

MAINE STATE LEGISLATURE

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October 8, 1935

To Elmer W. Campbell, Director, Sanitary Engineering
Re: Cosmetic Law, P. L. 1935, Chapter 109

You ask, relative to the registration of a preparation which differs from another in color or odor, or is represented by the manufacturer to be different by a trade name, whether or not separate registration is required in such cases.

I am pleased to inform you that separate registration should be required for each of said preparations. The statute evidently was enacted to prohibit the sale of cosmetic preparations which contain substances injurious or detrimental to the person using same. In case a manufacturer manufactures a preparation, which is submitted to you for registration, and after such submission changes the color or odor, in order for you to ascertain the ingredients in the color or odor you would have to make another examination in order to ascertain whether the matter producing the color or odor was injurious or otherwise.

If a manufacturer has preparations which are represented under separate trade names, it seems to me that you would have to examine each separate preparation in order to ascertain whether or not it was free from any injurious substance which would be detrimental.

Sanford L. Fogg
Deputy Attorney General