

AMENDED IN ASSEMBLY MAY 10, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 237

Introduced by Assembly Member Galgiani

February 3, 2011

An act to add Section 111821 to the Health and Safety Code, relating to cosmetics.

LEGISLATIVE COUNSEL'S DIGEST

AB 237, as amended, Galgiani. Cosmetics: ~~misbranding~~. *safety*.

The existing Sherman Food, Drug, and Cosmetic Law regulates the packaging, labeling, and advertising of food, drugs, and cosmetics. The law prohibits a person from manufacturing, selling, delivering, holding, offering for sale, or receiving in commerce any cosmetic that is adulterated, and prohibits a person from adulterating any cosmetic. Existing law permits any person who manufactures a cosmetic in this state to register with the State Department of Public Health.

This bill would ~~authorize the department, within existing resources,~~ to require any manufacturer of cosmetics that *are sold in the state that* does not currently comply with specified parts of the federal Food and Drug Administration Voluntary Cosmetic ~~Reporting~~ *Registration* Program to provide to the department *with* information of the same kind disclosed ~~under~~ *through* that program. *It would require the department to post specified notifications by the FDA on the department's Internet Web site.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 111821 is added to the Health and Safety
2 Code, to read:
3 ~~111821. The State Department of Public Health may, within~~
4 ~~existing resources, require any manufacturer of cosmetic products~~
5 *111821. On a schedule established by the State Department*
6 *of Public Health, a manufacturer of cosmetic products that are*
7 *sold in this state that does not currently comply with the applicable*
8 *parts of the federal Food and Drug Administration Voluntary*
9 ~~Cosmetic Reporting Registration Program, set forth in Parts 710~~
10 ~~and 720 of Title 21 of the Code of Federal Regulations, to provide~~
11 ~~to shall provide the department information of the same kind~~
12 ~~disclosed through the federal Food and Drug Administration~~
13 ~~Voluntary Cosmetic Reporting Program. with information disclosed~~
14 *through the federal program. The department shall post on its*
15 *Internet Web site notifications by the federal Food and Drug*
16 *Administration that identify unsafe ingredients that should be*
17 *removed from the cosmetic products subject to this section. The*
18 *department shall implement this section only with existing*
19 *resources.*

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