Date: November 4, 2026

To: Interested Parties

From: Brett Sherry, Program Manager, Toxic Free Cosmetics Program

Subject: Notice of Proposed Permanent Rulemaking – OAR 333-016, "Adoption of rules to implement the Toxic Free Cosmetics Program (SB 546, 2023)"

The Oregon Health Authority (OHA), Public Health Division is proposing to permanently adopt Oregon Administrative Rules in chapter 333, division 16 to implement the Toxic Free Cosmetics Program. The 2023 Oregon State Legislature passed Senate Bill (SB) 546 (Oregon Laws 2023, chapter 575) establishing the Toxic Free Cosmetics Program. ORS 431A.335 directs the Oregon Health Authority (OHA) to develop rules to implement this new program.

SB 546 (2023) prohibits the sale in Oregon of cosmetics by manufacturers and distributors that contain certain chemicals identified in the bill. In addition to the prohibited chemicals, SB 546 also directs OHA to develop a list of high-priority chemicals of concern (HPC) used in cosmetic products. Manufacturers of cosmetic products that contain one or more chemicals on this list will be required to include a notice for Oregon consumers on the manufacturer's website informing them of the potential health effects associated with the chemical(s) in their product. This will allow consumers to be better informed about the products that they purchase. These rules require manufacturers to link to the OHA's Toxic Free Cosmetics website, where additional information will be available in multiple languages and meet accessibility requirements.

For more details, please see the Notice of Proposed Rulemaking, including the Statements of Need and Fiscal and Racial Equity Impacts, and the full text of the proposed rules at: http://www.healthoregon.org/toxicfreecosmetics. These are found on the Rules and Implementation page.

You are invited to review and comment on the proposed rules. There are two (2) options to provide comment:

1. You may provide oral (spoken) testimony during a public hearing scheduled on **Tuesday, November 17, 2026, at 10:00 A.M.** Pacific Time via video/phone conference using Microsoft Teams.
    - To provide oral testimony during this hearing:
        - Join using the Meeting URL. You can also find the join link for the meeting in the Notice of Proposed Rulemaking under "Remote Meeting Details" using the "Meeting URL."
        - You may also contact the Public Health Division Rules Coordinator at publichealth.rules@odhsoha.oregon.gov to sign-up to give oral testimony and receive the link for the Microsoft Teams video conference via calendar appointment.
        - To join the hearing via phone (audio/listen only), you may dial 971-277-2343, phone conference ID 908 815 045#
2. Written comments may be submitted before **5:00 P.M. Pacific Time on November 23, 2026:**
    - Email comments to: publichealth.rules@odhsoha.oregon.gov
    - Mail comments* to: OHA, Public Health Division
      Brittany Hall, Administrative Rules Coordinator
      800 NE Oregon St., Suite 930
      Portland, OR 97232

      * Comments sent by regular mail must be postmarked by 5:00 P.M. Pacific Time on November 23, 2026.
    - Send comments by fax to: 971-673-1299

Final rules will be filed after consideration of all comments.

If you have questions or would like a paper copy of the Notice of Proposed Rulemaking, please contact Justin Waltz at justin.waltz@oha.oregon.gov or 971-732-6055.

Accessibility Statement: For individuals with disabilities or individuals who speak a language other than English, OHA can provide free help. Some examples are: sign language and spoken language interpreters, real-time captioning, braille, large print, audio, and written materials in other languages. If you need help with these services, please contact the Public Health Administrative Rules Coordinator at 971-673-1222, 711 TTY or publichealth.rules@odhsoha.oregon.gov at least 48 hours before the meeting. All relay calls are accepted. To best ensure our ability to provide a modification please contact us if you are considering attending the meeting and require a modification. The earlier you make a request the more likely we can meet the need.