CHINA'S NEW COSMETICS REGULATION (CSAR)

Consulting & Compliance Support

China State Council released the final version of the Cosmetics Supervision and Administration Regulation (CSAR) on 29 June 2020. This regulation came into force on 01 January 2021 and replaced the existing Cosmetics Hygiene Supervision Regulations.

Background

CSAR aims to ensure the quality and safety of cosmetics through strengthening the supervision and management of cosmetics and controlling the production and operations to protect consumer health.

In preparation for the CSAR, guidance documents and supporting rules are being published gradually to help the cosmetics industry implement this new regulation.

Regulation Changes

China's new cosmetics regulation addresses compliance requirements, and many of the key changes and updates are as follows:

- **New cosmetic definitions, scope and classifications**
  - The classification of "special cosmetic products" (cosmetics with special purpose or function) has been updated to include hair dyeing, hair perming, spot removing and whitening, anti-hair loss and any new function (as determined by the National Medical Products Administration [NMPA]).
  - "General cosmetic products" are classified as other cosmetics, which excludes special cosmetic products.
  - Toothpaste is not considered a cosmetic product; however, a notification must be completed before entering the market.
- **Management of new cosmetic ingredients**
  - Registration will be required for new cosmetic ingredients with higher risk, such as preservatives, sunscreens, colorants, hair dyes, spot removing and whitening agents.
  - Notifications are required for other new cosmetic ingredients.
  - After new ingredients are placed on the Chinese market, annual safety and usage reports must be submitted to NMPA for a period of 3 consecutive years. After 3 years, the new ingredients will be included in the Inventory of Existing Cosmetic Ingredients in China (IECIC) if no safety concerns arise.
- **Addition of efficacy claims requirements**
  - The applicant is required to submit sufficient scientific evidence (literature, research data or product efficacy evaluation data) on the NMPA's website for claim substantiation.
- **Information on the safety assessment and requirements for safety assessors**
  - A safety assessment is required before placing cosmetic products on the Chinese market.
  - Safety assessors must have professional knowledge of cosmetics quality and safety and have more than 5 years of relevant work experience in production or quality safety management.
  - General cosmetics can be exempted from animal testing if the safety and quality requirements (GMP/ISO issued by government) is met/proven. Safety assessments will be accepted in place of animal testing, with certain restrictions.

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Responsible Person & Implications for Industry

Registrants or notifiers based overseas can authorize a Chinese entity as their Chinese Responsible Person (CRP). The CRP is responsible for the quality, safety and efficacy of cosmetic products. The CRP is responsible for:

1. Registration/Notification of the product in the name of the overseas registrant/ filer
2. Carrying out adverse reaction monitoring, product recalls, new cosmetic ingredients monitoring reports
3. Cooperating with supervision and inspection under the local regulatory authorities

Cosmetics businesses must be aware of the new regulatory requirements because as of 01 January 2021, the penalties for non-compliance will increase significantly. Failure to comply with CSAR may result in the responsible person facing a lifetime ban for the production and operation of cosmetics in China.

Intertek Solutions

Intertek provides a comprehensive range of services for beauty and personal care products to ensure quality, safety, efficacy and regulatory compliance. Partnering with Intertek helps brands and producers speed up their international growth, optimize the quality and safety of their supply chain and reduce total costs. We can help you understand your regulatory obligations to achieve compliance.

Our services include:

- Toxicological Safety Assessments
- Toxicological Profiles of Ingredients
- Registration & Notification of New Cosmetic Ingredients
- Registration & Notification of Domestic/ Imported Cosmetic Products
- Labelling Reviews
- Literature Review & Data Collection
- Regulatory Dossiers
- Microbiology & Stability Testing
- Cosmetic Packaging Analysis
- Causality Assessment
- Compliance Solutions
- Regulatory Support
- Sustainability Solutions

The Intertek Advantage

Intertek is a leading Total Quality Assurance provider to industries worldwide. Our network of more than 1,000 laboratories and offices in more than 100 countries, delivers innovative and bespoke Assurance, Testing, Inspection and Certification solutions for our customers' operations and supply chains. Intertek Total Quality Assurance expertise, delivered consistently with precision, pace and passion, enabling our customers to power ahead safely.

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