EZASSI SIGNALS

Cosmetics Manufacturing Compliance (United States)

Regulatory Signals · October 2026

Five signals from a Regulatory watch on the federal and state rules that bind the facilities making cosmetics for US brands: state ingredient bans, MoCRA rulemakings and facility registration. Each signal rests on two or more dated events and carries a confidence band, a time horizon and a verification status. Implications are written for contract manufacturers.

#	SIGNAL	CONFIDENCE	HORIZON	STATUS
1	Washington and Oregon both set January 1, 2027 manufacturing bans on formaldehyde releasers, creating a hard production cut-off that precedes the retailer sell-through window	High	Immediate 0–3 months	Verified
2	Maine and Vermont PFAS bans on cosmetics took effect in January 2026 and Connecticut's July 2026 notice step has passed, adding to earlier state bans	High	Immediate 0–3 months	Verified
3	Both priority MoCRA rulemakings — fragrance allergen labeling and hair-smoothing formaldehyde — have missed their statutory deadlines and slipped repeatedly, with November 2026 now the NPRM target for each	Medium	Short-term 3–12 months	Review
4	FDA withdrew the talc asbestos-testing proposed rule in November 2025, removing the only pending federal method mandate for talc-containing cosmetics — facilities relying on supplier qualification remain the de facto standard	High	Long-term 12+ months	Verified
5	FDA's Cosmetics Direct updates and September 2026 certificate clarification together tighten biennial registration compliance expectations and close a documentation gap that facilities were using in customer-facing materials	Medium	Immediate 0–3 months	Review

Confidence bands: High, Medium, Low. Most signals land in Medium, where the other side could still be argued. Status shows the weakest verification tag across a signal's facts.

SIGNAL 1 OF 5

Washington and Oregon both set January 1, 2027 manufacturing bans on formaldehyde releasers, creating a hard production cut-off that precedes the retailer sell-through window

HIGH | Immediate (0–3 months) | Regulatory Agency Actions | Legislative & Statutory Activity | Verified

Two independent state adoptions, Washington's Chapter 173-339 WAC (adopted August 28, 2025) and Oregon's scheduled January 1, 2027 restrictions, together set a shared reformulation deadline for any contract manufacturer supplying these markets, because the prohibition expressly reaches manufacture, not only retail sale.

REASONING

Washington adopted Chapter 173-339 WAC on August 28, 2025, listing 25 formaldehyde-releasing chemicals and expressly prohibiting manufacture as well as sale, offer for sale, and distribution beginning January 1, 2027. Oregon's January 1, 2027 effective date for an overlapping set of substances (formaldehyde and formaldehyde-releasing agents) is corroborated by two independent sources. Washington's rulemaking further confirms that the final adopted list was narrowed from the 28 chemicals in the proposal to 25, meaning facilities must use the adopted WAC text rather than earlier drafts. Critically, Washington ecology materials distinguish the January 1, 2027 manufacture prohibition from a December 31, 2027 retailer sell-through window — the retailer relief does not extend to manufacturing. Taken together, two states with overlapping coverage are converging on the same calendar date at the production level, which functions as an industry-wide reformulation deadline for any facility supplying either market.

PATTERN

(1) Washington Department of Ecology adopted Chapter 173-339 WAC on August 28, 2025, restricting 25 formaldehyde releasers, effective January 1, 2027, applying to manufacture as well as sale and distribution. (2) The adopted WAC list was narrowed from 28 proposed chemicals to 25 adopted chemicals. (3) Washington ecology materials confirm that Washington in-state retailers may sell existing stock through December 31, 2027, but this sell-through provision applies to retailers holding existing stock — not to ongoing manufacture. (4) A state-law survey corroborated by Washington ecology rulemaking materials identifies Oregon's January 1, 2027 effective date for restrictions covering ortho-phthalates, PFAS, formaldehyde, and formaldehyde-releasing agents.

IMPLICATION

A contract manufacturer filling products for brands distributing into Washington or Oregon must treat January 1, 2027 as the last permissible date to manufacture any cosmetic containing an intentionally added substance on the Washington WAC 173-339 list or the Oregon covered list. Planning around the retailer sell-through period is not protective because the manufacture prohibition applies to the facility independently of what retailers do with stock.

RECOMMENDED ACTION

By November 1, 2026, complete a formula-by-formula screen of every product distributed into Washington or Oregon against the adopted WAC 173-339 list of 25 formaldehyde releasers; obtain updated raw-material safety data sheets and CAS-number declarations from suppliers; notify affected brand owners in writing of the January 1, 2027 production cut-off; and freeze new production runs of non-compliant formulas for those markets unless a compliant reformulation is qualified before that date.

