

A TWICE MONTHLY NEWSLETTER FOR THE COSMETIC INDUSTRY

# COSMETIC

*INSIDER'S REPORT*

VOL. 12, NO. 10

MAY 17, 1993

## NEW SLANT ON "NATURAL":

The Food & Drug Administration hasn't yet seen fit to grapple with validity of "natural" claims for cosmetic ingredients or finished products, seemingly because these constitute a veritable Pandora's box that could embroil the agency in a decade of argument, legalisms, and contests in courts and hearing rooms. Clearly, there have been exaggerations and puffery stemming from (a) extension of the description to include clearly non-natural ingredients like solvents and preservatives; (b) inclusion of botanical extracts that require so extensive a processing technique that they are no longer a vestige of their original form; (c) use of the term to describe a standard cosmetic that has been heavily laced with one or two "natural" extracts. Further complications come in because of the sort of inevitable confusion that develops between marketing types and r&d, whose scientists and chemists resent any "stretching" of what can be accurately termed to be natural. The Pandora's box comes in because to regulators "natural" raises a host of thorny questions that can be answered only by lawyers and judges, in a matter that

poses little threat beyond that to the credulity of the consumer. Two speakers attempted to deal with some of these questions in talks to the Scientific Conference of the Society of Cosmetic Chemists in Baltimore on April 6. Seasoned Washington cosmetic/drug lawyer Steve McNamara (a former general counsel of the CTFA) noted that FDA has no regulations defining "natural" cosmetics, but pointed out that there are helpful regs for food labels. In shortened form, the term means "produced directly and exclusively from a plant or animal source" which "does not appear to lose its character as a 'natural' substance just because it has been processed to remove or extract the essential oil, oleoresin or other flavoring (sic!) element." But there is one "twist" to colors, which cannot be so defined fit is a "dye, pigment or other substance made by a process of synthesis or similar artifice, or extracted, isolated or otherwise derived, with or without intermediate or final change of identity, from a vegetable, mineral or other source that, when added or applied to a food, drug, or cosmetic or to the human body or any part thereof, is capable (alone or through reaction with another

substance) of imparting a color thereto." Peter Cade of Croda Inc. Said literal interpretation of "naturally derived" might yield such non-appealing substances as asbestos, nitrosamines, botulins, aflatoxin, salmonella, gasoline, paraffin, and so forth. Thus the context is the main concern, and, to the consumer, "relative naturalness." He listed which materials can be defined as of purely vegetable origin, reassembled vegetable derivatives (sugar esters, glyceryl, sugar esters, rosin, squalene and squalane), chemically modified vegetable-derived materials (fatty alcohols, ester, anions, fatty acids), animal derivatives without harm to the animal (milk, lanolin, beeswax), and synthetic material (those derived from petroleum or natural gas). He also told of labels claiming products are "free from chemical residues," "cruelty-free," and "nature's own facial scrub."