

HB3409



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3409

Introduced 2/18/2025, by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

New Act

Creates the Chemicals in Cosmetic Products Act. Prohibits the manufacture, sale, delivery, holding, or offering for sale of a cosmetic product that contains specific intentionally added chemical ingredients. Exempts cosmetic products that were manufactured with an intent to comply with the Act and contain a technically unavoidable trace quantity of a prohibited chemical ingredient due to certain reasons. Defines terms.

LRB104 09667 BDA 19733 b

A BILL FOR

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Chemicals in Cosmetic Products Act.

6 Section 5. Purpose. The Act is intended to prohibit,
7 except under certain circumstances, a person from knowingly
8 manufacturing, selling, delivering, holding, or offering for
9 sale in the State a cosmetic product that contains certain
10 ingredients. This Act is intended to be consistent with the
11 prohibition on the presence of the same intentionally added
12 ingredients in cosmetics enacted by the European Union under
13 European Parliament and Council Regulation No. 1223/2009 and
14 subsequent amendments.

15 Section 10. Definitions. In this Act:

16 "Chemical Abstracts Service number" or "CAS no." means a
17 unique numerical identifier assigned to a chemical substance
18 by the Chemical Abstracts Service, a division of the American
19 Chemical Society, allowing for precise identification of a
20 specific chemical regardless of its different names or forms.

21 "Cosmetic product" means a substance or mixture that is
22 intended to be applied to the human body to clean, change its

1 appearance, or protect it. "Cosmetic product" includes makeup,
2 hair products, nail products, soaps and lotions, tanning
3 products, and perfumes and eau de cologne. "Cosmetic product"
4 includes the definition of "cosmetic" in 21 U.S.C. 321.

5 "Ingredient" means any single chemical entity or mixture
6 used as a component in the manufacture of a cosmetic product.
7 "Ingredient" does not include an incidental ingredient, as
8 described in 21 CFR 701.3(1).

9 Section 15. Prohibition; exemptions.

10 (a) Except as provided in subsection (b) of this Section,
11 a person may not knowingly manufacture, sell, deliver, hold,
12 or offer for sale in the State a cosmetic product that contains
13 any of the following intentionally added ingredients:

- 14 (1) Dibutyl phthalate (CAS no. 84-74-2);
15 (2) Diethylhexyl phthalate (CAS no. 117-81-7);
16 (3) Formaldehyde (CAS no. 50-00-0);
17 (4) Paraformaldehyde (CAS no. 30525-89-4);
18 (5) Methylene glycol (CAS no. 463-57-0);
19 (6) Quaternium-15 (CAS no. 51229-78-8);
20 (7) Mercury (CAS no. 7439-97-6);
21 (8) Isobutylparaben (CAS no. 4247-02-3);
22 (9) Isopropylparaben (CAS no. 4191-73-5);
23 (10) m-Phenylenediamine and its salts (CAS no.
24 108-45-2);
25 (11) o-Phenylenediamine and its salts (CAS no.

95-54-5); or

(12) the following per- and polyfluoroalkyl substances (PFAS) and their salts:

(A) Perfluorooctane sulfonate (PFOS) or heptadecafluorooctane-1-sulfonic acid (CAS no. 1763-23-1);

(B) Potassium perfluorooctanesulfonate or potassium heptadecafluorooctane-1-sulfonate (CAS no. 2795-39-3);

(C) Diethanolamine perfluorooctane sulfonate (CAS no. 70225-14-8);

(D) Ammonium perfluorooctane sulfonate or ammonium heptadecafluorooctanesulfonate (CAS no. 29081-56-9);

(E) Lithium perfluorooctane sulfonate or lithium heptadecafluorooctanesulfonate (CAS no. 29457-72-5);

(F) Perfluorooctanoic acid (PFOA) (CAS no. 335-67-1);

(G) Ammonium pentadecafluorooctanoate (CAS no. 3825-26-1);

(H) Nonadecafluorodecanoic acid (CAS no. 335-76-2);

(I) Ammonium nonadecafluorodecanoate (CAS no. 3108-42-7);

(J) Sodium nonadecafluorodecanoate (CAS no. 3830-45-3);

(K) Perfluorononanoic acid (PFNA) (CAS no.

1 375-95-1);

2 (L) Sodium heptadecafluorononanoate (CAS no.
3 21049-39-8); or

4 (M) Ammonium perfluorononanoate (CAS no.
5 4149-60-4).

6 (b) A person is not in violation of this Section if the
7 person manufactures, sells, delivers, holds, or offers for
8 sale in the State a cosmetic product that:

9 (1) was manufactured through a process intended to
10 comply with this Act; and

11 (2) contains a technically unavoidable trace quantity
12 of an ingredient listed in subsection (a) of this Section
13 due to:

14 (A) an impurity of a natural or synthetic
15 ingredient;

16 (B) the manufacturing process;

17 (C) storage; or

18 (D) packaging.