

TITLE 25	HEALTH SERVICES
PART 1	DEPARTMENT OF STATE HEALTH SERVICES
CHAPTER 229	FOOD AND DRUG
SUBCHAPTER D	REGULATION OF COSMETICS

§229.40. Purpose.

(a) This subchapter sets forth the requirements for the sale of cosmetics in this state.

(b) Cosmetic means articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body or any part of the human body for cleaning, beautifying, promoting attractiveness, or altering the appearance, and articles intended for use as a component of those articles. The term does not include soap.

§229.41. Applicable Laws and Regulations.

(a) The department adopts by reference the following laws and regulations:

(1) Federal Food, Drug, and Cosmetic Act, 21 United States Code (USC) §301, et seq., as amended;

(2) 21 Code of Federal Regulations (CFR) Part 70, Color Additives, as amended;

(3) 21 CFR Part 73, Listing of Color Additives Exempt From Certification, as amended;

(4) 21 CFR Part 74, Listing of Color Additives Subject to Certification, as amended;

(5) 21 CFR Part 81, General Specifications and General Restrictions for Provisional Color Additives for Use in Foods, Drugs, and Cosmetics, as amended;

(6) 21 CFR Part 82, Listing of Certified Provisionally Listed Colors and Specifications, as amended;

(7) 21 CFR Part 700, General, as amended;

(8) 21 CFR Part 701, Cosmetic Labeling, as amended; and

(9) 21 CFR Part 740, Cosmetic Product Warning Statements, as amended.

(b) Electronic copies of these laws and regulations are available online at www.dshs.texas.gov.

(c) Nothing in this subchapter relieves any person of the responsibility for compliance with other applicable Texas and federal laws and regulations.