

TGG: JCL ~~MSH~~ MSH: AJO: RF
XF: hant

Thomas G. Grumbles

VISTA

To VPSAG

Date 4/27

This article indicates
the lack of regulation
in the cosmetics
industry

This is what we discussed
at our last meeting

TGG

VVV 000012931



PRESS CLIPPINGS REPORT

THE SOAP AND DETERGENT ASSOCIATION • 475 PARK AVENUE SOUTH • NEW YORK, N.Y. 10016 • (212) 725-1262

*The Star-Ledger
Newark, NJ
April 10, 1990*

*92-1
APRIL 23, 1990*

Cosmetics makers resist product safety review

WASHINGTON (AP)—Most manufacturers of cosmetics are not signing up for voluntary federal oversight, according to a report to Congress released yesterday.

A congressman who wants to increase oversight of the \$18 billion industry said the report raises safety questions.

The Food and Drug Administration (FDA) has no authority to require safety testing of personal-care products, which includes everything from toothpaste to bubble bath, or to force manufacturers to report safety data or cosmetics-related injuries, noted the report by the General Accounting Office, the investigating arm of Congress.

"Most people think somebody approves these products in advance, that the government would have access to safety data, that there's a review of the chemicals (in the products), but that's not what goes on here," Rep. Ron Wyden (D-Ore.), who requested the report, said in an interview.

Wyden is chairman of the Small

Business subcommittee on regulation.

He said the Food, Drug and Cosmetics Act, on the books since 1938, needs to be rewritten to require cosmetics manufacturers to register with the FDA and provide the agency with data on safety tests and injury reports. He said he expects to introduce legislation to that effect later this year.

The Cosmetics, Toiletry and Fragrance Association defended the industry, saying, "There isn't a serious safety problem. If there were, the agency would know about it and the public would know about it."

The association, the main trade organization for the cosmetics industry, has been encouraging manufacturers to register voluntarily with the FDA and has been collecting and reviewing safety data on chemicals used in cosmetics, said Michael Petrino, the group's vice president for legislative relations.

"The FDA has plenty of information now to make any judgments to deal with any safety concerns," he said. "We don't think the FDA needs any

more authority to regulate. We don't think it makes any sense to divert their scarce resources to an industry that has a demonstrated safety record."

The GAO report said that according to FDA estimates, there are about 2,000 to 2,500 cosmetics manufacturers and about twice as many distributors.

The drug agency's records show that 778, or 31 percent to 39 percent, had registered with the agency as of July 1989.

An FDA spokesman said agency officials had not yet seen the report and would have no comment until it was reviewed.

VVV 000012932



MARKETING FORUM

THE SOAP AND DET

92-2

Sanitary
Maintenance
April 1990

CHARLIE WILSON
Golden Star Inc.
North Kansas City, MO



Antimicrobial Products Provide Safer Environment

In the past several years, the use of antimicrobial products has increased. The demand for these products is generated by the end users' desire for programs that inhibit the spread of infection, by their awareness of premature product failure due to bacteria and by strict requirements to create a safe and healthy living environment.

The Omnibus Budget Reconciliation Act of 1987, Sanitary and Infection Control and Physical Environment, states that facilities (hospitals, nursing homes, clinics, doctor's offices and restaurants) must be designed, constructed, equipped and *maintained* to protect the health and safety of residents, personnel and the general public.

Unfortunately, many end users are unaware of or misinformed about the features and benefits of antimicrobial products. The advantages include:

- (1) Inhibiting deterioration of the product itself.
- (2) Discouraging the spread of bacteria and infection (although it is important to note that antimicrobial products do not minimize the need for disinfectants).
- (3) Providing odor control against bacterially caused odors.
- (4) Reducing the costs of having to replace products.

The liability that can result from disregarding the effectiveness of these products in reducing bacterial buildup cannot be ignored. One major hotel chain was successfully sued for millions of dollars in punitive damages

after an outbreak of Legionnaires' disease. (The disease was named in 1976 after 34 people died and 221 became ill when they were infected by the bacteria *Legionella Pneumophila* at a hotel in Philadelphia.)

The hotel was found to be liable for not having taken sufficient steps to guarantee bacterial control in its water cooling tower. The *franchise* was held liable for not having informed its franchisees of proper precautions.

A distributor's salesperson who seeks to an antimicrobial product by saying, "Think the money you'll save on disinfectant," is misleading the customer and putting that customer at the same risk as the hotel. Antimicrobials are *one step* in disease prevention, not a cure-all.

In the future, new requirements by the government will ensure that antimicrobial products will become a substantial and necessary part of maintenance programs.

New federal requirements for participation in Medicare and Medicaid (that will become effective on October 1, 1990) state that facilities must establish and maintain an infection control program that investigates, controls and prevents infections in the facility while establishing a safe, sanitary and comfortable environment for residents.

The past few years have provided the maintenance industry and its customers with an introduction to antimicrobial products. Their benefits are multiple and obvious. Potential liabilities that may arise from disregarding the products cannot be risked or ignored. ■

Marketing Forum provides manufacturers an opportunity to advance their products on means of expanding their markets for specific product categories. It is not meant as an endorsement of any company's product. We welcome contributions from manufacturers who feel they have important contributions to make.

