

March 18, 2024

Chair David Bennett and Vice Chair Phillips  
Rhode Island House Committee on Environment and Natural Resources  
State House  
82 Smith Street  
Providence, RI 02903-1105

**RE: Oppose unless amended HB 7356**

Chair Bennett and Vice Chair Phillips,

On behalf of the members of the Personal Care Products Council (PCPC)<sup>1</sup>, I am writing to express our opposition to HB 7356 as currently drafted, which aims to prohibit the use of intentionally added per- and polyfluoroalkyl (PFAS) substances in certain products. PCPC appreciates the intent of the language and seeks additional amendments to harmonize the bill with other recently enacted state laws.

PCPC is the leading national trade association representing cosmetics and personal care products companies and serving as the voice on scientific, regulatory, legislative and international issues for the global cosmetics industry. PCPC and its member companies have a long history of going above and beyond what is required by law and working on public policy with various stakeholders at all levels of government. In Rhode Island, the industry employs more than 7,910 residents and contributes more than \$144 million to the state's GDP.

**PCPC seeks harmonization with other recently enacted state laws**

Having successfully worked with other state jurisdictions, PCPC supports a phase out of intentionally added PFAS in cosmetics and is seeking amendments to HB 7356 to provide regulatory certainty and harmonization with other states. For example, California AB 2771 was signed by Governor Newsom in September 2022, phasing out all PFAS in cosmetics as of 2025.

In addition, PCPC supported the Modernization of Cosmetics Regulation Act (MoCRA) of 2022, which was signed into law by President Biden on Dec. 29, 2022 and several provisions went into effect Dec. 29, 2023. MoCRA establishes a comprehensive regulatory framework for cosmetics products and ingredients and also requires the U.S. Food and Drug Administration (FDA) to conduct a comprehensive safety study on PFAS in cosmetics.

**Specific concerns with HB 7356 as currently drafted**

- **PCPC requests technical amendments to help clarify the language for consistency with other states and federal law.** Definitions are critical in state legislation and uniformity throughout the states is vital to

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<sup>1</sup> Founded in 1894, the Personal Care Products Council (PCPC) is the voice and advocate for 600 member companies representing the \$529.3 billion global cosmetics and personal care products industry. PCPC's members represent approximately 90% of the U.S. beauty industry and are some of the most beloved and trusted brands in beauty and personal care today. As the manufacturers, distributors and suppliers of a diverse range of products millions of consumers rely on every day – from sunscreens, toothpaste and shampoo to moisturizer, makeup and fragrance – PCPC's member companies are global leaders committed to product safety, quality and innovation.

manufacturers' interpretation of and compliance with the law. PCPC has also requested language to align with California law regarding technically unavoidable traces.

- **PCPC requests the definition of intentionally added PFAS.**

*"Intentionally added PFAS" means either of the following: (1) PFAS chemicals that a manufacturer has intentionally added to a product and that have a functional or technical effect on the product. (2) PFAS chemicals that are intentional breakdown products of an added chemical.*

- **PCPC requests an amendment to the definition of "manufacturer."**

*"Manufacturer" means any person whose name appears on the label of a cosmetics product pursuant to the requirements of Section 701.12 of Title 21 of the Code of Federal Regulations.*

- **PCPC requests an amendment for "unavoidable trace quantities" consistent with California law.**

*"If a cosmetic product made through manufacturing processes intended to comply with this chapter contains a technically unavoidable trace quantity of an ingredient listed in subdivision (a) and that trace quantity stems from impurities of natural or synthetic ingredients, the manufacturing process, storage, or migration from packaging, that trace quantity shall not cause the cosmetic product to be in violation of this section."*

- **PCPC requests clarification on the "product component" definition.**

We welcome the opportunity to dialogue with you on the legislation. Thank you for your consideration and the opportunity to comment.

Sincerely,



Kelsey Johnson  
Vice President, State Government Affairs

Cc: Len Lopes, The Victor Group