

HOUSE BILL NO. 28

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE TARR

Introduced: 1/18/17

Referred: Resources, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the disclosure of the ingredients in cosmetics; and providing for an**
2 **effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 17.20 is amended by adding a new section to read:

5 **Sec. 17.20.153. Cosmetic ingredients disclosure.** (a) A manufacturer of a
6 cosmetic manufactured, distributed, or offered for retail sale in this state shall disclose
7 on the manufacturer's Internet website the full list of ingredients in the cosmetic,
8 including the ingredients of fragrances, flavors, and color additives.

9 (b) The list of ingredients in (a) of this section must list the ingredients in
10 descending order of the predominance of each ingredient in the cosmetic, except that a
11 manufacturer may list an ingredient without respect to order of predominance if the
12 ingredient is present in the cosmetic at a concentration of one percent or less.

13 (c) A manufacturer shall provide for each cosmetic ingredient the same
14 information that is required under 21 CFR 701.3(c) and shall include the Chemical

1 Abstracts Service number of each ingredient. A manufacturer is not required to list the
2 concentration of an ingredient in the product.

3 * **Sec. 2.** AS 17.20.290(a) is amended to read:

4 (a) The following acts and the causing thereof are prohibited:

5 (1) the manufacture, or sale, or delivery, holding, or offering of sale of
6 food, drug, device, or cosmetic that is adulterated or misbranded;

7 (2) the adulteration or misbranding of food, drug, device, or cosmetic;

8 (3) the receipt in commerce of food, drug, device, or cosmetic that is
9 adulterated or misbranded, and the delivery or proffered delivery of them for pay or
10 otherwise;

11 (4) the sale, delivery for sale, holding for sale, or offering for sale of an
12 article in violation of AS 17.20.050 - 17.20.070 and 17.20.100;

13 (5) the dissemination of a false advertisement;

14 (6) the refusal to permit entry or inspection, or to permit the taking of a
15 sample, as authorized by AS 17.20.200;

16 (7) the giving of a guaranty or undertaking that is false, except by a
17 person who relied on a guaranty or undertaking to the same effect signed by and
18 containing the name and address of the person residing in the state from whom the
19 person who relied on the guarantee or undertaking received the food, drug, device, or
20 cosmetic in good faith;

21 (8) the removal or disposal of a detained or embargoed article in
22 violation of AS 17.20.230 - 17.20.270;

23 (9) the alteration, mutilation, destruction, obliteration, or removal of
24 the whole or part of the labeling of, or the doing of any other act with respect to, a
25 food, drug, device, or cosmetic, if the act is done while the article is held for sale and
26 results in the article being misbranded;

27 (10) forging, counterfeiting, simulating, or falsely representing, or
28 without proper authority using a mark, stamp, tag, label, or other identification device
29 authorized or required by regulations adopted under AS 17.20.230 - 17.20.270;

30 (11) the using, on the labeling of a drug or in an advertisement relating
31 to a drug, of a representation or suggestion that an application with respect to the drug

1 is effective under AS 17.20.110 or that the drug complies with the provisions of that
2 section;

3 (12) the sale or offering for sale of frozen fish as fresh fish;

4 (13) the improper labeling and drug substitution by pharmacists under
5 AS 17.20.105;

6 **(14) a manufacturer failing to comply with the disclosure**
7 **requirements for cosmetic ingredients under AS 17.20.153.**

8 * **Sec. 3.** AS 17.20.290(b) is amended to read:

9 (b) The commissioner of environmental conservation or a designee of the
10 commissioner is responsible for enforcing the provisions of (a)(1) - (10) of this
11 section, if the subject of the prohibited act involves food or cosmetics, and the
12 provisions of (a)(12) **and (14)** of this section. This subsection does not limit the
13 authority of peace officers.

14 * **Sec. 4.** This Act takes effect July 1, 2018.