Memorandum of Support

A.143 (Gottfried)

Title: An act to amend the environmental conservation law, in relation to the regulation of ingredients in personal care products.

Description: Requires disclosure of personal care product ingredients and their health impacts, restricts certain chemicals known to harm human health and the environment.

Justification: Personal care products contain chemicals linked to asthma, allergies, hormone disruption, infertility, neurodevelopmental problems, even cancer. A growing body of scientific evidence shows that even the smallest dose of some chemicals can be harmful. Because people use multiple personal care products, each of which can contain numerous chemicals, isolating the effects of just one chemical can be a challenge.

Several personal care product makers have demonstrated they can make products without certain toxic chemicals by voluntarily removing them from their products. For example, Avon, Revlon, L’Oreal, and Estee Lauder prohibit the use of phthalates. Revlon has removed BHA. Johnson & Johnson has gone further, in a series of reforms that have resulted in the removal of 1,4-dioxane, formaldehyde, many parabens, triclosan, and certain fragrance chemicals. The market has demonstrated a capacity to adapt to changes in state laws, but human bodies cannot adapt to tolerate chronic exposure to toxic chemicals.

New York State is not alone in seeking to promote greater transparency and safety with personal care products. European Union countries prohibit substances classified as carcinogens, mutagens, or reproductive toxicants in cosmetics. The Canadian government regularly updates a Cosmetic Ingredient Hotlist that includes hundreds of chemicals and contaminants restricted from use in cosmetics, such as formaldehyde, triclosan, selenium, nitrosamines, and 1,4-dioxane. California requires cosmetics manufacturers that sell in the state to list ingredients on a state-run website.

In his 2018 State of the State address, and in Part K of the Transportation, Economic Development and Environmental Conservation Article VII bill in the 2019-2020 Executive Budget, Governor Cuomo proposed requiring the makers of personal care products sold in New York State to make ingredient information publicly available. The legislature asserted its right to advance legislation outside the budget. It is therefore essential to act on this responsibility by passing personal care product ingredient disclosure this legislative session.

The JustGreen Partnership, a diverse collaboration of fifty organizations representing over a million New Yorkers, strongly supports this policy.