State of California passes 2 legislations recently

(1) Prohibits the sale of candy containing in excess of lead

California recently has passed legislation ensuring the candy sold in the state is not adulterated. "Candy" means any confectionary intended for individual consumption that contains chili, tamarind, or any other ingredient identified as posing a health risk in regulations adopted by the enforcement bodies. Candy is said to be adulterated as:

1. Any candy with lead in excess of the "Naturally Occurring Level" *
2. Its wrapper or the ink on the wrapper contains lead in excess of standards that may leach to the candy.

Producers and Manufacturers of candy and candy ingredients are obligated to reduce the natural chemical contaminants to the lowest level as possible. Any candy tested to be adulterated will be prohibited from being sold or distributed in the state until further testing proves that the candy is unadulterated.

* In the mean time, the Naturally Occurring Level of lead in candy has not been determined. However, it shall be determined by the authority no later than July 1, 2006. Once the "Naturally Occurring Level" is defined.
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(2) The California Safe Cosmetics Act of 2005

The California Safe Cosmetics Act of 2005 has finally been signed into law. The act require the disclosure of potentially hazardous ingredients in cosmetics, and give the state authority to regulate such hazards where appropriate. This disclosure would apply only to ingredients that already identified as causing cancer or reproductive toxicity by an authoritative body as any of the following:

1. A substance listed in a National Toxicology Report on carcinogens;
2. A substance classified as Group 1, Group 2A, or Group 2B by the International Agency for Research on Cancer;
3. A substance identified as a Group A, Group B1, or Group B2 carcinogen by the USA Environmental Protection Agency.

Commencing January 1, 2007, manufacturer (annual aggregate sales of cosmetic products, both within and outside of California, of one million dollars [$1,000,000] or more) of any cosmetic product is required to provide the authority with a complete and accurate list of its cosmetic products sold in the state, which contain any ingredient that is a chemical, including fragrance, flavoring or identified as "trade secret" classified as causing cancer or reproductive toxicity.

If the cosmetic product has been adequately substantiated for safety despite containing an ingredient that the Cosmetic Ingredient Review (CIR) panel has found is not safe for the specific use indicated on the product's label. The state authority will refer the findings to the Attorney General and the FDA for possible enforcement action pursuant to federal Food, Drug and Cosmetic Act.

Should you have any query on the above news, please contact Ms. Denise Chan at Tel: (852) 2173-8770 / Fax to (852) 2785-8570 / Email: enquiry@intertek.com

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