

US States Regulate PFAS in Cosmetics and Personal Care Products

Concerns over per- and polyfluoroalkyl substances (PFAS), including PFOS and PFOA, continue to drive US legislation. Recent state-level bills requiring notification or prohibiting the use of PFAS are focused on cosmetics, hygiene and personal care products.

Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are increasingly being regulated in consumer products in the United States (US) due to their toxic effects and negative impacts on the environment.

PFAS are a group of synthetic chemicals that may be intentionally added to products or unintentionally present, due to raw material impurities or ingredient breakdown. They are chemically inert, resistant to high temperatures and are typically used to increase durability and water resistance of products. In cosmetics, in addition to those properties, they may be used to help condition and smooth skin's appearance or affect product consistency and texture.

In the past few months, individual US states, including California, Colorado, New York, Maryland, Minnesota, Rhode Island, Vermont and Washington, have passed legislation or proposed bills specifically regulating PFAS in cosmetics and personal care products. If pending bills are approved, the resulting regulations will require the disclosure of PFAS content and/or the restriction or prohibition of either a select list of PFAS or all PFAS in cosmetics and personal care products.

On June 17, 2021, the [No PFAS In Cosmetics Act 2021](#) bill was proposed in the Senate. If accepted, this would ban all PFAS in cosmetics, where 'PFAS' means substances that include any member of the class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

In the two summary tables below, we focus on adopted legislations (Table 1) and proposed legislation/bills (Table 2) that specify or list cosmetics and personal care products in their scope.

For a broader perspective of PFAS legislation that may affect all products or other consumer products, please read SGS SafeGuardS [U.S. Legislative Developments: PFAS in Consumer Products](#)

NB:

1. It is important to note that the language in a Bill often changes as it proceeds through the legislative process. Please check the links to the bills' status for the most current version of the text.
2. Unless otherwise specified, the bills define PFAS as any organic chemical containing at least one fully fluorinated carbon atom.

Table 1 Adopted legislations

Jurisdiction	Product Scope	Requirement for PFAS	Effective date
California AB 2762	Cosmetic	Prohibition of intentional use of 13 specific PFAS** and their salts, except under specified circumstances.	January 1, 2025
Maryland HB 643	Cosmetic	Prohibition of intentional use of 13 specific PFAS** and their salts, except under specified circumstances.	January 1, 2025

Table 2 Proposed legislations/Bills

Jurisdiction	Product Scope	Requirement for PFAS	Proposed effective date
U.S. Senate S. 2047	Cosmetic	"No PFAS in Cosmetic Act" Ban of PFAS in Cosmetic	No set date. Proposed Rule due ≤ 270 days after enactment of Act. Final Rule due ≤ 90 days after issue of Proposed Rule.
California AB 2771	Cosmetic	Prohibition of all PFAS if intentionally added, or equal to or greater than the practical quantitation limit (PQL) when measured as total organic fluorine.	January 1, 2025
Colorado HB22-1345	Cosmetic	Mandatory written notification from manufacturers of products containing intentionally added PFAS Prohibition of any cosmetic containing intentionally added PFAS	January 1, 2024
New Hampshire HB1422	Cosmetic; Personal Care*	Mandatory warning labels on products containing PFAS.	January 1, 2024

New York S3331 /A143	Personal Care	Mandatory labelling requirements of product including PFAS** Prohibition of PFAS	Labelling due on/before July 1, 2022 Prohibition of PFAS 3 years after enactment.
New York A8363	Cosmetic; Personal Care	Prohibition of PFAS**	Effective the first occurring: June 1, 2023, or the date/manner that chapter 613 of the laws of 2019 takes effect
New York S02246	Feminine Hygiene Products	Prohibition of PFAS** as a fragrance, colorant, dye, preservative or other intentionally added ingredient in feminine hygiene products	Within one year of the effective date
New York A8491	Cosmetic; Personal Care*	Mandatory written notification from manufacturers of products containing intentionally added PFAS. Prohibition of PFAS	Notification January 1, 2024 Prohibition January 1, 2025
Massachusetts H23506/S1387	Personal Care*	Prohibition of PFAS intentionally added, or, if not intentionally added, in which PFAS substances are present and measurable by testing for total fluorine at a level greater than 1 part per million	January 1, 2023
Minnesota HF 2906/SF 3403	Cosmetic	Prohibition of PFAS	January 1, 2024
Rhode Island S 2449/H 7436	Cosmetic*	Written notification products containing intentionally added PFAS Prohibition of PFAS	January 1, 2024
Vermont H.27	Personal Care*	Mandatory health and safety warning for personal care products containing PFAS	Upon Enactment

Vermont H.677/SB 267	Cosmetic	Mandatory information disclosure on e-commerce websites including PFAS listed as chemicals of high concern to children pursuant to chapter 38A of this title. Prohibition of PFAS**	Act effective July 1, 2022 Prohibition: January 1, 2025
Washington SB 5703/HB1853	Cosmetic	Prohibition of PFAS**	January 1, 2025
Washington SB 5480	Cosmetic	Mandatory information disclosure on e-commerce websites including PFAS listed as chemicals of high concern in either under chapter 70A.430 RCW or chapter 70A.350 RCW Prohibition of PFAS**	Information disclosure: January 1, 2023 prohibition: January 1, 2025
<p>*Cosmetics or personal care products are named in the text. Bill also includes other consumer products. **Additional chemicals/chemical classes are also cited in the bill.</p>			

NEXT STEP:

Check your cosmetic and personal care products for PFAS ingredients.

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Footer :

1. [Fluorinated Compounds in North American Cosmetics](#)
2. [Per and Polyfluoroalkyl Substances \(PFAS\) in Cosmetics | FDA](#)