1   HOUSE BILL NO. 519

2   INTRODUCED BY N. MCCONNELL

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4   A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR DISCLOSURE OF FRAGRANCE INGREDIENTS

5   IN COSMETIC PRODUCTS; PROVIDING A PENALTY; AND PROVIDING A DELAYED EFFECTIVE DATE."

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7   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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9   NEW SECTION. **Section 1. Fragrance disclosure -- penalty.** (1) A person who manufactures a

10   cosmetic in this state or whose cosmetic is distributed or offered for retail sale in this state shall disclose a full

11   list of the ingredients in the cosmetic on the person's website, including:

12   (a) the component ingredients of fragrances, flavors, and color additives; and

13   (b) the chemical abstracts service number of each ingredient.

14   (2) The ingredients must be:

15   (a) identified in accordance with 21 CFR 701.3(c); and

16   (b) listed in descending order of predominance, except that an ingredient present at a concentration of

17   not more than 1% may be listed without respect to the order of predominance.

18   (3) This section does not require a person to disclose the concentration of an ingredient in a cosmetic.

19   (4) A person who violates this section is subject to a civil penalty not to exceed $10,000 per violation.

20   If a violation is not corrected within 6 months of the initial violation, the person is subject to a civil penalty of not

21   less than $25,000. The department may institute and maintain in the name of the state any enforcement

22   proceedings under this section. Upon request of the department, the attorney general or the county attorney of

23   the county in which the violation occurred shall petition the district court to impose, assess, and recover the civil

24   penalty.

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26   NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an

27   integral part of Title 50, chapter 31, part 4, and the provisions of Title 50, chapter 31, part 4, apply to [section 1].

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29   NEW SECTION. **Section 3. Effective date.** [This act] is effective January 1, 2018.

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