



Product safety bulletin

Formaldehyde in cosmetics including hair products

June 2011

This Bulletin provides information about formaldehyde in cosmetics and the hazards associated with its use. It also assists suppliers of cosmetics to ensure products they supply are safe and comply with the law.

If you are a manufacturer, importer, wholesaler, hirer or retailer in the business of supplying cosmetics including hair care products into the Australian market, or a service provider such as a hair salon, this Bulletin applies to you.

What is formaldehyde?

Formaldehyde is a colourless gas with a sharp, pungent odour. It is best known for its use as a preservative in laboratories and morgues.

Formaldehyde occurs naturally at low levels in many things, including plants, smoke and food. In low levels it can be safely and legally used in cosmetics as a preservative that helps ensure the product does not contain or develop harmful bacteria.

Free formaldehyde¹ is permitted as a preservative ingredient in cosmetic hair products at concentrations of up to 0.05 per cent. Where a product is labelled with the warning statement "CONTAINS FORMALDEHYDE" it may contain formaldehyde up to 0.2 per cent.

Hazards

In excessive amounts, formaldehyde can cause dermatitis, hair loss, permanent skin sensitisation and irritation of the nose and eyes. It can also trigger asthma and breathing difficulties.

Formaldehyde is also classified as a Group 1 carcinogen by the World Health Organisation International Agency for Research on Cancer as a chemical known to cause cancer in humans in circumstances where there is chronic high exposure.

Your responsibility to provide safe and legal products

Cosmetic ingredients must be legally permitted for use in Australia, and must appear on the ingredients label as outlined in the mandatory information standard: *Trade Practices (Consumer Product Information Standards) (Cosmetics) Regulations 1991*. This enables consumers

to identify ingredients they might be allergic to, or are concerned about. It also allows for comparison of various cosmetic products.

More information on the legal use of chemicals in cosmetics, including safe limits, can be found at:

- www.nicnas.gov.au (the National Chemical Notification and Assessment Scheme)
- www.tga.gov.au (the Therapeutic Goods Administration)

Additionally, the Australian Consumer Law (ACL) provides a range of statutory guarantees to consumers when they purchase goods and services. Suppliers must ensure that goods are safe and of an acceptable quality and fit for any disclosed purpose.

All representations and claims made in relation to a product must be truthful and must not be likely to mislead or deceive.

Substantial penalties including fines of up to \$1.1 million apply to companies that fail to comply.

More detailed information on the requirements of the ACL is available from the ACCC website at www.accc.gov.au/ACL.

Your mandatory reporting responsibilities as a supplier

As a supplier, you also need to be aware of your mandatory reporting obligations.

Under the ACL, suppliers—including wholesalers, retailers and service providers such as hairdressers—are required to report consumer goods associated with the serious injury, illness or death of any person within two days of becoming aware of a reportable incident.

A supplier who fails to fulfil this mandatory requirement may be found guilty of a criminal offence and be liable for a penalty of up to \$16 500 for a body corporate or \$3300 for a person other than a body corporate.

You can submit a mandatory report and find out more about your requirements via the Product Safety Australia website: <http://www.productsafety.gov.au/mandatoryreporting>.

¹ The term "free formaldehyde" refers to the total amount of formaldehyde that is present in a cosmetic solution or available for release from a cosmetic solution.

Recent recalls of hair products containing formaldehyde

A recall is the removal of an unsafe product from the marketplace.

A number of hair products that contain unsafe levels of free formaldehyde have been recalled.

Recalled products include Brazilian Blowout Professional Smoothing Solution, Global Keratin Taming System with Juvexin, HydroSpa Keratin Smoothing Treatment, Keratin Complex Smoothing Therapy for Blonde Hair, Keratin Complex Express Blow-Out, Keratin Complex Intense RX and Keratin Complex Smoothing Therapy.

For more information, visit the Recalls Australia website at www.recalls.gov.au. You can register to receive automatic email alerts from this site any time a new recall is listed. This will help ensure you keep up-to-date with the latest product safety recall information and can act to keep yourself, your staff and your clients safe.

How to sell and use safe products in your salon

- only buy/source products that comply with relevant laws including the mandatory standard for ingredient labelling on cosmetics—more information available at www.productsafety.gov.au
- check the ingredients are listed on the product and allow your clients to see the ingredients list
- if you or your customers are concerned about, or trying to avoid exposure to, formaldehyde, you should avoid other ingredients which release formaldehyde such as: methylene glycol, methylene oxide, formalin, formol, methanal, methyl aldehyde, methaldehyde, oxomethane, or oxymethylene

- people allergic to formaldehyde are often advised to avoid leave-on cosmetics preserved with formaldehyde releasing compounds such as quaternium-15, diazolidinyl urea, DMDM hydantoin, or imidazolidinyl urea
- ask your suppliers for evidence that their products have been tested for formaldehyde content and that this is less than the maximum safe limit
- always follow product instructions for use (including skin patch testing, avoidance of direct contact with the skin and after-care instructions)
- ensure the room you are using products in is properly ventilated—remember that formaldehyde has a sharp pungent odour that irritates or ‘stings’ the nose and eyes
- have material safety datasheets available for your clients and staff (these should be provided by suppliers of hazardous products)
- stay up-to-date with product recalls by regularly visiting or subscribing to e-mail alerts from the Recalls Australia website
- follow instructions for dealing with any recalled products you have
- if you are not satisfied that the product is safe and compliant do not purchase or use it.

It is both illegal and irresponsible for anyone to supply any cosmetic product that does not comply with the law. This includes using recalled or non-compliant salon products on your clients.

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For more information about mandatory standards, bans, recalls and emerging issues—and to subscribe to email alerts and RSS—visit our websites:

www.productsafety.gov.au

www.recalls.gov.au

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ACCC Infocentre: 1300 302 502

Callers who are deaf or who have a hearing or speech impairment can contact us through the National Relay Service: www.relayservice.com.au

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