Thomas G. Grumbles

VISTA

To VPSAG

Date 4/27

This article indicates
the lack of regulation
in the cosmetics
industry.

This is what we discussed
at our last meeting



VVV 000012933



PRESS CLIPPINGS REPORT

THE SOAP AND DETERGENT ASSOCIATION • 475 PARK AVENUE SOUTH • NEW YORK, N.Y. 10016 • (212) 725-1262

*The Star-Ledger
Newark, NJ
April 10, 1990*

*92-1
APRIL 23, 1990*

Cosmetics makers resist product safety review

WASHINGTON (AP)—Most manufacturers of cosmetics are not signing up for voluntary federal oversight, according to a report to Congress released yesterday.

A congressman who wants to increase oversight of the \$18 billion industry said the report raises safety questions.

The Food and Drug Administration (FDA) has no authority to require safety testing of personal-care products, which includes everything from toothpaste to bubble bath, or to force manufacturers to report safety data or cosmetics-related injuries, noted the report by the General Accounting Office, the investigating arm of Congress.

"Most people think somebody approves these products in advance, that the government would have access to safety data, that there's a review of the chemicals (in the products), but that's not what goes on here," Rep. Ron Wyden (D-Ore.), who requested the report, said in an interview.

Wyden is chairman of the Small Business subcommittee on regulation.

He said the Food, Drug and Cosmetics Act, on the books since 1938, needs to be rewritten to require cosmetics manufacturers to register with the FDA and provide the agency with data on safety tests and injury reports. He said he expects to introduce legislation to that effect later this year.

The Cosmetics, Toiletry and Fragrance Association defended the industry, saying, "There isn't a serious safety problem. If there were, the agency would know about it and the public would know about it."

The association, the main trade organization for the cosmetics industry, has been encouraging manufacturers to register voluntarily with the FDA and has been collecting and reviewing safety data on chemicals used in cosmetics, said Michael Petrina, the group's vice president for legislative relations.

"The FDA has plenty of information now to make any judgments to deal with any safety concerns," he said. "We don't think the FDA needs any

more authority to regulate. We don't think it makes any sense to divert their scarce resources to an industry that has a demonstrated safety record."

The GAO report said that according to FDA estimates, there are about 2,000 to 2,500 cosmetics manufacturers and about twice as many distributors.

The drug agency's records show that 778, or 31 percent to 39 percent, had registered with the agency as of July 1989.

An FDA spokesman said agency officials had not yet seen the report and would have no comment until it was reviewed.

VVV 000012934



MARKETING FORUM



CHARLIE WILSON
Golden Star Inc.
North Kansas City, MO

THE SOAP AND DET

92-2

Sanitary
Maintenance
April 1990

Antimicrobial Products Provide Safer Environment

In the past several years, the use of antimicrobial products has increased. The demand for these products is generated by the end users' desire for programs that inhibit the spread of infection, by their awareness of premature product failure due to bacteria and by strict requirements to create a safe and healthy living environment.

The Omnibus Budget Reconciliation Act of 1987, Sanitary and Infection Control and Physical Environment, states that facilities (hospitals, nursing homes, clinics, doctor's offices and restaurants) must be designed, constructed, equipped and *maintained* to protect the health and safety of residents, personnel and the general public.

Unfortunately, many end users are unaware of or misinformed about the features and benefits of antimicrobial products. The advantages include:

- (1) Inhibiting deterioration of the product itself.
- (2) Discouraging the spread of bacteria and infection (although it is important to note that antimicrobial products do not minimize the need for disinfectants).
- (3) Providing odor control against bacterially caused odors.
- (4) Reducing the costs of having to replace products.

The liability that can result from disregarding the effectiveness of these products in reducing bacterial buildup cannot be ignored. One major hotel chain was successfully sued for millions of dollars in punitive damages

after an outbreak of Legionnaires' disease. (The disease was named in 1976 after 34 people died and 221 became ill when they were infected by the bacteria *Legionella Pneumophila* at a hotel in Philadelphia.)

The hotel was found to be liable for not having taken sufficient steps to guarantee bacterial control in its water cooling tower. The *franchise* was held liable for not having informed its franchisees of proper precautions.

A distributor's salesperson who seeks to sell an antimicrobial product by saying, "The money you'll save on disinfectant," is leading the customer and putting that customer at the same risk as the hotel. Antimicrobials are *one step* in disease prevention, not a cure-all.

In the future, new requirements by the government will ensure that antimicrobial products will become a substantial and necessary part of maintenance programs.

New federal requirements for participation in Medicare and Medicaid (that will become effective on October 1, 1990) state that facilities must establish and maintain an infection control program that investigates, controls and prevents infections in the facility while establishing a safe, sanitary and comfortable environment for residents.

The past few years have provided the maintenance industry and its customers with an introduction to antimicrobial products. Their benefits are multiple and obvious. Potential liabilities that may arise from disregarding the products cannot be risked or ignored. ■

Marketing Forum provides manufacturers an opportunity to advise distributors on means of expanding their markets for specific product categories. It is not meant as an endorsement of any company's products. We welcome suggestions from manufacturers who feel they have important contributions to make.