



Testimony in Support of LD 317 An Act to Enact the Safe Cosmetics Act

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Senator Tepler, Representative Doudera, and members of the Joint Standing Committee on Environment and Natural Resources, my name is Vanessa Berry, and I serve as the Sustainable Maine Program Manager for the Natural Resources Council of Maine (NRCM). NRCM is a nonprofit membership organization dedicated to protecting, restoring, and conserving Maine's environment, now and for future generations. I appreciate this opportunity to testify in support of LD 317.

Over the past two decades, NRCM has worked with this committee to pass many bills aimed at removing materials from commercial products that are harmful to Maine's environment and the health of Maine people. These have included bills to reduce or ban mercury, bisphenol-A (BPA), PFAS, and microplastics in consumer products. In all of these prior cases, it would have been preferable if manufacturers themselves had taken proactive steps to make their goods safer for the consumer, rather than leaving it to lawmakers to take action to help protect their constituents and our environment. Sometimes, companies take positive proactive steps toward sustainability and consumer safety voluntarily; sometimes producers require a gentle nudge in the right direction through consumer demands and increased regulations, and there also are times when laws are needed to prohibit further use of materials that are known to cause health risks to the public.

Today, we encourage the Committee to consider a policy approach to address the intentional addition of certain harmful ingredients to cosmetics by passing the Safe Cosmetics Act (LD 317), which would reduce exposure to harmful heavy metals and chemicals for both consumers and the factory workers who manufacture cosmetics.

Lead, mercury, and other heavy metals have been detected in cosmetics,¹ even though studies have clearly documented that these materials are harmful to human health. Lead poisoning can result in reproductive issues, mood disorders, high blood pressure, and other long-term health issues,² while prolonged exposure to mercury can cause seizures, memory loss, changes in vision, and a host of other physical ailments.³ Additionally, cosmetics can include formaldehyde, which is a known carcinogen. At lower levels of exposure, formaldehyde can cause irritation of the eyes, skin, and throat, but high levels of exposure can cause cancer.⁴ According to the National Institute for Occupational Safety and Health, safe levels of formaldehyde exposure have not been demonstrated, and the best way to reduce the risks is to limit exposure.⁵

While the Food and Drug Administration does analyze externally applied cosmetics to ensure these products do not exceed federal limits for lead and other impurities, it is unclear why cosmetics should contain any amount of intentionally added materials with known health risks when suitable alternatives are available. The intentional use of these ingredients in some cosmetics indicates a lack of concern for human health at the expense of corporate profits, which suggests that policies that more strictly regulate the use of these ingredients are necessary to make these changes. We support the intent of this bill to address these harmful ingredients at the source, and we also agree with the existing language proposed that would

¹ <https://www.fda.gov/cosmetics/potential-contaminants-cosmetics/fdas-testing-cosmetics-arsenic-cadmium-chromium-cobalt-lead-mercury-and-nickel-content>

² <https://www.mayoclinic.org/diseases-conditions/lead-poisoning/symptoms-causes/syc-20354717>

³ <https://my.clevelandclinic.org/health/diseases/23420-mercury-poisoning>

⁴ <https://www.epa.gov/formaldehyde/facts-about-formaldehyde>

⁵ <https://www.cdc.gov/niosh/docs/81-111/default.html>

provide retailers with a level of financial protection if a manufacturer sells them a product that contains banned ingredients. Not only should these producers be required to improve their formulas to eliminate the use of known toxins for the sake of consumer and worker safety, but they also should be required to support retailers in their effort to take these products off the shelves.

I appreciate your consideration of these comments and urge the Committee to vote Ought to Pass on LD 317.