SOURCES & WHAT THEY SIGNAL

- **Washington Administrative Code Chapter 173-339 (full text)** States the prohibition covers manufacture as well as sale, offer for sale, and distribution, establishing that the restriction binds the facility directly.
- **Washington Ecology — Adopted Rule Supporting Materials** Corroborates Oregon's January 1, 2027 effective date for formaldehyde and formaldehyde-releasing agent restrictions on cosmetics.
- **Washington Department of Ecology — Closed Rulemaking, WAC 173-339** Confirms adoption date of August 28, 2025 and the January 1, 2027 effective restriction date under Chapter 173-339 WAC.
- **Washington Ecology — Rulemaking Materials (Adopted Rule Summary)** Confirms the final adopted list covers 25 formaldehyde releasers, narrowed from 28 in the proposal, requiring use of the adopted text for formula screening.
- **Washington Ecology — Retailer Guidance Document** Describes the retailer sell-through period running through December 31, 2027 as applying to in-state retailers holding existing stock, not to ongoing manufacturing.
- **Haynes Boone — State Survey of Laws Regulating Cosmetic Ingredients** Identifies Oregon's January 1, 2027 restrictions covering ortho-phthalates, PFAS, formaldehyde, and formaldehyde-releasing agents, corroborating the convergence of two states on the same date.
- **Washington Ecology — April 2026 Cosmetics Regulatory Congress Presentation** Distinguishes the January 1, 2027 manufacture prohibition from the December 31, 2027 retailer sell-through window, confirming the manufacture deadline is earlier.

SIGNAL 2 OF 5

Maine and Vermont PFAS bans on cosmetics took effect in January 2026 and Connecticut's July 2026 notice step has passed, adding to earlier state bans

HIGH | Immediate (0–3 months) | Legislative & Statutory Activity | Regulatory Agency Actions | Verified

Maine and Vermont banned intentionally added PFAS in cosmetics from January 1, 2026, with Vermont's law expressly covering manufacture. Connecticut required written notice and labeling from July 1, 2026 to keep selling PFAS-containing cosmetics and bans them outright from January 1, 2028. Minnesota, whose ban on intentionally added PFAS in cosmetics has applied since January 1, 2025, required PFAS product reports by September 15, 2026, or December 14, 2026 with an extension. PFAS-containing cosmetics can no longer be made for multi-state distribution without ingredient controls and disclosure.

REASONING

State laws with specific dates — Maine and Vermont (January 1, 2026) and Connecticut's notice and labeling step (July 1, 2026), all now past, alongside Minnesota's ban and reporting rule — converge on a single pattern: state-level prohibition of intentionally added PFAS in cosmetics is now law in multiple markets a facility supplies simultaneously. Vermont's enacted law is particularly broad, covering PFAS plus nine additional chemical categories (ortho-phthalates, formaldehyde, methylene glycol, mercury and mercury compounds, 1,4-dioxane, isopropylparaben, isobutylparaben, lead and lead compounds, and asbestos). Minnesota has banned intentionally added PFAS in cosmetics since January 1, 2025; its reporting obligation is procedurally distinct but covers the same product population and is operationally linked because identifying reportable PFAS-containing products requires the same formula inventory needed for Maine and Vermont compliance. The Connecticut structure (notification/labeling pathway through January 1, 2028, then categorical ban) creates a near-term compliance decision: facilities must confirm whether the notification and labeling steps required before July 1, 2026 were completed for any Connecticut-bound product still using intentionally added PFAS, and must plan to eliminate PFAS before January 1, 2028 regardless.

PATTERN

(1) Maine lists cosmetic products among the categories for which the January 1, 2026 ban on intentionally added PFAS applies. (2) Vermont's enacted Act 131 prohibits manufacture, sale, offer for sale, distribution for sale, or distribution for use of cosmetic products containing intentionally added PFAS beginning January 1, 2026; a state-law survey identifies Vermont's list as additionally covering ortho-phthalates, formaldehyde, methylene glycol, mercury and mercury compounds, 1,4-dioxane, isopropylparaben, isobutylparaben, lead and lead compounds, and asbestos. (3) Connecticut's structure requires manufacturer notification and labeling before July 1, 2026 to continue selling PFAS-containing cosmetics; the categorical prohibition begins January 1, 2028. (4) Minnesota moved its PFAS product-reporting deadline to September 15, 2026, with a December 14, 2026 extension deadline for manufacturers that requested one; products manufactured before July 1, 2023 are excluded from the initial report. Minnesota's sales ban on cosmetics with intentionally added PFAS has applied since January 1, 2025.

