



State of California—Health and Human Services Agency  
California Department of Public Health



MARK B HORTON, MD, MSPH  
Director

ARNOLD SCHWARZENEGGER  
Governor

April 28, 2010

Dear Sir or Madam:

**RE: Compliance with California Safe Cosmetics Act reporting requirements**

California Department of Public Health (CDPH) records show that your company may be subject to the mandatory reporting requirement of the California Safe Cosmetics Act of 2005 (see Health & Safety Code §§ 111791-111793.5). The Safe Cosmetics Act is intended to generate information about carcinogens and reproductive toxicants in cosmetic products sold in this state that may have chronic health effects, for purposes of public health study and otherwise. See Senate Bill 484, §§ 1(a) & 1(c) (uncodified legislative findings).

The Safe Cosmetics Act requires each cosmetics manufacturer subject to the Act to provide CDPH with “a complete and accurate list of its cosmetic products that, as of the date of submission, are sold in the state and that contain any ingredient that is a chemical identified as causing cancer or reproductive toxicity,” with the manner and timing of reporting to be determined by CDPH (Health & Safety Code § 111792(a)). Such reporting must identify the name and Chemical Abstract Service number of each identified chemical, and specify the product or products in which it is contained (*Ibid*). To assist companies with reporting under the Safe Cosmetics Act, CDPH compiled a list of chemicals known or suspected to be carcinogens or reproductive toxicants. This list is updated annually and is available at:

<http://www.cdph.ca.gov/programs/cosmetics/Pages/CosmeticsCompanies.aspx#ChemList>.  
CDPH required companies subject to the Act to complete their initial reporting no later than December 15, 2009.

To date, *CDPH has not received a notice from your company disclosing the presence of any listed chemicals in any of your products*. This may be because your company is not subject to the Act based on your latest sales figures, or because you do not currently use any reportable ingredients in any of your products sold in California, or both. To assist us in determining the precise reason(s) for your nonreporting, please return the attached form no later than **May 28, 2010**, to:

Attn: **Michelle Sommargren, Ph.D.**  
Occupational Health Branch  
California Safe Cosmetics Program  
California Department of Public Health  
850 Marina Bay Parkway, Building P-3  
Richmond, CA 94804

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**OCCUPATIONAL HEALTH BRANCH**

850 Marina Bay Parkway Building P, 3<sup>rd</sup> Fl., Richmond, CA 94804  
Tel: 510/620-5757 Fax: 510/620-5743 [www.cdph.ca.gov/programs/ohb](http://www.cdph.ca.gov/programs/ohb)

For manufacturers subject to the Safe Cosmetics Act, but heretofore unaware of or out of compliance with reporting requirements, CDPH and the state Department of Justice hereby grant a short amnesty from enforcement by their respective departments if reporting is completed in full by **June 30, 2010**. Thereafter, these Departments intend to use a variety of legal remedies to ensure compliance with Safe Cosmetic Act requirements, including but not limited to administrative or civil enforcement by CDPH or the Attorney General under the state Sherman Food, Drug, and Cosmetic Act (Health & Safety Code §§ 109875-111915), and/or independent prosecution by the Office of the Attorney General under the state's Unfair Competition Law (Bus. & Prof. Code § 17200 *et seq.*).

Receipt of this letter does not indicate that CDPH or the Attorney General believes you are currently in violation of the law. Rather, CDPH seeks to ensure the accuracy of its records as to which manufacturers are required to report product ingredients, and the completeness of its cosmetic ingredient data for California; and both departments seek to insure a level playing field among manufacturers subject to reporting requirements.

For more information on reporting requirements, please visit the Safe Cosmetic Program's Web site at: <http://www.cdph.ca.gov/programs/cosmetics/Pages/CosmeticsCompanies.aspx>. Should you have questions about this letter, please contact the Program at: [cosmetic@cdph.ca.gov](mailto:cosmetic@cdph.ca.gov), or call the toll-free Helpline at (877) 325-3223.

Sincerely,



Michael J. DiBartolomeis, Ph.D., DABT, Chief  
California Safe Cosmetics Program  
California Department of Public Health



Claudia Polsky, J.D., Deputy A.G.  
Environment Section  
California Department of Justice

Attachment: **SAFE COSMETICS REPORTING CHECKLIST**



MARK B HORTON, MD, MSPH  
Director

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**SAFE COSMETICS REPORTING CHECKLIST**  
**due to CDPH by May 28, 2010**

*Check all that apply; attach additional pages or supporting documentation as necessary.*

- Our company is **EXEMPT** from reporting because:
  - Our aggregate sales of cosmetic products, both within and outside of California, total less than one million dollars (\$1,000,000), based on our most recent tax year filing (see Health & Safety Code §111792(d)).
  - None of our products currently sold in California contains one or more chemical ingredients subject to the reporting requirements in Health & Safety Code § 111791.5 (for guidance, see CDPH's most recent list of chemicals at: <http://www.cdph.ca.gov/programs/cosmetics/Pages/CosmeticsCompanies.aspx#ChemList>)
  - Other  
Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- Our company is **SUBJECT** to Safe Cosmetics Act reporting but has not yet reported because:
  - We were unaware of applicable reporting requirements.
  - We were unable to determine the composition of our full product line by the CDPH reporting deadline because:
    - Our suppliers have refused to disclose complete ingredient identities to us;
    - Other  
Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- Our company **HAS ALREADY COMPLETED ITS INITIAL REPORTING** pursuant to the Safe Cosmetics Act; CDPH records may be in error.  
Explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- Our company **INTENDS TO REPORT** by the June 30, 2010 amnesty date.

**Our follow-up contact information is:**

Name: \_\_\_\_\_

Position title: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

I certify that the foregoing information is true to the best of my knowledge.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

***Mail completed form by May 28, 2010 to:***

Attn: **Michelle Sommargren, Ph.D.**  
Occupational Health Branch  
California Safe Cosmetics Program  
California Department of Public Health  
850 Marina Bay Parkway, Building P-3  
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