

PENNSYLVANIA STATE BOARD OF

Cosmetology

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Methyl Methacrylate (MMA) Update

As a result of federal Food and Drug Administration (FDA) investigations, the FDA concluded that liquid methyl methacrylate is a poisonous and deleterious substance which should not be used in fingernail preparations. Although the FDA did not promulgate a specific regulation prohibiting the use of liquid methyl methacrylate monomer (MMA) in cosmetic nail enhancement products, the FDA obtained a preliminary injunction in 1974 prohibiting a firm from "among other things, introducing, or delivering for introduction, into interstate commerce" a methyl methacrylate-containing cosmetic product known as Long Nails. *United States v. C.E.B. Products Inc.*, 380 F. Supp. 664 (N.D. Ill. 1974).

The United States District Court for the Northern District of Illinois ruled that the use of liquid methyl methacrylate monomer in a cosmetic fingernail product caused the article to be adulterated in violation of Section 601(a) of the Federal Food, Drug and Cosmetic Act (FDC) and enjoined its further manufacture and distribution. The court concluded that this product contained a "poisonous and deleterious substance" which, when used according to labeling instruction, may cause serious nail damage or loss, soreness, and in some cases, infection. The FDA is prepared to consider regulatory action against fingernail products formulated with liquid methyl methacrylate monomer as one of its ingredients.

The State Board of Cosmetology has developed a policy statement and regulation prohibiting the use of nail enhancement products containing methyl methacrylate (MMA). Both the policy statement and regulation are in the process of being officially promulgated and are expected to be published as final in the *Pennsylvania Bulletin* in the near future.

The policy statement and regulation define use of MMA-containing products on clients as constituting gross incompetency and/or unethical practice. Section 519(a) of the Beauty Culture Law, 63 P.S. §519(a) allows the board to take disciplinary action against licensees for violations of the Law or regulations, or for gross incompetency or unethical practices. Such disciplinary action includes refusal to license or renew, revocation or suspension of current licenses and a \$1,000 civil penalty for each violation.

To educate licensees and the public about the dangers of MMA, informational brochures will be distributed to salons and schools. Representatives of the Department of State's Bureau of Enforcement and Investigation have been speaking to groups and associations regarding this important issue.