

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 317

H.P. 217

House of Representatives, February 3, 2025

An Act to Enact the Safe Cosmetics Act

Received by the Clerk of the House on January 30, 2025. Referred to the Committee on Environment and Natural Resources pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative WARREN of Scarborough.
Cosponsored by President DAUGHTRY of Cumberland and
Representatives: ABDI of Lewiston, GRAMLICH of Old Orchard Beach, RANA of Bangor.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 38 MRSA c. 37** is enacted to read:

3 **CHAPTER 37**

4 **SAFE COSMETICS ACT**

5 **§3301. Short title**

6 This chapter may be known and cited as "the Safe Cosmetics Act."

7 **§3302. Definitions**

8 As used in this chapter, unless the context otherwise indicates, the following terms
9 have the following meanings.

10 **1. Cosmetic product.** "Cosmetic product" means an article for retail sale or
11 professional use intended to be rubbed, poured, sprinkled or sprayed on, introduced into or
12 otherwise applied to the human body for cleansing, beautifying, promoting attractiveness
13 or altering the appearance. "Cosmetic product" does not include:

14 A. Soap;

15 B. Dietary supplements; or

16 C. Food and drugs regulated by the United States Food and Drug Administration.

17 **2. Ingredient.** "Ingredient" means a single chemical entity or mixture used as a
18 component in the manufacture of a cosmetic product. "Ingredient" does not include an
19 incidental ingredient as described in 21 Code of Federal Regulations, Section 701.3(l).

20 **3. Intentionally added ingredient.** "Intentionally added ingredient" means an
21 ingredient added during the manufacture of a cosmetic product or a component of a
22 cosmetic product to provide a specific characteristic, appearance or quality or to perform a
23 specific function.

24 **4. Manufacturer.** "Manufacturer" means a person whose name appears on the label
25 of a cosmetic product pursuant to the requirements of 21 Code of Federal Regulations,
26 Section 701.12.

27 **§3303. Prohibition on sale and distribution of certain cosmetic products**

28 **1. Prohibition.** Beginning January 1, 2027, a person may not distribute, sell or offer
29 for sale in this State a cosmetic product containing any of the following intentionally added
30 ingredients: lead; mercury; dibutyl phthalate; diethylhexyl phthalate; formaldehyde;
31 paraformaldehyde; quaternium-15; methylene glycol; m-phenylenediamine;
32 o-phenylenediamine; triclosan; triclocarban; or nonylphenol.

33 **2. Exclusion.** The distribution, sale or offering for sale of a cosmetic product in this
34 State does not violate the prohibition in subsection 1 if the cosmetic product contains a
35 technically unavoidable trace quantity of an ingredient identified in subsection 1 and that
36 trace quantity is present:

37 A. Due to impurities;

