

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

H.B. 528  
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HOUSE PRINCIPAL CLERK

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HOUSE BILL DRH40317-MV-25

Short Title: Disclosure of Cosmetics Ingredients. (Public)

Sponsors: Representative Belk.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE THAT COSMETICS MANUFACTURERS DISCLOSE ON  
3 MANUFACTURER WEBSITES THE FULL LIST OF INGREDIENTS, INCLUDING THE  
4 COMPONENT INGREDIENTS OF FRAGRANCES, FLAVORS, AND COLOR  
5 ADDITIVES.

6 The General Assembly of North Carolina enacts:

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

9 "**§ 106-137.1. Disclosure of cosmetics ingredients.**

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

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

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

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

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

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

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

27 **SECTION 2.(a)** Until the effective date of any revised permanent rules that the  
28 Board is required to adopt pursuant to subsection (c) of this section, the Board shall implement  
29 02 NCAC 09B .0116(o)(148), as provided in subsection (b) of this section.

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

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

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

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



\* D R H 4 0 3 1 7 - M V - 2 5 \*

1 "§ 106-124. **Violations made misdemeanor.**

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

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

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

15 ...."

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