

State Survey of Laws Regulating Cosmetic Ingredients

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PRACTICES PFAS and Emerging Contaminants, Food, Beverage and Restaurant

This survey provides an overview of state laws prohibiting and/or restricting certain ingredients in cosmetic products that have been enacted to-date.

I. Introduction

As of October 2024, nine states have enacted at least one law prohibiting and/or restricting certain ingredients in cosmetic products. Six such laws have already taken effect, and the remainder have compliance deadlines ranging from January 1, 2025, to January 1, 2027. Cosmetic ingredient bans are unlikely to be preempted by MoCRA, which means that this growing patchwork of state legislation will continue to evolve as more states join the “toxic-free cosmetics” movement. This presents challenges across the cosmetic supply chain, as the potential for enforcement and/or associated litigation risk may extend beyond the manufacturer.

Scope of Survey

This survey is intended to provide a high-level overview of key features of state legislation that has been signed into law as of October 2024. Analogous state legislation that has been proposed, but not yet enacted, is not included, as such bills may undergo material revision before they are enacted, if ever.

Many states also have enacted or proposed laws that specifically and exclusively target Perfluoroalkyl and polyfluoroalkyl substances (“PFAS”) across various product categories, which, in some cases, extend to cosmetics and personal care products. This survey does not include laws that exclusively prohibit or restrict PFAS, as we view PFAS legislation as a distinct area of focus, given the breadth of product categories to which existing PFAS laws apply. However, laws prohibiting or restricting PFAS in cosmetic products are included in this survey to the extent PFAS is listed among one or more other prohibited or restricted cosmetic ingredients.

Mitigating Liability

Manufacturers, distributors, importers, and retailers of cosmetics should become familiar with the laws of each state in which their cosmetic products are sold to ensure compliance with the most restrictive applicable state law for each ingredient. Thoroughly review each ingredient and sub-ingredient in your cosmetic products, as the laws may not list all known names of each ingredient or all chemicals that fall within a restricted class of chemicals.

[Read the full article here.](#)