

GOVERNMENT

Washington state passes ban on toxins in cosmetics

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Going into effect in 2025, the legislation marks a first-of-its-kind moment for U.S. beauty markets. Image credit: Shutterstock

By EMILY IRIS DEGN

Game-changing legislation targeting a number of common toxins found in personal care products has arrived in the U.S.

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The Toxic-Free Cosmetics Act ([HB 1047](#)) outlaws nine harmful chemicals that are commonly used in beauty formulations sold across Washington state, where the provision will be enacted. Signed on May 15, the law will go into effect in the Evergreen State come 2025.

"When products are on the shelf, we assume they are safe to use, but this is not always the case," said State Representative Sharlett Mena, in a statement.

"In fact, Ecology found that many cosmetics contain toxic chemicals and that those with the highest concentrations are often marketed to women of color," Ms. Mena said. "We regulate the use of toxics in other products, but the law allowed products that we apply to our bodies to use harmful chemicals.

"With this new law, we will no longer allow these harmful chemicals to be added to personal care products and sold to unsuspecting people."

Beauty is (no longer) pain

Among the nine toxins banned from cosmetic products are per- and polyfluorinated substances (PFAs), also known as "forever chemicals" because they do not breakdown naturally, as well as lead, formaldehyde and phthalates. As a result, eight of the nine toxins that the state legislature has labeled as "intentionally added" to cosmetics will be banned statewide, starting Jan. 1, 2025.

Formaldehyde-releasing chemicals, the ninth class of toxins, will be banned in the same capacity beginning Jan. 1, 2026, by which time retailers must cease sales of the outlined substances.

Producers that continue to manufacture cosmetics containing the toxins face a \$5,000 fine upon the first offense and \$10,000 after that.

Local researchers in Washington state have advocated for a governmental barring of certain ingredients in cosmetics

The move, unprecedented for U.S. markets, addresses aspects of the health and pollution crisis, covering intersectional concerns in the realms of gender and race as well, as officials point to the fact that issues of contamination disproportionately impact both women and communities of color.

For instance, According to a [study](#) conducted by the Washington State Department of Ecology in January 2023, this problem persists throughout the state the research found that people of color, especially Black residents, are particularly exposed to and harmed by pollution caused by these chemicals, leading to higher rates of cancer suffered by this group than other demographics.

"This bill will help secure environmental justice and improve the health of girls and women of color across the state," said Ami Zota, associate professor of environmental health sciences at Columbia University, in a statement.

Victory! The Toxic-Free Cosmetics Act has been signed by [@GovInslee](#) and is now law!

Thank you to everyone who helped to make this possible! [#waleg](#) [#cosmetics](#) [#PFAS](#),
[#phthalates](#) [#toxicchemicals](#) [#threadhttps://t.co/U31zboqTKi](#) [pic.twitter.com/OldxQ48Kf6](#)

Toxic-Free Future ([@ToxFreeFuture](#)) [May 15, 2023](#)

The new law also dictates that the state's Department of Ecology further assess chemicals that are impacting Washington's vulnerable communities and populations, making it the first in the union to require a state agency to conduct research on the topic. The body has until Jan. 1, 2027, to identify any additional toxins, which will then be folded into the legal ban.

Ushered into law upon receiving a seal of approval from Gov. Jay Inslee, Rep. Mena is largely responsible for having sponsored the contents as an early-stage bill.

"This law shows that states have a key role to play they are in a position to be part of the solution as well as to fill the gaps that the federal government has left when it comes to toxic-free beauty products," said Sarah Doll, national director of [Safer States](#), in a statement.

"State laws like these are a giant step forward for safer cosmetics nationwide."

Nationwide, beauty players such as LVMH-owned beauty retailer Sephora ([see story](#)) are supporting a switch to formulations that are considered cleaner. To date, the company has reduced products carried with "one or more toxic chemicals by 39.5 percent."