IMPLICATION

A contract manufacturer producing cosmetics for brands distributed in Maine, Vermont, Connecticut, or Minnesota must maintain active formulation controls blocking intentionally added PFAS. For Maine and Vermont, no compliant pathway for PFAS-containing cosmetics exists (manufacture ban is already in force). For Connecticut, the narrow pathway (notification plus labeling before July 1, 2026) has already closed, meaning any PFAS-containing cosmetic not covered by that prior notification is out of compliance now, and all must be reformulated

before January 1, 2028. For Minnesota, cosmetics with intentionally added PFAS have been banned since January 1, 2025, and the first PFAS reports were due September 15, 2026; manufacturers with an extension must file by December 14, 2026.

RECOMMENDED ACTION

Immediately audit all formulas distributed into Maine, Vermont, Connecticut, and Minnesota for intentionally added PFAS; for Maine and Vermont, halt any new production of non-compliant formulas; for Connecticut, confirm with legal counsel whether the July 1, 2026 notification and labeling pathway was completed for any affected product and begin reformulation to eliminate PFAS before January 1, 2028; for Minnesota, confirm with brand owners whether the September 15, 2026 report was filed or an extension secured, and if an extension was secured, file by December 14, 2026.

SOURCES & WHAT THEY SIGNAL

- **Minnesota Pollution Control Agency — Groundbreaking reports on PFAS in products due three months from today** Confirms the September 15, 2026 reporting deadline, the product-manufactured-before-July-1-2023 exclusion, and the required report contents (product, PFAS function, amount, and name).
- **Minnesota Pollution Control Agency — Reporting PFAS in Products** Establishes the September 15, 2026 PFAS product reporting deadline and identifies the December 14, 2026 extension deadline and the July 1, 2023 manufacturing-date exclusion.
- **Minnesota Pollution Control Agency — PFAS Use Prohibitions and Reporting** Confirms the December 14, 2026 deadline for manufacturers that received an extension, and that subsequent reports are due February 1 of each applicable year.
- **Maine Department of Environmental Protection — PFAS in Products** Lists cosmetic products among the categories subject to Maine's January 1, 2026 ban on intentionally added PFAS.
- **DLA Piper — 2026 Mid-Year PFAS Update** States that Connecticut's July 1, 2026 notification and labeling requirement is a precondition for continued sale of PFAS-containing cosmetics, and that the categorical prohibition begins January 1, 2028.
- **Haynes Boone — State Survey of Laws Regulating Cosmetic Ingredients** Identifies Vermont's January 1, 2026 restrictions as covering PFAS plus nine additional chemical categories, broadening the scope of Vermont compliance obligations.
- **Vermont Act 131 As Enacted** Establishes Vermont's January 1, 2026 prohibition on manufacture, sale, and distribution of cosmetics containing intentionally added PFAS.

SIGNAL 3 OF 5

Both priority MoCRA rulemakings — fragrance allergen labeling and hair-smoothing formaldehyde — have missed their statutory deadlines and slipped repeatedly, with November 2026 now the NPRM target for each

MEDIUM | Short-term (3–12 months) | Regulatory Agency Actions | Political & Administration Signals | Review

FDA's Unified Agenda shows that RIN 0910-AI90 (fragrance allergen disclosure) missed its June 29, 2024 statutory NPRM deadline and had a May 2026 internal target listed in an FDA regulatory-agenda spreadsheet that no public source has confirmed was met, and RIN 0910-AI83 (hair-smoothing formaldehyde) missed a December 2025 internal target — both are now listed at the proposed-rule stage with a November 2026 NPRM target — meaning these compliance obligations remain un-triggered but are advancing closer to the proposal stage that would start the compliance clock.

REASONING

Two independent Unified Agenda entries (RIN 0910-AI90 and RIN 0910-AI83) confirm both rules remain at proposed-rule stage as of the 2025 publication cycle, with no NPRM yet published. An FDA regulatory-agenda spreadsheet previously listed a May 1, 2026 NPRM target for the fragrance-allergen rule and a December 1, 2025 target for the hair-smoothing formaldehyde rule; a July 2026 regulatory update reports both have shifted to November 2026. Whether the May 2026 target for RIN 0910-AI90 was formally missed or quietly superseded before that date could not be confirmed in public sources as of October 2026, but the Unified Agenda and the July 2026 update consistently show no NPRM was published. This pattern of repeated slippage — statutory deadline missed, internal targets set and superseded, new internal target set — constitutes a signal of persistent delay rather than abandonment: the rules remain listed at the proposed-rule stage, meaning FDA has not withdrawn them. For the contract manufacturer, the implication is a narrowing pre-NPRM preparation window: if FDA does publish either NPRM in November 2026, the comment period typically begins immediately and a final rule with a compliance date could follow within 12–24 months.

