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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Federal Food, Drug, and Cosmetic Act to ban certain
substances in cosmetic products, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. SCHAKOWSKY introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to
ban certain substances in cosmetic products, 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 “Toxic-Free Beauty Act
5 of 2025”.

1 **SEC. 2. BAN ON CERTAIN SUBSTANCES IN COSMETIC PROD-**
2 **UCTS.**

3 (a) IN GENERAL.—Section 601 of the Federal Food,
4 Drug, and Cosmetic Act (21 U.S.C. 361) is amended by
5 adding at the end the following:

6 “(h) If it contains as an ingredient, any intentionally
7 added ortho-phthalate or formaldehyde-releasing preserva-
8 tive.

9 “(i) If it contains any of the following intentionally
10 added ingredients:

11 “(1) Formaldehyde (CAS No. 50–00–0).

12 “(2) Methylene glycol (CAS No. 463–57–0).

13 “(3) Mercury and mercury compounds (CAS
14 No. 7439–97–6).

15 “(4) Isobutylparaben (CAS No. 4247–02–3).

16 “(5) Isopropylparaben (CAS No. 4191–73–5).

17 “(6) M–Phenylenediamine (including the salts
18 of such substance) (CAS No. 108–45–2).

19 “(7) O–Phenylenediamine (including the salts
20 of such substance) (CAS No. 95–54–5).

21 “(8) Lilial (CAS No. 7439–97–6).

22 “(9) Styrene (CAS No. 100–42–5).

23 “(10) Toluene (CAS No. 108–88–3).

24 “(11) Triclosan (CAS No. 3380–34–5).

25 “(12) Triclocarban (CAS No. 101–20–2).

26 “(13) Cyclotetrasiloxane (CAS No. 556–67–2).

1 “(14) Acetaldehyde (CAS No. 75–07–0).

2 “(15) Vinyl acetate (CAS No. 108–05–4).

3 “(j) If it contains any of the following contaminants:

4 “(1) 1,4 dioxane (CAS No. 14807–96–6)
5 present at or above 2 parts per million (referred to
6 in this paragraph as ‘ppm’).

7 “(2) Lead and lead compounds (CAS No.
8 7439–92–1) present at or above 2 ppm for color cos-
9 metics or 5 ppm for general cosmetics.

10 “(3) Asbestos or asbestos containing com-
11 pounds, including asbestos-contaminated talc
12 (present at the lowest possible limit of detection).”.

13 (b) DEFINITIONS.—Section 604 of the Federal Food,
14 Drug, and Cosmetic Act (21 U.S.C. 364) is amended—

15 (1) by redesignating paragraphs (4) and (5) as
16 paragraphs (11) and (12), respectively; and

17 (2) by inserting after paragraph (3) the fol-
18 lowing:

19 “(4) COLOR COSMETIC.—The term ‘color cos-
20 metic’ means a cosmetic that either enhances or con-
21 ceals natural pigment of an individual’s skin by ap-
22 plying color, including eyeshadow, eyeliner, blush,
23 lipstick, and foundation.

24 “(5) CONTAMINANT.—The term ‘contaminant’
25 means a chemical that was not intentionally added

1 to a cosmetic and is incidental to the manufacturing
2 process and serves no intended function in the fin-
3 ished cosmetic.

4 “(6) FORMALDEHYDE-RELEASING PRESERVA-
5 TIVE.—The term ‘formaldehyde-releasing preserva-
6 tive’ means a chemical that releases formaldehyde,
7 to preserve the cosmetic.

8 “(7) GENERAL COSMETIC.—The term ‘general
9 cosmetic’ means a cosmetic that is not primarily in-
10 tended to provide color, including a product that
11 cleanses, protects, moisturizes, provides fragrance,
12 or enhances appearance without imparting color.

13 “(8) INGREDIENT.—The term ‘ingredient’
14 means any single chemical entity or mixture used as
15 a component in the manufacture of a cosmetic.

16 “(9) INTENTIONALLY ADDED.—The term ‘in-
17 tentiously added’ means, with respect to a cosmetic,
18 the addition of a chemical to a cosmetic that serves
19 an intended function in the cosmetic.

20 “(10) ORTHO-PHTHALATE.—The term ‘ortho-
21 phthalate’ means any member of the class of organic
22 chemicals that are esters of phthalic acid containing
23 two carbon chains located in the ortho position.”.

1 (c) NON-PREEMPTION.—Section 614(b) of the Fed-
2 eral Food, Drug, and Cosmetic Act (21 U.S.C. 364j(b))
3 is amended to read as follows:

4 “(b) LIMITATIONS.—

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

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

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

18 “(C) implementing a requirement of such
19 State (or a political subdivision thereof) that
20 prohibits or limits the use (or the amount of
21 such use) of an ingredient or contaminant spec-
22 ified in paragraph (h), (i), or (j) of section 601
23 in a cosmetic product (or continuing to imple-
24 ment any such requirement that is in effect as

1 of the date of the enactment of the Toxic-Free
2 Beauty Act of 2025).

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

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall apply with respect to cosmetics intro-
12 duced or delivered into introduction into interstate com-
13 merce beginning on January 1, 2027.