

COSMETIC MANUFACTURING CERTIFICATE PROGRAM

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Steve Eliason

LONG TITLE

General Description:

This bill authorizes the Department of Agriculture and Food to issue good manufacturing practices certificates to cosmetic manufacturers.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Department of Agriculture and Food to create a process for issuing good manufacturing practices certificates to cosmetics manufacturers; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

4-2-801, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **4-2-801** is enacted to read:

Part 8. Cosmetics

4-2-801. Good manufacturing practices for cosmetics.

(1) As used in this section:

30 (a) "Cosmetic" means the same as that term is defined in 21 U.S.C. Sec. 321.
31 (b) "Good manufacturing practices" means the current good manufacturing practices
32 described in the United States Food and Drug Administration's Guidance for Industry:
33 Cosmetic Good Manufacturing Practices.
34 (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
35 and consistent with this section, the department shall make and enforce rules establishing a
36 voluntary certification program for good manufacturing practices for cosmetics, including:
37 (i) the criteria for receiving a good manufacturing practices certificate, including the
38 qualifications for registering with the department as required by Subsection (3)(a);
39 (ii) the process to apply for and receive a good manufacturing practices certificate
40 under this section; and
41 (iii) criteria by which the department will determine the term of a good manufacturing
42 practices certificate in accordance with Subsection (5).
43 (b) Rules made pursuant to this section may not be more stringent than:
44 (i) rules established by federal law; or
45 (ii) guidance published by the United States Food and Drug Administration.
46 (3) The department's good manufacturing practices certification program shall provide
47 for the issuance of a certificate to an applicant if:
48 (a) the applicant is registered with the department pursuant to registration requirements
49 established by the department under Subsection (2)(a);
50 (b) the applicant submits an application to the department requesting a certificate for
51 the applicant's manufacturing facility; and
52 (c) the department inspects the applicant's manufacturing facility and determines that
53 the applicant is in compliance with good manufacturing practices.
54 (4) (a) In accordance with Section 63J-1-504, the department shall adopt a schedule of
55 registration and certificate fees to cover the department's costs of administering the certification
56 program described in this section.
57 (b) Notwithstanding Section 63J-1-504, the department shall retain the fees as

58 dedicated credits.

59 (5) A good manufacturing practices certificate issued under this section shall:

60 (a) specify the certificate issuance date and expiration date; and

61 (b) be valid for a term of one to three years as determined by the department pursuant

62 to criteria established under Subsection (2)(a).