



Legislative Session 2025

Focus on: Toxic-Free Cosmetics Act

In 2023, the Washington Legislature passed the Toxic-Free Cosmetics Act (Chapter 70A.560 RCW) to improve cosmetic and personal care product safety and protect Washington’s residents and environment from toxic chemicals.

The law restricts the manufacture, distribution, and sale of cosmetic products with certain toxic chemicals in Washington, beginning January 1, 2025.

The law directs Ecology to:

1. Evaluate the hazards of chemicals with the same function as restricted chemicals that may be safer.
2. Provide technical support and financial assistance to small businesses that make or use cosmetic products.
3. Identify and then conduct a rulemaking to restrict chemicals that release formaldehyde.

Interested parties’ engagement

We established a [website](#)¹ and [email list](#)² in early 2024. To inform regulated entities of the new requirements and compliance date, we:

- Sent postcards to about 900 cosmetics businesses in Washington.
- Worked with organizations to email more than 25,000 interested parties.
- Contacted 125 community-based organizations, 35 local health departments, and 35 Tribal health and youth contacts.
- Issued news releases, blogs, listserv messages, and social media posts.
- Gave interviews to media covering Washington or cosmetics industry news.

Hazard assessments

In 2024, we completed an initial hazard assessment of ten chemicals that could replace restricted chemicals used as preservatives. The assessment reports are available on the [Interstate Chemicals Clearinghouse Chemical Hazard Assessment Database](#).³

Businesses can use this information to support the formulation of safer products. Cosmetologists can use this information to advocate for and purchase safer cosmetics products.

Additional chemicals and functions will be assessed as funding allows.

Technical assistance

By April 2024, we began informing businesses who make, sell, or use cosmetics to review the law and plan to reformulate products to use safer alternatives, if needed.

We established a [website](#) and published a [Guide for Cosmetic Manufacturers](#).⁴ Companies of any size can contact us for more information or technical assistance at ToxicFreeCosmetics@ecy.wa.gov.

Support for small businesses

Small businesses (50 or fewer employees) could qualify for reimbursements to support certifications and switching to safer products.

Certification subsidy

Safer certifications can boost revenue, increase brand recognition, and help future-proof products. Certifications also make it easier for consumers to choose safer products.

Our [certification subsidy program](#)⁵ helps small cosmetics manufacturers get voluntary environmental health certifications for their products. Qualifying manufacturers could be reimbursed up to:

- 75 percent of the cost for the first \$10,000 spent.
- 50 percent of the cost between \$10,000 and \$50,000 spent.
- Reformulation costs up to \$2,500.

The maximum reimbursement towards product certification is \$30,000.

Safer Salons Partnership

We're developing the [Safer Salons Partnership program](#)⁶ to help cosmetologists in Washington with the costs of switching to safer cosmetics.

This program will prioritize funding for small, women- and minority-owned cosmetology businesses, and businesses in communities overburdened by environmental issues.

Rulemaking

The law instructs Ecology to conduct rulemaking to restrict formaldehyde-releasing chemicals in cosmetics. It also permits Ecology to conduct rulemaking to change the law's restriction on lead and lead compounds.

Formaldehyde-releasing chemicals

In May 2024, we initiated a [rulemaking](#)⁷ to develop a new chapter in the Washington Administrative Code (WAC): Chapter 173-339 WAC—Cosmetic Products Restrictions.

In the summer of 2024, we worked with interested parties to develop draft rule requirements. We anticipate proposing the formal draft rule in early 2025.

Lead and lead compounds

In 2025, we anticipate starting a rulemaking related to lead impurities in cosmetics. This rulemaking will be an open public process allowing us to continue working with interested parties to find a feasible approach to regulating lead in cosmetic products.

Interim policy for lead restrictions in the law

In late 2024, we received information showing that certain cosmetics may be unable to meet the law's lead restriction of 1 part per million.

We have committed to developing an interim policy by January 1, 2025, to give manufacturers more time to comply with the lead restriction.

The policy will provide pathways to compliance for specific types of products that may not be able to comply with the statutory lead limit as of January 1, 2025, while still requiring manufacturers to work toward the lowest lead levels possible in cosmetic products.

End notes

¹ ecology.wa.gov/TFCA

² public.govdelivery.com/accounts/WAECY/signup/40162

³ www.theic2.org/hazard-assessment-database

⁴ apps.ecology.wa.gov/publications/SummaryPages/2404019.html

⁵ ecology.wa.gov/cosmetics-manufacturers

⁶ ecology.wa.gov/cosmetics-replacement

⁷ ecology.wa.gov/regulations-permits/laws-rules-rulemaking/rulemaking/wac-173-339



Shari Franjevic
shari.franjevic@ecy.wa.gov
360-338-2913



To request an ADA accommodation, contact Ecology by phone at 360-407-6700 or hwtrpubs@ecy.wa.gov, or visit ecology.wa.gov/accessibility. For Relay Service or TTY, call 711 or 877-833-6341.