

[DISCUSSION DRAFT]119TH CONGRESS
2^D SESSION**H. R.** _____

To amend the Federal Food, Drug, and Cosmetic Act to specify that hair straightening or smoothing products containing formaldehyde or formaldehyde releasing substances will be considered adulterated, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. BROWN introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to specify that hair straightening or smoothing products containing formaldehyde or formaldehyde releasing substances will be considered adulterated, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “[_____]”.

1 **SEC. 2. HAIR STRAIGHTENING OR SMOOTHING PRODUCTS**
2 **CONTAINING FORMALDEHYDE CONSIDERED**
3 **ADULTERATED.**

4 (a) **IN GENERAL.**—Section 601 of the Federal Food,
5 Drug, and Cosmetic Act (21 U.S.C. 361) is amended by
6 adding at the end the following:

7 “(h) If it is a hair straightening or hair smoothing
8 product, (including a keratin treatment) and it contains
9 any amount of formaldehyde or any formaldehyde releas-
10 ing substance.”.

11 (b) **HAIR STRAIGHTENING OR HAIR SMOOTHING**
12 **PRODUCT DEFINED.**—Section 604 of the Federal Food,
13 Drug, and Cosmetic Act (21 U.S.C. 364) is amended by
14 adding at the end the following:

15 “(6) **HAIR STRAIGHTENING OR HAIR SMOOTH-**
16 **ING PRODUCT.**—The term ‘hair straightening or hair
17 smoothing product’ means a product intended to
18 straighten, relax, smooth, or otherwise alter the tex-
19 ture of hair.”.

20 (c) **EFFECTIVE DATE.**—The amendments made by
21 subsection (a) shall apply with respect to cosmetics intro-
22 duced or delivered for introduction into interstate com-
23 merce on or after the date that is 180 days after the date
24 of the enactment of this Act.

1 **SEC. 3. STUDY ON HEALTH IMPACTS OF EXPOSURE TO**
2 **HAIR STRAIGHTENING OR SMOOTHING PROD-**
3 **UCTS CONTAINING FORMALDEHYDE AND**
4 **OTHER SUBSTANCES.**

5 (a) IN GENERAL.—The Commissioner of Food and
6 Drugs, in consultation with the Director of the National
7 Institute for Occupational Safety and Health, shall con-
8 duct a study on the short-term and long-term health im-
9 pacts of exposure to hair straightening or smoothing prod-
10 ucts containing formaldehyde or formaldehyde releasing
11 substances (or similar chemical agents that the Secretary
12 determines pose comparable health risks), including—

13 (1) the impacts of such exposure on salon work-
14 ers; and

15 (2) the association of such exposure with can-
16 cer, respiratory issues, and endocrine disruption.

17 (b) REPORTS TO CONGRESS.—The Commissioner of
18 Food and Drugs, in consultation with the Director of the
19 National Institute for Occupational Safety and Health,
20 shall submit to Congress an initial report and a final re-
21 port that contain—

22 (1) the findings of the study under subsection
23 (a); and

24 (2) the Commissioner's recommendations for
25 regulatory action with respect to limiting the health
26 impacts of exposure to hair straightening or smooth-

1 ing products containing formaldehyde or formalde-
2 hyde releasing substances (or similar chemical
3 agents that the Secretary determines pose com-
4 parable health risks), enforcement of such actions,
5 and additional research needed to assess such health
6 impacts.

7 (c) TIMING OF REPORTS.—The Commissioner of
8 Food and Drugs, in consultation with the Director of the
9 National Institute for Occupational Safety and Health,
10 shall submit—

11 (1) the initial report referred to in subsection

12 (b) not later than 1 year after the date of the enact-
13 ment of this Act; and

14 (2) the final report referred to in such sub-
15 section not later than 2 years and 2 months after
16 such date of enactment.