

119TH CONGRESS
1ST SESSION

H. R. 4435

To amend the Federal Food, Drug, and Cosmetic Act to increase transparency with respect to cosmetic ingredients, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2025

Ms. SCHAKOWSKY (for herself, Ms. MATSUI, Mrs. DINGELL, Mr. EVANS of Pennsylvania, Mr. KHANNA, Ms. NORTON, Mr. THANEDAR, Ms. TLAIB, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to increase transparency with respect to cosmetic ingredients, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Cosmetic Hazardous
5 Ingredient Right to Know Act of 2025”.

6 **SEC. 2. COSMETIC REGULATION.**

7 (a) DEFINITION.—Section 201(i) of the Federal
8 Food, Drug, and Cosmetic Act (21 U.S.C. 321(i)) is
9 amended by adding at the end the following: “Such term

1 includes such an article that is intended for consumer sale
2 or professional use (as defined in section 617).”.

3 (b) REGULATION.—Chapter VI of the Federal Food,
4 Drug, and Cosmetic Act (21 U.S.C. 361 et seq.) is amend-
5 ed—

6 (1) by inserting before section 601 the fol-
7 lowing:

8 **“Subchapter A—Adulterated and Misbranded**
9 **Cosmetics”;**

10 (2) in section 602, by adding at the end the fol-
11 lowing:

12 “(g) If the fragrance and flavor ingredient informa-
13 tion required to be disclosed pursuant to sections 615 and
14 616 is not disclosed in accordance with such sections.

15 “(h) If its packaging fails to include any fragrance
16 or flavor ingredient present in such cosmetic or the
17 website of the brand owner of such cosmetic fails to dis-
18 close any such fragrance or flavor ingredient.

19 “(i) If the website of the brand owner of the cosmetic
20 fails to include a link to the Uniform Resource Locator
21 (referred to in this chapter as a ‘URL’) for any list speci-
22 fied in section 616(b) on which each ingredient present
23 in such cosmetic appears.”;

24 (3) in section 614, by amending subsection (b)
25 to read as follows:

1 “(b) LIMITATIONS.—

2 “(1) IN GENERAL.—Notwithstanding subsection
3 (a), nothing in this section shall be construed to pre-
4 vent any State (or a political subdivision thereof)
5 from—

6 “(A) prohibiting the use or limiting the
7 amount of an ingredient in a cosmetic product;

8 “(B) continuing to implement a require-
9 ment of such State (or a political subdivision
10 thereof) that is in effect at the time of enact-
11 ment of the Modernization of Cosmetics Regu-
12 lation Act of 2022 for the reporting to the
13 State (or a political subdivision thereof) of an
14 ingredient in a cosmetic product; or

15 “(C) implementing a requirement of such
16 State (or a political subdivision thereof) that
17 provides for greater transparency, disclosure, or
18 protection with respect to a cosmetic ingredient
19 than the requirements established under the
20 amendments made by the Cosmetic Hazardous
21 Ingredient Right to Know Act of 2025 (or con-
22 tinuing to implement any such requirement that
23 is in effect as of the date of the enactment of
24 such Act).

1 “(2) MODERNIZATION OF COSMETICS REGULA-
 2 TION ACT OF 2022.—Nothing in the amendments to
 3 this Act made by the Modernization of Cosmetics
 4 Regulation Act of 2022 shall be construed to pre-
 5 empt any State statute, public initiative, ref-
 6 erendum, regulation, or other State action, except as
 7 expressly provided in subsection (a).”.

8 (4) by adding at the end the following:

9 **“Subchapter B—Fragrances and Flavors**

10 **“SEC. 615. WEBSITE DISCLOSURE OF INGREDIENTS.**

11 “(a) IN GENERAL.—Effective beginning on the date
 12 that is 1 year after the date of the enactment of the Cos-
 13 metic Hazardous Ingredient Right to Know Act of 2025,
 14 a brand owner shall disclose in an electronically readable
 15 format on the website of the brand owner, and make avail-
 16 able to any relevant internet vendor, with respect to each
 17 cosmetic sold or offered for sale in interstate commerce
 18 by such brand owner, the following information:

19 “(1) A full listing of each ingredient present in
 20 such cosmetic, including each fragrance or flavor in-
 21 gredient present in such cosmetic, in descending
 22 order of predominance.

