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## United States Senate

COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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<http://help.senate.gov>

April 4, 2019

The Honorable Scott Gottlieb  
Commissioner  
U.S. Food and Drug Administration  
10903 New Hampshire Ave  
Silver Spring, MD 20993

Dear Commissioner Gottlieb:

I write to request the Food and Drug Administration (FDA) undertake a thorough and complete investigation in order to understand whether cosmetics products that contain talc, particularly products that are marketed to teenagers and children, may be contaminated by asbestos. FDA's recent announcements that the agency identified asbestos in certain cosmetics products sold at Claire's and Justice retailers raise serious concerns, and I urge FDA to continue its efforts to ensure the safety of cosmetics products containing talc. People want to know the cosmetics products being sold to them and their children are safe.

In a recent press release, FDA revealed it became aware in 2017 of reports of asbestos contamination in certain cosmetics products sold by Claire's and Justice, retailers that market products mainly to children and teenagers.<sup>1</sup> In September 2017, Justice voluntarily recalled eight cosmetics products, and in December 2017, Claire's removed eight products from its shelves. FDA subsequently conducted independent testing to confirm the contamination identified in the 2017 testing. On March 5, 2019, FDA announced it had confirmed the presence of asbestos in three Claire's products and in one Justice product. On March 12, 2019, Claire's voluntarily recalled those three products; Justice had previously recalled the one contaminated product.<sup>2</sup> Separately, in response to recent reports of possible asbestos contamination in Johnson & Johnson baby powder, Commissioner Gottlieb committed to hosting a public forum to "look at how [FDA] would develop standards for evaluating any potential risk," which will look at "scientific test methods for assessment of asbestos."<sup>3</sup>

The federal government, as well as the World Health Organization, have made clear that there is no safe level of asbestos exposure, and that small levels of exposure can result in cancer.<sup>4</sup> I urge FDA to conduct additional testing to ensure cosmetics products, particularly those marketed to

<sup>1</sup> <https://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm632736.htm>

<sup>2</sup> <https://www.fda.gov/Safety/Recalls/ucm633237.htm>

<sup>3</sup> <https://www.reuters.com/investigates/special-report/johnsonandjohnson-cancer/>

<sup>4</sup> [https://www.niehs.nih.gov/health/materials/asbestos\\_508.pdf](https://www.niehs.nih.gov/health/materials/asbestos_508.pdf);

[https://www.who.int/occupational\\_health/publications/draft.WHO.policy.paper.on.asbestos.related.diseases.pdf](https://www.who.int/occupational_health/publications/draft.WHO.policy.paper.on.asbestos.related.diseases.pdf)

children and teenagers, are safe. I request that agency leadership keep me updated on FDA's efforts, and urge the agency to keep the public informed about its findings.

Sincerely,

A handwritten signature in blue ink that reads "Patty Murray". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Patty Murray  
United States Senator  
Ranking Member, Senate Committee on  
Health, Education, Labor, and Pensions

cc: The Honorable Lamar Alexander  
United States Senator  
Chairman, Senate Committee on  
Health, Education, Labor, and Pensions