PATTERN

(1) Reginfo.gov entry for RIN 0910-AI90 shows the fragrance-allergen NPRM remains unpublished; MoCRA required it by June 29, 2024, but the statutory deadline was missed. (2) FDA's regulatory-agenda spreadsheet previously listed a May 1, 2026 NPRM target for RIN 0910-AI90; no public source confirmed as of October 2026 that this target was met before it was superseded by the November 2026 target. (3) A July 2026 regulatory update reports the 2026 Unified Agenda moved the RIN 0910-AI90 NPRM target to November 2026. (4) Reginfo.gov entry for RIN 0910-AI83 shows the hair-smoothing formaldehyde NPRM remains unpublished. (5) FDA's regulatory-agenda spreadsheet previously listed a December 1, 2025 NPRM target for RIN 0910-AI83, which was also missed. (6) The same July 2026 update reports the 2026 Unified Agenda moved the RIN 0910-AI83 NPRM target to November 2026.

IMPLICATION

Neither rule is yet enforceable, so facilities do not need to reformulate or relabel today. However, the convergence of both rules on a single November 2026 NPRM target means a comment period could open by the end of 2026 on both rules simultaneously. If the NPRMs are published, the fragrance-allergen rule would require the facility to identify every fragrance component and the brands associated with each formula before it can respond intelligently to the proposal; the hair-smoothing rule would require an exact inventory of formaldehyde, formalin, methylene glycol, and other releasers in those product lines.

RECOMMENDED ACTION

Before October 31, 2026, build and validate a fragrance-component inventory by formula and brand and a separate inventory of all formaldehyde and formaldehyde-releaser ingredients in hair-smoothing and hair-straightening products, so that the facility can assess the impact of either proposed rule within the comment period without conducting discovery under deadline pressure.

SOURCES & WHAT THEY SIGNAL

- **Reginfo.gov — RIN 0910-AI90 (Fragrance Allergen Labeling)** Confirms RIN 0910-AI90 remains at the proposed-rule stage in the 2025 Unified Agenda publication cycle, with the statutory NPRM deadline of June 29, 2024 missed.
- **Reginfo.gov — RIN 0910-AI83 (Hair-Smoothing Formaldehyde)** Confirms RIN 0910-AI83 remains at the proposed-rule stage in the 2025 Unified Agenda publication cycle with no NPRM published.
- **FDA Regulatory Agenda Spreadsheet** Previously listed May 1, 2026 as the NPRM target for RIN 0910-AI90 and December 1, 2025 as the NPRM target for RIN 0910-AI83; the December 2025 target was missed; whether the May 2026 target was formally missed or superseded before that date was not confirmed in public sources as of October 2026.
- **Global Cosing / ChemRadar — July 2026 Regulatory Update** Reports that the 2026 Unified Agenda moved the NPRM targets for both RIN 0910-AI90 and RIN 0910-AI83 to November 2026, while both rules remain at the proposed stage.

SIGNAL 4 OF 5

FDA withdrew the talc asbestos-testing proposed rule in November 2025, removing the only pending federal method mandate for talc-containing cosmetics — facilities relying on supplier qualification remain the de facto standard

HIGH | Long-term (12+ months) | Regulatory Agency Actions | Political & Administration Signals | Verified

FDA proposed a mandatory asbestos-testing method for talc-containing cosmetics on December 27, 2024 and then withdrew the rule in November 2025, meaning no federal testing method or associated compliance date is in force, and existing supplier qualification and testing controls remain the operative standard.

REASONING

Two independent FDA sources — the FDA talc page and the FDA cosmetics news and events page — both confirm the proposal was published December 27, 2024 and withdrawn in November 2025. The withdrawal is unambiguous and the direction of change (proposed rule to withdrawal) is fully supported by primary FDA sources. For the facility, this is an honest downside signal: the imminent mandatory-method obligation is gone. However, the absence of a federal method does not eliminate the risk of adulteration liability if asbestos is present in talc; it only removes the mandatory method requirement. Facilities using talc should maintain their existing supplier controls but should not treat the withdrawal as permission to reduce testing stringency.

PATTERN

(1) FDA's talc ingredient page states the rule titled 'Testing Methods for Detecting and Identifying Asbestos in Talc-Containing Cosmetic Products' was proposed in the Federal Register on December 27, 2024, and subsequently withdrawn. (2) FDA's cosmetics news and events page identifies the withdrawal as occurring in November 2025.

