

HOUSE BILL 643

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By: **Delegate Palakovich Carr**

Introduced and read first time: January 22, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Cosmetic Products – Ingredient Prohibition**

3 FOR the purpose of prohibiting, except under certain circumstances, a person from
4 manufacturing, selling, delivering, holding, or offering for sale in the State a
5 cosmetic product that contains certain ingredients; providing that a person is not in
6 violation of this Act under certain circumstances; defining a certain term; providing
7 for a delayed effective date; and generally relating to ingredients in cosmetic
8 products.

9 BY adding to

10 Article – Health – General

11 Section 21–259.2

12 Annotated Code of Maryland

13 (2019 Replacement Volume and 2020 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 **21–259.2.**

18 **(A) IN THIS SECTION:**

19 **(1) “INGREDIENT” MEANS ANY SINGLE CHEMICAL ENTITY OR**
20 **MIXTURE USED AS A COMPONENT IN THE MANUFACTURE OF A COSMETIC PRODUCT;**
21 **AND**

22 **(2) “INGREDIENT” DOES NOT INCLUDE AN INCIDENTAL INGREDIENT,**
23 **AS DESCRIBED IN 21 C.F.R. § 701.3(L).**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A PERSON**
2 **MAY NOT MANUFACTURE, SELL, DELIVER, HOLD, OR OFFER FOR SALE IN THE STATE**
3 **A COSMETIC PRODUCT THAT CONTAINS ANY OF THE FOLLOWING**
4 **INTENTIONALLY ADDED INGREDIENTS:**

5 **(1) DIBUTYL PHTHALATE (CAS NO. 84-74-2);**

6 **(2) DIETHYLHEXYL PHTHALATE (CAS NO. 117-81-7);**

7 **(3) FORMALDEHYDE (CAS NO. 50-00-0);**

8 **(4) PARAFORMALDEHYDE (CAS NO. 30525-89-4);**

9 **(5) METHYLENE GLYCOL (CAS NO. 463-57-0);**

10 **(6) QUATERNIUM-15 (CAS NO. 51229-78-8);**

11 **(7) MERCURY (CAS NO. 7439-97-6);**

12 **(8) ISOBUTYLPARABEN (CAS NO. 4247-02-3);**

13 **(9) ISOPROPYLPARABEN (CAS NO. 4191-73-5);**

14 **(10) M-PHENYLENEDIAMINE AND ITS SALTS (CAS NO. 108-45-2);**

15 **(11) O-PHENYLENEDIAMINE AND ITS SALTS (CAS NO. 95-54-5); OR**

16 **(12) THE FOLLOWING PER- AND POLYFLUOROALKYL SUBSTANCES**
17 **(PFAS) AND THEIR SALTS:**

18 **(I) PERFLUOROOCTANE SULFONATE (PFOS) OR**
19 **HEPTADEC AFLUOROOCTANE-1-SULFONIC ACID (CAS NO. 1763-23-1);**

20 **(II) POTASSIUM PERFLUOROOCTANESULFONATE OR**
21 **POTASSIUM HEPTADEC AFLUOROOCTANE-1-SULFONATE (CAS NO. 2795-39-3);**

22 **(III) DIETHANOLAMINE PERFLUOROOCTANE SULFONATE (CAS**
23 **NO. 70225-14-8);**

24 **(IV) AMMONIUM PERFLUOROOCTANE SULFONATE OR**
25 **AMMONIUM HEPTADEC AFLUOROOCTANESULFONATE (CAS NO. 29081-56-9);**

1 (V) LITHIUM PERFLUOROOCTANE SULFONATE OR LITHIUM
2 HEPTADEC AFLUOROOCTANESULFONATE (CAS NO. 29457-72-5);

3 (VI) PERFLUOROOCTANOIC ACID (PFOA) (CAS NO. 335-67-1);

4 (VII) AMMONIUM PENTADEC AFLUOROOCTANOATE (CAS NO.
5 3825-26-1);

6 (VIII) NONADEC AFLUORODECANOIC ACID (CAS NO. 335-76-2);

7 (IX) AMMONIUM NONADEC AFLUORODECANOATE (CAS NO.
8 3108-42-7);

9 (X) SODIUM NONADEC AFLUORODECANOATE (CAS NO.
10 3830-45-3);

11 (XI) PERFLUORONONANOIC ACID (PFNA) (CAS NO. 375-95-1);

12 (XII) SODIUM HEPTADEC AFLUORONONANOATE (CAS NO.
13 21049-39-8); OR

14 (XIII) AMMONIUM PERFLUORONONANOATE (CAS NO.
15 4149-60-4).

16 (C) A PERSON IS NOT IN VIOLATION OF THIS SECTION IF THE PERSON
17 MANUFACTURES, SELLS, DELIVERS, HOLDS, OR OFFERS FOR SALE IN THE STATE A
18 COSMETIC PRODUCT THAT:

19 (1) WAS MANUFACTURED THROUGH A PROCESS INTENDED TO
20 COMPLY WITH THIS SECTION; AND

21 (2) CONTAINS A TECHNICALLY UNAVOIDABLE TRACE QUANTITY OF
22 AN INGREDIENT LISTED IN SUBSECTION (B) OF THIS SECTION DUE TO:

23 (I) AN IMPURITY OF A NATURAL OR SYNTHETIC INGREDIENT;

24 (II) THE MANUFACTURING PROCESS;

25 (III) STORAGE; OR

26 (IV) PACKAGING.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 January 1, 2025.