

Summary of Major Points of Testimony
By
Curran Dandurand, CEO, Co-Owner and Co-Founder
Of Jack Black LLC

- Started company with husband and a friend in their homes using life savings
- We develop and market products for men under the Jack Black brand name
- Original product line 12; current product line 50
- Company now employs 39 people
- Past careers at Mary Kay and Neiman Marcus
- Member of ICMAD
- The Company is committed both directly and indirectly in our manufacturing and sourcing activities to support US jobs and economic growth in the US
- Product safety is a core value of our firm
- Ingredient and product testing are important to our success
- The key for small businesses is product development and being fully compliant with all state and federal laws
- National standard should be part of any legislative effort
- We need one national standard which protects the consumer and brings certainty and transparency

TESTIMONY OF
CURRAN DANDURAND,
CEO, CO-FOUNDER & CO-OWNER OF
JACK BLACK LLC
BEFORE THE HEALTH SUBCOMMITTEE OF THE HOUSE ENERGY AND
COMMERCE COMMITTEE

MARCH 27, 2012

Good morning Chairman Pitts and Ranking Member Pallone, my name is Curran Dandurand. I am the Chief Executive Officer of Jack Black LLC., a Company I founded twelve years ago with my husband Jeff Dandurand and my colleague Emily Dalton. We founded the company with our combined life savings and a vision of a market segment that we believed was under served. The Company when formed was a private company and remains so today.

Our Company, Jack Black LLC is headquartered in Carrollton, Texas. We develop and market quality personal care products for men under the Jack Black brand name. Our Jack Black line includes skin care, shaving, sun protection, body care, hair care and fine fragrance products. Through development of premium quality, innovative products along with our market positioning, we have been able to grow and expand the Jack Black line from the original 12 products we launched in 2000 to over 50 products which are currently in the line today. Jack Black is sold in all 50 states in the United States.

Our Retailers include Neiman Marcus, Nordstrom, Saks Fifth Avenue, Bloomingdales, Sephora, Ulta, AAFES and over 500 independent specialty stores, resorts and spas. We are also distribute our products outside the U.S. in Canada, Mexico, the UK and other international markets. While I have brought sample products with me which you will see

in front of me this morning, you can see our full line of products at www.Getjackblack.com. Please note that there is no connection between our Company and the actor Jack Black.

When we started our Company it was just the three of us and we operated out of our homes. We now employ 39 people and we have office and warehouse facilities. For manufacturing we still rely on independent U.S. based cosmetic manufacturers, who manufacture and fill our products. These Companies also assist us in the development process of new products for our line. We source virtually all of our packaging domestically and have instructed our suppliers to source product packaging from U.S. produced packaging materials when possible. As U.S. entrepreneurs we remain committed both directly and indirectly in our manufacturing and sourcing activities, to ensure that we support U.S. jobs and economic growth in the U.S.

Prior to founding Jack Black, I had the privilege of working for Mary Kay Inc. for 17 years. I served in a variety of positions with ever increasing responsibility. I started in an entry level market research position and was promoted to various senior level marketing positions, including Executive Vice President of Global Marketing and Business Development. I was responsible for worldwide marketing programs, brand strategy, and product development for company operations in 35 countries around the world. During my tenure as head of Global Marketing, Mary Kay's worldwide sales more than doubled. I started my career as assistant buyer at Neiman Marcus in Dallas, Texas.

I graduated summa cum laude from Vanderbilt University in Nashville, Tennessee with a political science major, and received my Masters of Business Administration from Southern Methodist University in Dallas, Texas. I currently reside with my husband and partner Jeff and our two children in Dallas, Texas.

I am here today as a small business owner. I am also a member of the Independent Cosmetics Manufacturers and Distributors Association, commonly referred to as ICMAD. ICMAD is a nonprofit trade association that was founded 38 years ago to provide educational programs and services to assist the small to mid-sized companies, and to help them succeed in the rapidly changing, highly competitive cosmetics and personal care industries. ICMAD currently has over 650 member companies. ICMAD provides a series of educational and training events to assist its members in understanding and complying with the laws and regulations which govern cosmetic and personal care products. These programs enable ICMAD members to better understand industry best practices in manufacturing and safety standards, as applied to all aspects of developing, manufacturing, distributing and selling cosmetic and personal care products. Since 1983 ICMAD has sponsored educational events at which representatives from FDA office of Cosmetics and Colors and CDER have educated members and nonmembers alike on the FDA's cosmetic and OTC programs including its voluntary cosmetics registration program. My Company is a member of ICMAD and I have been a Director on the ICMAD Board for the last three years.

When we started our business there were only a limited number of companies that marketed a full line of personal care products for men. Today and in part due to our own success, this has changed with many more brands in this category. Some of these brands are being marketed by large multinational companies with significant advertising and marketing resources. For smaller companies like ours that don't have these resources, the key to growth is product innovation and consistent product quality. We have to make sure that we continue to offer new, effective and exciting products that are consistent with our core brand values and positioning.

Product safety is a key part of our brand values. The first step in our innovation process is to make certain that the ingredients we propose for use in any new product formula are safe. We have all of our proposed ingredients reviewed by experts in the field of ingredient safety for topically applied personal care products. Our experts review the scientific literature on the ingredients, along with their experience with the ingredients, to confirm that such ingredients are safe for use in personal care products. Once the ingredient safety is confirmed we then confirm that the combination of ingredients proposed for use in the product formulation is also safe. Consistent with industry standards, all of our proposed formulations are tested using the Human Repeat Insult Patch Test (HRIPT) methodology to ensure that the formulation as a whole is non-irritating and non-allergenic. All of our HRIPT studies are conducted under the direction of and reviewed by a dermatologist. Once our products are fully tested we then proceed to consumer panel testing to confirm product performance and consumer acceptance.

The other key concern in product development is making certain that our products can be produced under our costing criteria and that they are fully compliant with the laws

of all jurisdictions in which the product will be marketed. Currently within the United States there has been a movement to create separate state requirements. These regulations would be separate and apart from, and inconsistent with, the federal standards established by the FDA. Compliance with separate state laws that are inconsistent with federal standards would necessitate labeling changes, reformulation, excess packaging and extensive registration requirements, which are simply not feasible for small companies like ours, even successful ones. Smaller companies cannot afford to carry separate inventories to meet the different state requirements; and cannot afford the regulatory staff needed to meet the registration requirements contained in some of the proposed state legislative initiatives. Having to cope with potentially fifty different standards on labeling, ingredient safety and registration would be impossible for a small company.

The science does not change from state to state therefore it does not make any sense from the standpoint of simple logic for there to be varying state regulations regarding cosmetics regulations and safety standards.

Myriad diverse state regulations would substantially increase the cost of producing and distributing personal care products, with a disproportionate impact on smaller companies. This would then lead to small companies either going out of business due to the high cost of compliance, or having to pull out of doing business in those states with costly, onerous regulations and/or dramatic increases in the price of the products without improving the safety or quality for the consumer.

For the benefit of all stakeholders, consumers, personal care marketers as well as regulators, there needs to be one consistent national standard which protects consumer

health and safety and provides clear direction and certainty for the regulated companies and the regulators. This would mean transparency in all health and safety decisions and a single forum where all can participate. We support the modernization of the FDA laws that creates a National Standard for cosmetics. I believe this will best protect the health and safety of our consumers and provide a strong foundation for growth and success of our small entrepreneurial companies that create jobs here in the U.S.

Thank you for providing me the opportunity to appear before you. I would be happy to answer any questions you may have.