23 “(2) Any ingredient present in such cosmetic,
 24 listed in descending order of predominance, followed

1 by a link to the URL of any list under section
2 616(b) on which such ingredient appears.

3 “(3) The functional purpose served by each
4 such fragrance or flavor ingredient.

5 “(4) A link to the hazard communication safety
6 data sheet for any such cosmetic intended for profes-
7 sional use.

8 “(b) UPDATES.—In the case of an update to any of
9 the lists specified in subsection (b) or (c) of section 616
10 with respect to a cosmetic sold or offered for sale in inter-
11 state commerce by a brand owner, the brand owner shall
12 revise the disclosure made under subsection (a) to reflect
13 such update not later than 7 months after the date on
14 which such update is formally noticed by the authoritative
15 body who administers the list.

16 **“SEC. 616. COSMETIC INGREDIENT PRODUCT LABEL DIS-**
17 **CLOSURE.**

18 “(a) IN GENERAL.—Effective beginning on the date
19 that is 2 years after the date of the enactment of the Cos-
20 metic Hazardous Ingredient Right to Know Act of 2025,
21 for purposes of section 602(h), the packaging or labeling
22 of a cosmetic shall include—

23 “(1) A full listing of each ingredient present in
24 such cosmetic (including each fragrance or flavor in-

1 ingredient), listed in descending order of predomi-
2 nance.

3 “(2) In the case of a cosmetic in which any in-
4 gredient specified in subsection (b) is present, the
5 following statement: ‘For health impacts related to
6 any ingredients in this product, visit:
7 www._____.’, with the uniform resource locator
8 of the website of the brand owner placed in the
9 blank space.

10 “(b) INGREDIENTS SPECIFIED.—The ingredients
11 specified in this subsection are the following chemicals (in-
12 cluding chemicals included in any list specified in this sub-
13 section after the date of the enactment of this subchapter):

14 “(1) Chemicals for which a reference dose or
15 reference concentration has been developed based on
16 neurotoxicity in the Environmental Protection Agen-
17 cy’s Integrated Risk Information System.

18 “(2) Chemicals that are identified as carcino-
19 genic to humans, likely to be carcinogenic to hu-
20 mans, or as group A, B1, or B2 carcinogens, in the
21 Environmental Protection Agency’s Integrated Risk
22 Information System.

23 “(3) Persistent, bioaccumulative, and toxic Pri-
24 ority Chemicals identified by the Environmental Pro-

1 tection Agency’s National Waste Minimization Pro-
2 gram as of February 22, 2016.

3 “(4) Chemicals that are identified in volumes 1
4 through 4 of the Reports on Human Exposure to
5 Environmental Chemicals issued by the Centers for
6 Disease Control and Prevention (and any updates to
7 such reports).

8 “(5) Toxic pollutants listed under section 20
9 307(a)(1) of the Federal Water Pollution Control
10 Act and priority pollutants identified in appendix A
11 to part 423 of title 40, Code of Federal Regulations
12 (or successor regulations).

13 “(6) Chemicals classified as ‘Persistent, Bio-
14 accumulative and Toxic’ by the Toxics Release In-
15 ventory published by the Environmental Protection
16 Agency pursuant to section 313 of the Emergency
17 Planning and Community Right-to-Know Act of
18 1986.

19 “(7) Chemicals that are identified in the Agen-
20 cy for Toxic Substances and Disease Registry’s
21 Toxic Substances Portal.

22 “(8) Chemicals that are hazardous substances,
23 as such term is defined in section 101(14) of the
24 Comprehensive Environmental Response, Compensa-
25 tion, and Liability Act of 1980.

1 “(9) Reproductive and developmental toxicants
2 identified by monographs issued by the National
3 Toxicology Program Center for the Evaluation of
4 Risks to Human Reproduction.

