2014: Implementation & Trends of China's Cosmetics Regulations

A ChemLinked Team Work Shared
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by REACH24H Consulting Group

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IMPLEMENTATION OF NEW REGULATIONS

Along with the development of the Chinese cosmetic industry, the demands of increased global trade and technological development as well as the regulatory disparities existing between Chinese regulatory frameworks and that of its global counterparts, cosmetic regulatory reform in China is imperative. On the 11th of Sep 2013 China Food and Drug Administration (CFDA) announced the revision of the overarching regulation "*Regulations concerning the Hygiene Supervision over Cosmetics*". The amendment was not simply a refinement of its predecessor but represented an overhaul of the regulatory system and served as the foundation for all future reforms (see *CL news on 7 Nov 2013*).

In the remaining months of 2013, CFDA continued reformations with a series of revisions of the overarching regulation through successive rounds of public consultation and also promulgated two significant regulations namely *Requirements for Filing of Domestic Non-special Use Cosmetic Products* and *Requirements for Management on Whitening Products* (see *CL news on 23 Dec 2013*). However all these amendments did not enter into force in 2013 except the "Requirements for Management on Whitening Products". The regulation stipulates, "Whitening products are reclassified as special use cosmetics and fall into the category of spot-removing products. From 30 June 2015, the manufacture and import of whitening products without an accompanying special use cosmetic certificate will be banned." (See *CL news on 29 Jul 2014*) The ground work for reform of China's cosmetic industry began in 2013 with the drafting of major new regulations however the major restructuring of the industry only really began in earnest in 2014 with the implementation of many of these previous draft regulations and the implementation of other new supporting regulations.

1.1 Adjustment of Filing of Domestic Non-special Use Cosmetics

From 30 June 2014, cosmetics manufacturers of domestic non-special use cosmetics no longer need to obtain filing certificates, but instead need to notify provincial FDAs through an online platform of the detailed product formula and sales packaging (including labels and instructions for use) prior to marketing. Applicants are required to record the product information, including formula, packaging, description of production process, product technical requirements and testing reports. Those documents will be examined by officials within 3 months after products are marketed (see *CL News on Jun 10 2014*). The details of the compliance requirements are specified clearly in the "Requirements for Filing of Domestic Non-special Use Cosmetic Products". This new system is much like the management of cosmetics in the EU and will significantly enhance post market supervision.

The implementation progress has been going well. Since September 3 2014, the recorded information of domestic non-special use cosmetics has been open to the public through the online query platform offered by CFDA. The recorded information details the product name, filing number, manufacturer's information (name, address and hygienic license number), product ingredients, product capacity as well as the plan and stereogram of product packaging (see *CL news on 19 Sep 2014*). As of 30 Dec 2014 there were 100705 records recorded on the platform. From 2015, all products circulating on the market must be recorded on this platform. All products without an online filing record will be confiscated and manufacturers punished severely (see *CL news on 30 Dec 2014*).

Another regulatory update related to domestic non-special use cosmetics is the CFDA's August 12th, 2014 release of the appended list of testing institutions sanctioned to conduct testing on this category of cosmetics. 66 testing institutions were reviewed by provincial FDAs and approved as the designated testing institutions to undertake the testing of domestic non-special use cosmetics. Most of them are third party testing agencies including Centre Testing International Corporation, the parent company of REACH24H. The testing reports issued by these testing institutions, which consist of hygienic safety testing reports (microbiological, hygienic chemical and toxicological), body safety testing reports and

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