

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 528

Short Title: Disclosure of Cosmetics Ingredients. (Public)

Sponsors: Representatives Belk, Fisher, Ball, and Harrison (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Commerce, if favorable, Judiciary 4, if favorable, Rules, Calendar, and Operations
of the House

April 13, 2021

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THAT COSMETICS MANUFACTURERS DISCLOSE ON
MANUFACTURER WEBSITES THE FULL LIST OF INGREDIENTS, INCLUDING THE
COMPONENT INGREDIENTS OF FRAGRANCES, FLAVORS, AND COLOR
ADDITIVES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 12 of Chapter 106 of the General Statutes is amended by adding
a new section to read:

"§ 106-137.1. Disclosure of cosmetics ingredients.

(a) The following disclosure requirements apply to cosmetics manufactured, distributed,
or offered for retail sale in this State:

(1) Any cosmetic manufacturer shall disclose on the manufacturer's website the
full list of ingredients in the product, including the component ingredients of
fragrances, flavors, and color additives.

(2) The Chemical Abstract Service Registry Number (CAS RN) of each
ingredient shall be included on the ingredient disclosure provided on the
website.

(3) The website disclosure shall list ingredients in descending order of
predominance, except that an ingredient present at a concentration of not more
than one percent (1%) may be listed without respect to order of predominance.

(4) The website disclosure is not required to include the concentration of an
ingredient in the product.

(b) Any manufacturer violating any provision of this section is subject to civil penalties
pursuant to G.S. 160-124.1.

(c) Violation of the provisions of this section does not constitute misbranding for the
purposes of this Article."

SECTION 2.(a) Until the effective date of any revised permanent rules that the
Board is required to adopt pursuant to subsection (c) of this section, the Board shall implement
02 NCAC 09B .0116(o)(148), as provided in subsection (b) of this section.

SECTION 2.(b) Notwithstanding 02 NCAC 09B .0116(o)(148), the Commissioner
of Agriculture shall require cosmetics manufacturers to disclose component ingredients on
manufacturer websites as directed by G.S. 106-137.1, as enacted by Section 1 of this act.

SECTION 2.(c) The Board of Agriculture shall adopt permanent rules as necessary
to accomplish the requirements of this act.



1 **SECTION 2.(d)** This section is effective when it becomes law.

2 **SECTION 3.** G.S. 106-124 reads as rewritten:

3 "**§ 106-124. Violations made misdemeanor.**

4 (a) Any person, firm or corporation violating any provision of this Article, or any
5 regulation of the Board adopted pursuant to this Article, shall be guilty of a Class 2 misdemeanor.
6 In addition, if any person continues to violate or further violates any provision of this Article
7 after written notice from the Commissioner, or his duly designated agent, the court may
8 determine that each day during which the violation continued or is repeated constitutes a separate
9 violation subject to the foregoing penalties.

10 (b) No person shall be subject to the penalties of subsection (a) of this section, for having
11 violated G.S. 106-122, subdivision (1) or (3) if he establishes a guaranty or undertaking signed
12 by, and containing the name and address of, the person residing in the State of North Carolina
13 from whom he received in good faith the article, to the effect that such article is not adulterated
14 or misbranded within the meaning of this Article, designating this article.

15 **(b1) No person shall be subject to the penalties of subsection (a) of this section for having**
16 **violated G.S. 106-137.1.**

17 "

18 **SECTION 4.** Sections 1 and 3 of this act become effective July 1, 2022. Except as
19 otherwise provided, this act is effective when it becomes law.