5 “(10) Chemicals that are identified as known to
6 be, or reasonably anticipated to be human carcino-
7 gens by the most recent Report on Carcinogens pre-
8 pared by the National Toxicology Program pursuant
9 to section 301(b)(4) of the Public Health Service
10 Act.

11 “(11) Chemicals identified as persistent, bio-
12 accumulative, and toxic (PBT) chemicals by the De-
13 partment of Ecology of the State of Washington
14 (WAC 173–333 (2006)).

15 “(12) Chemicals specified in Chapter 6.6 of the
16 California Safe Drinking Water and Toxic Enforce-
17 ment Act of 1986 (sections 25249.5 through
18 25249.14 of the California Health and Safety Code),
19 List of Reproductive and Developmental Toxicants
20 and Carcinogens.

21 “(13) Chemicals for which primary maximum
22 contaminant levels have been established and adopt-
23 ed under section 64431, 64444, or 64444.5 of divi-
24 sion 22 of title 26 of the California Code of Regula-
25 tions and chemicals for which notification levels, as

1 defined in section 116455 of the California Health
2 and Safety Code, have been established by the Cali-
3 fornia State Water Resources Control Board.

4 “(14) Chemicals identified as toxic air contami-
5 nants under section 93000 or 93001 of title 17 of
6 the California Code of Regulations.

7 “(15) Substances classified as carcinogens,
8 mutagens or reproductive toxicants in Appendices 1
9 through 6 of Annex XVII to Regulation (EC) No.
10 1907/2006 of the European Union’s Registration,
11 Evaluation, Authorisation and Restriction of Chemi-
12 cals (REACH) law, as revised by the Commission
13 Regulation (EU) 2020/2096 of 15 December 2020.

14 “(16) Chemicals included in the European
15 Union Candidate List of Substances of Very High
16 Concern in accordance with Article 59 of the
17 REACH Regulation (EC) No. 1907/2006 on the
18 basis of fulfilling the criteria defined in Article 57(f)
19 for endocrine disrupting properties.

20 “(17) Chemicals included in such European
21 Chemicals Agency Candidate List of Substances of
22 Very High Concern on the basis of fulfilling the cri-
23 teria defined in Article 57(d), Article 57(e), or Arti-
24 cle 57(f) for persistent, bioaccumulative and toxic, or
25 very persistent and very bioaccumulative, properties.

1 “(18) Chemicals classified by the European
2 Union in Annex VI to Regulation (EC) No. 1272/
3 2008 as respiratory sensitizer category 1.

4 “(19) Chemicals that are identified as per-
5 sistent, bioaccumulative, and inherently toxic to the
6 environment by the Canadian Environmental Protec-
7 tion Act Environmental Registry Domestic Sub-
8 stances List pursuant to subsection 66(1) of the Ca-
9 nadian Environmental Protection Act, 1999.

10 “(20) Group 1, 2A, or 2B carcinogens identi-
11 fied by the International Agency for Research on
12 Cancer of the World Health Organization.

13 “(21) Chemicals that are identified on Part A
14 of the list of Chemicals for Priority Action prepared
15 by the Oslo and Paris Conventions for the Protec-
16 tion of the Marine Environment of the North-East
17 Atlantic.

18 “(22) Chemicals that are skin sensitizers and
19 irritants classified by Regulation (EC) No 1272/
20 2008 of the European Parliament and of the Council
21 of 16 December 2008 on classification, labelling and
22 packaging of substances and mixtures, amending
23 and repealing Directives 67/548/EEC and 1999/45/
24 EC, and amending Regulation (EC) No 1907/2006.

25 “(c) MASTER LIST.—

1 “(1) IN GENERAL.—Not later than 6 months
2 after the date of the enactment of the Cosmetic
3 Hazardous Ingredient Right to Know Act of 2025,
4 the Secretary shall—

5 “(A) establish a master list of the chemi-
6 cals that appear on the lists specified in sub-
7 sections (b) and (c);

8 “(B) post such master list on a publicly
9 available website of the Food and Drug Admin-
10 istration; and

11 “(C) establish a voluntary electronic dis-
12 tribution list to which cosmetic manufacturers
13 and other interested parties may subscribe to
14 receive a copy of the master list and any subse-
15 quent updates.

