

Congress of the United States

Washington, DC 20515

August 27, 2024

The Honorable Robert M. Califf
Commissioner
U.S. Food and Drug Administration
10903 New Hampshire Avenue
Silver Spring, MD 20993

Dear Commissioner Califf,

Thank you for your commitment to public safety by ensuring the safety and efficacy of ingredients used in products by consumers across the country from cosmetics to hair products. In October 2023, due to alarming health findings, the FDA announced its proposal to ban formaldehyde in hair products. Formaldehyde, a known carcinogen classified by the International Agency for Research on Cancer (IARC), is widely used in hair relaxers and other chemical hair-straighteners such as keratin treatments, Brazilian blowouts, and chemical straightening creams despite its documented health risks. Extended exposure to formaldehyde during these treatments has been linked to increased incidences of cancer, respiratory issues, and adverse reproductive outcomes. Of particular concern is the disproportionate impact on women of color, who are more likely to receive and provide hair treatment services that use formaldehyde, thus creating a uniquely harmful environment for both workers and their customers leading to heightened health risks long term.

Despite the initial proposal to ban formaldehyde in October 2023 and the intended implementation of the ban in April 2024, the FDA has missed its April deadline for advancing this regulatory action. Since April 2024, there has been no further movement or concrete next steps regarding the implementation of the ban. This delay is particularly concerning given the established links between formaldehyde exposure and serious health conditions, including myeloid leukemia and hormone-sensitive cancers such as breast, uterine, and ovarian cancer according to the U.S. Department of Health and Human Services and a study conducted by the National Institute of Health in 2022.

In March of 2023, Members of Congress sent a letter to the FDA inquiring about this issue and calling for the FDA to investigate “the potential health threat posed by chemical hair straightening products” to safeguard public health, especially among vulnerable populations.

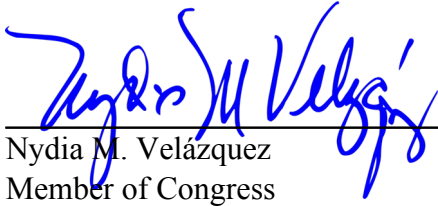
As a follow-up to that initial letter, we the undersigned ask the FDA to finalize the proposed rule banning formaldehyde and provide answers to the following:

1. What factors have contributed to the two-time delay in the implementation of the ban and are there clear timelines or milestones moving forward that stakeholders can anticipate leading up to and after the ban proposal is released?
2. Does the FDA share any concerns about how a delay in their rulemaking is potentially prolonging the dangerous health effects of the use of formaldehyde in communities of color?

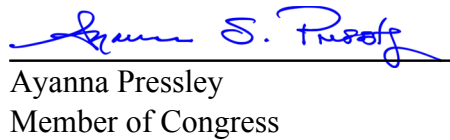
3. What steps has the agency taken to do outreach among stakeholders to proactively mitigate any disruptions to businesses and ensure they will be prepared when a ban is officially implemented?

As the FDA works to address these pressing issues, it is essential to continue to highlight the gravity of formaldehyde exposure, as highlighted by both epidemiological data and laboratory research. Ensuring that regulatory actions align with the best interests of public health, remains the goal and we encourage promptly finalizing a proposed rule.

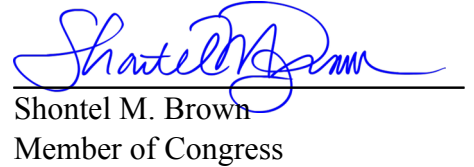
Sincerely,



Nydia M. Velázquez
Member of Congress



Ayanna Pressley
Member of Congress



Shontel M. Brown
Member of Congress