

A-Engrossed
Senate Joint Memorial 8

Ordered by the Senate May 7
Including Senate Amendments dated May 7

Sponsored by Senator CARTER; Senator MONNES ANDERSON, Representatives GELSER, NATHANSON, NOLAN, ROSENBAUM, TOMEI

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Urges Congress to enact legislation requiring testing, review and approval of ingredients in cosmetics, [*particularly dibutyl phthalate and diethyl phthalate*] **personal care products and children's toys prior to marketing or sale and requiring manufacturers of cosmetics and personal care products to label all ingredients.**

JOINT MEMORIAL

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2 To the President of the United States, the Commissioner of the United States Food and Drug Ad-
3 ministration, the Commissioner of the United States Consumer Product Safety Commission and
4 the Senate and the House of Representatives of the United States of America, in Congress as-
5 sembled:

6 We, your memorialists, the Seventy-fourth Legislative Assembly of the State of Oregon, in leg-
7 islative session assembled, respectfully represent as follows:

8 Whereas studies have shown that there is a correlation between phthalates, particularly dibutyl
9 phthalate (DBP), and damage to the liver, kidneys, lungs and reproductive system and to genital
10 abnormalities, including testicular atrophy, hypospadias, reduced sperm counts, ectopic testes and
11 undescended testicles; and

12 Whereas studies have found a correlation between diisononyl phthalate (DINP) and cancer and
13 adverse impacts on the reproductive system, kidneys, liver and blood; and

14 Whereas the 27 nations represented in the European Parliament in 2002 issued a directive that
15 banned sale of personal care products and cosmetics that contain certain phthalates; and

16 Whereas the European Parliament has banned the phthalates di(2-ethylhexyl) phthalate (DEHP),
17 DBP, DINP and butyl benzyl phthalate (BBP) in all toys and child care articles that can be placed
18 in a child's mouth; and

19 Whereas other countries have restricted phthalates in children's toys, including Argentina, Fiji,
20 Japan and Mexico; and

21 Whereas more than 90 percent of phthalates are used to plasticize polyvinyl chloride and
22 polyvinyl chloride products such as children's toys, baby products and many other children's pro-
23 ducts that Oregonians use regularly; and

24 Whereas phthalates are added to cosmetics, hair spray, deodorants, nail polish, perfume and
25 many other personal care products that Oregonians use every day; and

26 Whereas phthalates can be absorbed through the skin, ingested in breast milk or inhaled; and

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 Whereas the United States Food and Drug Administration does not require premarket safety
2 testing, review or approval of ingredients in cosmetics; and

3 Whereas under the federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), cosmetics and
4 their ingredients are not required to be approved before they are sold to the public; and

5 Whereas oversight of phthalates in cosmetics and children's toys is critical to the health and
6 safety of Oregonians; now, therefore,

7 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

8 (1) The Congress of the United States is respectfully urged to:

9 (a) Enact legislation that requires testing, review and approval of ingredients and materials used
10 in cosmetics, personal care products and children's toys prior to the marketing or sale of these
11 products.

12 (b) Enact legislation requiring manufacturers of cosmetics and personal care products to label
13 all of the ingredients, including fragrances and flavoring.

14 (2) A copy of this memorial shall be sent to the President of the United States, to the Commis-
15 sioner of the United States Food and Drug Administration, to the Commissioner of the United States
16 Consumer Product Safety Commission and to each member of the Oregon Congressional Delegation.

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