

118TH CONGRESS
1ST SESSION

H. R. 6519

To amend the Federal Food, Drug, and Cosmetic Act to ban the use of intentionally added perfluoroalkyl or polyfluoroalkyl substances in cosmetics, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 30, 2023

Mrs. DINGELL (for herself, Mr. FITZPATRICK, and Ms. KUSTER) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to ban the use of intentionally added perfluoroalkyl or polyfluoroalkyl substances in cosmetics, 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 “No PFAS in Cosmetics
5 Act”.

1 **SEC. 2. BAN ON PERFLUOROALKYL OR POLYFLUOROALKYL**
2 **SUBSTANCES.**

3 (a) ADULTERATION.—Section 601 of the Federal
4 Food, Drug, and Cosmetic Act (21 U.S.C. 361) is amend-
5 ed by adding after paragraph (g) (as added by section
6 3503(a)(2) of division FF of Public Law 117–328) the
7 following:

8 “(h)(1) If it contains an intentionally added
9 perfluoroalkyl or polyfluoroalkyl substance.

10 “(2) In this paragraph:

11 “(A) The term ‘perfluoroalkyl or polyfluoroalkyl
12 substance’ means a substance in a class of
13 fluorinated organic chemicals—

14 “(i) that is man-made; and

15 “(ii) has at least 1 fully fluorinated carbon
16 atom.

17 “(B) The term ‘intentionally added
18 perfluoroalkyl or polyfluoroalkyl substance’ means a
19 perfluoroalkyl or polyfluoroalkyl substance that—

20 “(i) has been intentionally added by a
21 manufacturer or supplier to an ingredient, raw
22 material, product, or packaging and has a func-
23 tional or technical effect on the product or
24 packaging; or

25 “(ii) is an intentional breakdown product
26 of an added chemical.”.

1 (b) APPLICABILITY.—Section 601(h) of the Federal
2 Food, Drug, and Cosmetic Act, as added by subsection
3 (a), shall apply beginning on January 1, 2025.

4 (c) CONFORMING AMENDMENT.—Section 3506 of the
5 Modernization of Cosmetics Regulation Act of 2022 (sub-
6 title E of title III of division FF of Public Law 117–328)
7 is hereby repealed.

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