



March 13, 2025

The Honorable Representative John Lively
Chair, House Climate, Energy, and Environment Committee
900 Court Street NE
Salem, OR 97301

Chair Lively, Vice Chair Gamba, Vice Chair Levy and Members of the Committee:

On behalf of the Personal Care Products Council (PCPC)¹, I'm writing to express opposition to HB 3512 as currently drafted. This legislation would prohibit the sale of certain cosmetics and personal care products containing "intentionally added" per- and polyfluoroalkyl (PFAS) chemicals.

Cosmetics and personal care products companies work with leading scientific and medical experts and invest significant resources to ensure the safety of their products. In addition to this strong commitment to safety, federal law requires that every cosmetics product be substantiated for safety before it goes to market. The U.S. Food & Drug Administration (FDA) statistics confirm that cosmetics are one of the safest product categories used by Americans today.

Implement SB 546 Before Passing Additional Legislation

During the 2023 legislative session, PCPC worked closely with stakeholders to pass what was called the Toxic Free Cosmetics Act, SB 546. This bill was heavily negotiated between industry and environmental stakeholders and those conversations allowed industry to be able to help craft language that not only removed PFAS from cosmetics but also prohibited nine other different chemical ingredients from being intentionally added to cosmetics. SB

¹ *Founded in 1894, the Personal Care Products Council (PCPC) is the voice and advocate for 600 member companies representing the global cosmetics and personal care products industry. PCPC's members represent approximately 90% of the U.S. beauty industry and are some of the most beloved and trusted brands in beauty and personal care today. As the manufacturers, distributors and suppliers of a diverse range of products millions of consumers rely on every day – from sunscreens, toothpaste and shampoo to moisturizer, makeup and fragrance – PCPC's member companies are global leaders committed to product safety, quality and innovation.*

546 doesn't go into effect until January 1, 2027 and the Oregon legislature is already debating more regulations on the personal care products and cosmetics industry.

PCPC kindly requests that the definitions of all key terms remain consistent across state and federal law, including those terms defined in SB 546.

Definition of “Intentionally added” Should be Amended

The “intentionally added” definition as written creates confusion. Any restrictions or prohibitions should be on the use of a PFAS as an intentionally added ingredient, not on the mere presence of PFAS in the product. While trace amounts of PFAS may be detected in cosmetics and personal care products, their presence is typically a result of incidental exposure to outside elements such as air, soil or water – not the intentional addition of the ingredient into the product. The provision that a manufacturer should have known that PFAS were present in the process is inconsistent with SB 546 and creates confusion.

We request that the committee strike Section 1, subsection 10, and replace it as follows: “Intentionally added perfluoroalkyl or polyfluoroalkyl substance” means a perfluoroalkyl or polyfluoroalkyl substance (PFAS) that a manufacturer has intentionally added to a product and that has a function or technical effect on the product.

Definition of “Ingredient” Should be Added

“Ingredient” means any single chemical entity or mixture used as a component in the manufacture of a cosmetic product and does not include any incidental ingredient.

We kindly urge you to consider the amendments mentioned above to HB 3512.

Sincerely,

Katie B. Wright
Vice President, State Government Affairs
Personal Care Products Council
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Cc: House Climate, Energy, and Environment Committee