Good morning and thank you to the Vermont Senate Committee on Health and Welfare Chair Ginny Lyons, Vice Chair Weeks and the rest of the committee members for giving us the opportunity to speak on this important matter. Before we get into our comments, I would like to introduce myself and Dr. David Eaton. My name is Kathy Stanton. I am the senior director of science and regulatory affairs at the Personal Care Products Council. PCPC is the leading national trade association representing global cosmetics and personal care products companies – organizations that are committed to safety, quality and innovation. I have a degree in Biology and a Master of Science degree in applied ecology/conservation biology. I have over twenty years of experience in the consumer products industries, publishing human and environmental safety and risk assessments of consumer product ingredients and working with legislators and regulators on practical laws and guidelines. And while I'm giving these comments from my office in Washington DC, I was raised in upstate New York and consider the Adirondacks my home.

I am also very happy to introduce Dr. David Eaton. While I hope you've read through his very impressive CV, I'd like to highlight his current positions as professor emeritus of environmental and occupational health sciences at the University of Washington and Adjunct professor of Pharmacology and Toxicology at the College of Pharmacy, University of Arizona. Dr. Eaton has decades of experience, numerous honors, awards and fellowships, including this year's Society of Toxicology Merit Award. He has served on various scientific advisory boards and panels as both chair and panelist, including those for the national academy of sciences, engineering and medicine and the national research council. He has served as an advisor to the National Institutes of Health, National Center for Toxicogenomic, the National Institute of Environmental Health Sciences and National Toxicology Program.

We are going to divide our time with Dr. Eaton delivering his expert views on lead exposures, risk, and the potential public health consequences of lowering the current federal guideline of 10 parts per million lead in cosmetic products. I will then discuss the regulatory landscape including the U.S. Food and Drug Administration's guidance and specifications for lead in cosmetic products and their ingredients, including color additives.

- Lead is an unavoidable, unintentional contaminant in many consumer products.
- Lead is an element that occurs naturally in the earth. Trace amounts of lead may occur in the foods we eat and the water we drink. Lead is never intentionally added to cosmetic products. However, because of the ubiquitous presence of lead in the environment, it is not practical to completely eliminate its presence in daily exposures.
- Cosmetics and personal care products are regulated by the FDA under strong federal regulations, most recently updated with the Modernization of Cosmetics Regulation Act, signed into law by President Biden in 2022.
    - **The FDA limits lead as an impurity in cosmetic lip products and externally applied cosmetics to a maximum of 10 ppm. Daily exposures from a variety of sources were considered when the FDA set the 10 ppm level for cosmetics and personal care products.**
    - As part of their work to ensure strong federal oversight of cosmetics, the FDA analyzed hundreds of lipsticks and other cosmetic lip products, such as lip glosses, and hundreds of externally applied cosmetics (cosmetics applied to the skin, such as eye shadows, blushes, shampoos, and body lotions) for lead and other impurities. **The FDA data concluded that the 10ppm level is the recommended maximum. This supports the public health goal to limit consumers'**

exposure to lead in FDA-regulated products including in the food and supplements that consumers consume.

- The law treats color additives differently and more stringently than other ingredients because they are mined from the earth. **Color additives need FDA approval before they may be used in cosmetics, foods, drugs, or many medical devices.** Each color additive that FDA approves is listed in a regulation, called a "listing regulation." That regulation describes the color additive, tells how it is permitted to be used, and provides limits on impurities. *"It is my opinion that no powdered product would be able to achieve 1 ppm level."*

- **Based on scientific information, it is evident that the concentration of lead in personal care products at the current maximum level of 10 ppm is without significant public health risk. Indeed, the level of exposure to lead from such products, even using 'worst case' assumptions, is less than 0.1% of what typical 'background' exposures are to children and adults from all other sources of lead in the diet, drinking water and residential soil and house dust.**