IMPLICATION

The withdrawal eliminates the near-term federal asbestos-testing-method compliance obligation for talc-containing cosmetics. Facilities do not need to validate or adopt a specific FDA-mandated method at this time. However, the underlying adulteration risk that prompted the rule has not changed, and a future administration or FDA leadership change could re-propose. Facilities should maintain supply-chain testing controls and document their approach in case FDA or a state acts in the future.

RECOMMENDED ACTION

Retain current talc supplier qualification and asbestos-testing protocols and document the scientific basis for the testing method chosen, so the facility can demonstrate due diligence under adulteration standards if the rule is re-proposed or if a state acts independently on talc testing.

SOURCES & WHAT THEY SIGNAL

- **FDA — Talc Cosmetic Ingredients Page** States that the proposed rule on asbestos testing methods for talc-containing cosmetics was published December 27, 2024, and was subsequently withdrawn.
- **FDA — Cosmetics News and Events** Identifies November 2025 as the month FDA withdrew the talc asbestos-testing proposed rule, providing the withdrawal date.

SIGNAL 5 OF 5

FDA's Cosmetics Direct updates and September 2026 certificate clarification together tighten biennial registration compliance expectations and close a documentation gap that facilities were using in customer-facing materials

MEDIUM | Immediate (0–3 months) | Regulatory Agency Actions | Enforcement & Compliance Signals | Review

FDA updated Cosmetics Direct with renewal tooling in February 2026 and then on September 9, 2026 clarified it does not issue certificates or verification documents — two operational changes that collectively require a contract manufacturer to update its renewal calendar, its submission workflow, and its customer-facing compliance language before its next biennial renewal date.

REASONING

Two FDA actions address the same facility-registration compliance surface from different angles: FDA updated the Cosmetics Direct portal with new tooling including renewal-date display and renewal pathways, and the September 9, 2026 certificate clarification closes a documentation practice — providing brands or retailers with purported FDA compliance certificates — that many facilities were using in commercial qualification packages. Together they signal FDA is actively managing registration compliance expectations rather than passively maintaining the portal. For the contract manufacturer, the renewal calendar and customer documentation are both actionable now, before the next renewal date.

PATTERN

(1) On February 11, 2026, FDA announced updates to the Cosmetics Direct portal to display facility registration status and renewal dates and to offer two renewal pathways (Biennial Renewal for registrations with changes; Abbreviated Renewal for registrations without changes). (2) FDA announced on September 9, 2026 that it does not provide certificates, verification letters, emails, or similar documents proving cosmetic-facility registration or product listing compliance. (3) FDA's registration and listing page (updated October 2, 2026) states that facilities must renew every two years from their initial-registration date, and that FDA has authority to suspend a registration when statutory serious-risk conditions are met.

IMPLICATION

The facility must use Cosmetics Direct to determine each registered site's exact renewal deadline (anchored to the initial-registration date, not a calendar year), select the appropriate renewal pathway, and file before the displayed deadline. It must simultaneously remove any language from customer qualification packages, certificates of analysis, or retailer questionnaires that describes the facility's FDA registration record as an FDA-issued certificate or approval.

RECOMMENDED ACTION

Within 30 days, log into Cosmetics Direct for each registered site, record the displayed renewal date and select the applicable renewal pathway, and update all customer-facing compliance templates (certificates of compliance, qualification questionnaires, broker letters) to replace 'FDA certificate' language with accurate descriptions of the facility's registration submission records.

SOURCES & WHAT THEY SIGNAL

- FDA — Registration and Listing of Cosmetic Product Facilities and Products Confirms as of October 2, 2026 that biennial renewal is anchored to the initial-registration date and that FDA holds registration-suspension authority under statutory serious-risk conditions.

- **FDA — FDA Updates Web Portal and Informational Materials to Help Cosmetic Facilities Prepare for Biennial Registration Renewal** Announces Cosmetics Direct updates including renewal-date display and two renewal pathways (Biennial and Abbreviated).
- **FDA — FDA Clarifies It Does Not Provide Certificates or Other Documents to Verify Compliance for Cosmetic Product Facility Registration** States on September 9, 2026 that FDA does not issue certificates or verification documents for cosmetic-facility registration or product listing, requiring removal of certificate language from customer-facing materials.

EZASSI SIGNALS

Point a signal at the rules your facility makes products under

Ezassi Signals keeps watching the companies, technologies and regulations that could change your plans, and tells you what moved, how strong the evidence is, and what to do.

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