ingredient reformulating. They believe that government regulators should focus on improving laws already in effect to protect consumers. [4] And they are concerned that disclosing too many ingredients could be akin to revealing product and trade secrets.

The Safe Cosmetics Act’s proponents advocate that the bill requires only listing of the ingredients – “the concentration of cosmetic ingredients used in a finished cosmetic shall be considered confidential business information and may not be made available to the public.” [5] The FDA website currently shows cosmetic products that have been issued a hazard alert in the last year. Problematic cosmetics include hair smoothing items such as Brazilian Blowout that allegedly contain formaldehyde and cause bad reactions over time. Makeup for young girls in the Bratz Makeup Design Sketch Book was found to be contaminated with *Staphylococcus intermedius* and *Staphylococcus warneri*, which can increase eye infections and threaten a person’s vision. And makeup that should be classified as a drug, but is improperly labeled, continues to cause problems and create injuries. [6]

“The personal care products that make us clean should not make us sick,” said Massachusetts Congressman Ed Markey. [7] “America’s diaper bags and medicine cabinets should never have to be labeled ‘hazardous to your health’ due to products like creams, conditioners, and cosmetics that contain dangerous ingredients. The Safe Cosmetics Act will close a gaping hole in the federal law that allows potentially toxic chemicals to remain in the products we use everyday.”

Yet, legislation has not been successful since 2010 under the same name and even as big box stores are found to have ingredients such as parabens, BHA, cocoamide DEA, and other harsh chemicals in cosmetics that have been linked to cancer and hormone disruption. [8] The quest for beauty and eternal youth thus becomes filled with toxic chemicals, uninformed consumers, and the FDA being hampered to enforce recalls, pre-approve labeling, and ensure that products are not adulterated. Good manufacturing practices are only required on drugs, so it is up to the consumer to research the best product for their wallet and beauty needs. [9]

Manufacturers and distributors are thus relied on to be good stewards to consumers in the beauty industry. So with the dizzying array of makeup creators and distributors all around the nation, let alone the Internet and millions of professional salons, how exactly can businesses be counted on to act for the greater good of the consumer? Some say the only way to curb misleading and dangerous cosmetics is to activate legislation such as the Safe Cosmetics Act. This is the only way to rein in shoddy products that cost consumers hundreds of wasted dollars, pain and suffering, and clog up the court system.

“This legislation creates a floor of safety for the industry and guarantees that all companies are playing by the same rules, supporting the efforts of companies raising the bar for sustainability and safety in the marketplace and increasing demand for safer products,” said Badger product development director Rebecca Hamilton. [10]

In the coming week, the FDA’s Center for Food Safety and Applied Nutrition is holding a public meeting about microbiological safety concerns in cosmetic products. Testing, preservative systems, prevalence of microorganisms, and risks of infections and adverse events will be discussed. [11] In due time, the beauty industry will have to shift to more disclosure. Whole Foods is doing its part by banning more than 400 ingredients in its Premium Body Care standard to do business with a manufacturer. Consumer decisions will also play a big role. [12] If every American uses an estimated 126 ingredients on their skin every day, shouldn’t there be a bigger concern about what gets absorbed by the skin, inhaled, and rinsed down the drain? [13] How can consumers be confident and protect their safety, no matter if they shop at the local dollar store, big box grocery store, or at Neiman Marcus?

For now, individuals who are seriously injured from cosmetics can only voice their opinion by what they buy or through a product liability lawsuit. Defective cosmetic products, just like other defective drugs and items, can cause chronic conditions, disabilities, and cause a person to need extensive medical treatments. But for toxic chemicals that over time cause neurological, circulatory, and hormonal conditions, there can be even more life-altering repercussions. Every party involved in the creation of a cosmetic product owes a reasonable duty of care to the end user. Researchers, developers, manufacturers, marketers, and even retailers can be liable if they did not ensure the safety of their product. The cosmetic industry and regulators should seek to lift the veil off substandard products and help consumers be aware on store shelves and online.

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