

The Boston Globe

SATURDAY, SEPTEMBER 6, 1997

Page A-16



SEN. EDWARD KENNEDY
Maintain state oversight

Cosmetics proposal draws fire

ASSOCIATED PRESS

WASHINGTON - A proposal to preempt state regulation of cosmetics is emerging as a major sticking point in a long-delayed effort to revamp the Food and Drug Administration.

Senator Edward M. Kennedy, who opposes the provision, said yesterday that it shows "a callous disregard for the health of American women" since currently there is limited federal oversight of the \$20 billion industry.

"The only authority we have out there is at the state level and this bill is taking that away," said Kennedy. "How much do we have to yield to the greed of that industry ... and why should we do it?"

Cosmetics regulation lies with the FDA, but the agency spends its regulatory dollars in other areas. States do most of the oversight as a result. The pending bill exempts California, where voters approved a referendum in 1986 requiring health warnings on products with certain toxins.

Sponsors say the provision would establish uniform, national labeling and warning requirements for cosmetics and over-the-counter drugs to give consumers the same information, regardless of what state they're in.

But states could also peti-

Sponsors say the provision would establish uniform, national labeling for cosmetics.

tion the FDA for exemptions.

"It doesn't make sense to impose up to 50 different labels in 50 different states," said Mike Petrina, vice president for legislative relations at the Cosmetic, Toiletry and Fragrance Association.

The provision would also apply to nonprescription drugs, but Kennedy is less concerned about its impact in that area.

Kennedy, who spent several hours criticizing the provision yesterday, said the nonpartisan General Accounting Office, the investigative branch of Congress, had identified more than 125 ingredients available for cosmetics that are suspected of causing cancer. Others may cause birth defects.

"This bill does not ignore the problem of cosmetics," countered Senator Jim Jeffords, Republican of Vermont, a sponsor of the overhaul bill. "For the first time, it really emphasizes that the FDA and states should do something."

The cosmetics provision is one of a handful of issues threatening the latest FDA overhaul bill to emerge from Congress. Lawmakers agree that the agency needs to be quicker with its drug and medical device approvals, but they disagree over how to achieve that without endangering people's lives and health.