

business | mislabeled cosmetics

by Rob and Carol Trow

There are now a myriad of publications devoted to the natural and organic cosmetics market. The words natural, organic and green are everywhere.

The State of California, through its Attorney General, has filed a lawsuit against a number of personal care companies that claim to be natural and/or organic either in name, product descriptions or advertisements. This is important for many reasons, not the least of which is that what happens in California often spreads to other parts of the country and even the Federal government. The issue is not a new one in California.

A company headed by David Bonner filed a lawsuit in State Superior Court against a number of leading organic and natural brands, along with several "certification organizations" regarding mislabeling of products.

Poison in cosmetics?

Essentially, it is alleged by the Attorney General that many of the natural personal care companies' products contain levels of carcinogenic compounds including 1,4-dioxane. California Proposition 65 states that consumer products that contain chemicals known to the state to cause reproductive problems or cancer must give clear and reasonable warning to consumers. The matter is similar to the early warnings that started to appear in cigarette advertising many years ago. Today, the warnings about the dangers of smoking are more clearly worded.

The Organic Consumers Association (www.organicconsumers.org) has brought the issue to the forefront as a

result of a study it released in 2008. The organization has been campaigning to pull the curtain back on a number of natural and organic brands that were found to contain compounds and ingredients that were anything but natural or organic. Also of concern was ethylene oxide, often used as a surfactant. Surfactants are wetting agents that lower the surface tension of a liquid, allowing

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for greater ease to spread, and lowering the interfacial tensions between two liquids. Simply put, they make it easier for liquids like water and oil to mix.

The FDA disagrees

It is important to note that the Food and Drug Administration (FDA) has a differing point of view. It states that 1,4-dioxane does not pose a risk to consumers, as it is found in a myriad of cosmetic products. The logic goes that if it is already being used, what's the problem?

This is certainly not the first nor will it be the last time when a state regulatory body is at odds with the FDA over health and safety issues. The situation only adds confusion to conflict.

We would be careless if we did not point out that the issue of toxicity or potential health hazard is based more



on the concentration and dosage of an ingredient rather than the ingredient itself. A minuscule amount may be safe while a large amount may be harmful.

A word of caution: Just because someone uses the term organic or natural does not mean the product is what it claims to be. And products that contain chemical or synthesized ingredients may or may not be more effective and equally as safe. Again, it is more about the amount of an ingredient rather than the ingredient itself. Do not be swayed by uninformed beliefs—educate yourself and your clients. ■

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