16 “(2) UPDATES.—

17 “(A) IN GENERAL.—The Secretary shall
18 maintain the master list established under para-
19 graph (1) and make updates to such list as nec-
20 essary.

21 “(B) NOTIFICATION.—Not later than 30
22 days after making an update pursuant to sub-
23 paragraph (A), the Secretary shall notify sub-
24 scribers to the electronic distribution list re-
25 ferred to in paragraph (1)(C) of that update.

1 “(C) SEMI-ANNUAL UPDATES.—Not less
2 frequently than twice per year, the Secretary
3 shall publish on a publicly available website of
4 the Food and Drug Administration a list of up-
5 dates to the master list made during the pre-
6 ceding 6-month period that includes summaries
7 of any chemicals added to or removed from the
8 lists specified in subsections (b) and (c).

9 **“SEC. 617. DEFINITIONS.**

10 “In this subchapter:

11 “(1) BRAND OWNER.—The term ‘brand owner’
12 means the entity responsible for bringing a cosmetic
13 to market for retail consumer sale or professional
14 use.

15 “(2) ELECTRONICALLY READABLE FORMAT.—
16 The term ‘electronically readable format’ means,
17 with respect to information, that the information
18 provided—

19 “(A) is machine readable by automated
20 systems, including, web browsers, accessibility
21 software to aid the disabled, automated scripts,
22 and other software programs or applications;

23 “(B) is not restricted from access by
24 search engines;

“(C) is not restricted from access by a requirement for registration, the provision of personally identifiable information, or the use of CAPTCHA or similar challenge response test technologies, whether visual, auditory, or otherwise; and

“(D) conforms to the most current version of the Web Content Accessibility Guidelines adopted by the Web Content Accessibility Guidelines Working Group of the World Wide Web Consortium.

“(3) FLAVOR INGREDIENT.—The term ‘flavor ingredient’ means, with respect to a cosmetic, any intentionally added substance or complex mixture of aroma chemicals, flavor chemicals, natural essential oils, and other functional ingredient or ingredients, including the constituent ingredients of botanicals, for which the purpose is to impart a flavor or taste, or to counteract a flavor or taste.

“(4) FRAGRANCE INGREDIENT.—The term ‘fragrance ingredient’ means, with respect to a cosmetic, any intentionally added substance or complex mixture of aroma chemicals, natural essential oils, and other functional ingredient or ingredients for which

1 the purpose is to impart an odor or scent, or to
2 counteract an odor.

3 “(5) INGREDIENT.—The term ‘ingredient’
4 means a chemical in a cosmetic, including—

5 “(A) a chemical that has a technical or
6 functional effect in the cosmetic, including the
7 breakdown products of an intentionally added
8 chemical that also have a functional or technical
9 effect in the cosmetic;

10 “(B) a substance that is present by reason
11 of having been added to a cosmetic during proc-
12 essing for the substance’s technical or func-
13 tional effect;

14 “(C) a fragrance, flavor, preservative, or
15 colorant (and the components thereof); and

16 “(D) any individual component that the
17 Secretary deems to be an ingredient for pur-
18 poses of this subchapter.

19 “(6) PROFESSIONAL USE.—The term ‘profes-
20 sional use’ means—

21 “(A) the application of a cosmetic to a
22 human customer or client that is intended only
23 for use by an employee or contractor, in set-
24 tings such as cosmetology, nail care, barbering,

1 esthetics, spa, and other professions as deter-
2 mined by the Secretary through regulation; or
3 “(B) the use by, or application to, a
4 human of a cosmetic purchased from a hair
5 salon, nail salon, beauty salon, spa, or other es-
6 tablishment that provides cosmetic treatment
7 services for humans.”.

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