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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (*Division 104 added by Stats. 1995, Ch. 415, Sec. 6.)*

PART 5. SHERMAN FOOD, DRUG, AND COSMETIC LAWS [109875 - 111929.4] (*Part 5 added by Stats. 1995, Ch. 415, Sec. 6.)*

CHAPTER 7. Cosmetics [111660 - 111820] (*Chapter 7 added by Stats. 1995, Ch. 415, Sec. 6.)*

ARTICLE 2. Adulterated Cosmetics [111670 - 111725] (*Article 2 added by Stats. 1995, Ch. 415, Sec. 6.)*

111670. A cosmetic is adulterated if it bears or contains any poisonous or deleterious substance that may render it injurious to users under the conditions of use prescribed in the labeling or advertisement of the cosmetic, or under conditions of use as are customary or usual.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

111675. Section 111670 shall not apply to coal tar hair dye, that is conspicuously labeled as follows:

"Caution—this product contains ingredients that may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness."

The labeling shall also bear adequate directions for such preliminary testing.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

111680. Any cosmetic is adulterated if it consists in whole or in part of any filthy, putrid, or decomposed substance.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

111685. Any cosmetic is adulterated if it has been produced, prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

111690. Any cosmetic is adulterated if its container is composed, in whole or in part, of any poisonous or deleterious substance that may render the contents injurious to health.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

111691. A cosmetic is not adulterated because it includes industrial hemp, as defined in Section 11018.5, as long as the cannabinoids, extracts, or derivatives from industrial hemp meet the requirements established in Chapter 9 (commencing with Section 111920). The sale of a cosmetic that includes industrial hemp or cannabinoids, extracts, or derivatives from industrial hemp shall not be restricted or prohibited based solely on the inclusion of industrial hemp provided that the cannabinoids, extracts, or derivatives from industrial hemp meet the requirements established in Chapter 9 (commencing with Section 111920).

(*Added by Stats. 2021, Ch. 576, Sec. 9. (AB 45) Effective October 6, 2021.*)

111695. Any cosmetic is adulterated if it is not a hair dye and it is, or it bears or contains, a color additive that is unsafe within the meaning of Section 111665.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

111700. It is unlawful for any person to manufacture, sell, deliver, hold, or offer for sale any cosmetic that is adulterated.

(*Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.*)

111705. It is unlawful for any person to adulterate any cosmetic.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

111710. It is unlawful for any person to receive in commerce any cosmetic that is adulterated or to deliver or proffer for delivery any such cosmetic.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

111715. While any regulation relating to any color additive referred to in Section 111665 is in effect, any cosmetic that bears or contains a color additive in accordance with these regulations shall not be considered adulterated.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

111720. Any cosmetic intended for export shall not be deemed to be adulterated under this part if it satisfies all of the following requirements:

- (a) It accords to the specifications of the foreign purchaser.
- (b) It is not in conflict with the laws of the importing country.
- (c) It is labeled on the outside of the shipping package to show that it is intended for export.

If the article is sold or offered for sale in domestic commerce, this section shall not exempt it from any of the provisions of this part.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

111725. A cosmetic is deemed adulterated under the laws of this state if it is subject to regulations issued by the United States Food and Drug Administration relating to tamper-resistant packaging, as set forth in Part 700 of Volume 21 of the Code of Federal Regulations, as amended, but is not in compliance therewith.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)