



Regulatory Requirements for Labelling and Import of Cosmetics

NEED FOR COSMETICS

The word cosmetic comes from the Greek word “kosmeticos”, which meaning "to embellish." Since then, any material used to enhance or beautify one's appearance has been referred to as cosmetics. Cosmetics have become so ingrained in our everyday routine that we can't picture life without them because in today's world, everyone is very sensitive about their appearance. It's because people want to improve their looks and appearance without harming their bodily structure or function, which has led to an increase in the need of cosmetics. When we consider the utility of cosmetics in relation to the portions of the body they are used on, we can see many types of cosmetics we utilize in our daily life. Physiological utility, physicochemical utility, and psychological utility of cosmetics prompt the need for cosmetics. The physiological utility of a cosmetic includes its ability to reduce skin roughness, prevent hair loss, and improve other physiological features of the skin and hair. Physiological utility is one of the most significant utility of cosmetics as our society is aging at rapid rate. Physicochemical utility of cosmetics include protection of skin from effects of U-V radiations using ultraviolet absorbing and scattering agents, covering of spots and fleck, and application of permanent waving and creams to make hair more attractive. Psychological utility includes enhancing the confidence and working capability of a person using the cosmetic by soothing as well as stimulating effect of their aroma or perfume on mind.

Origin of cosmetics

Egyptians are said to have been the first to utilize cosmetics, around 4000 BC. They use a famous eye shadow, an antimony compound termed as *Kohl*. The women painted the upper lid black and the lower lid green, with the space between the upper lid and the brow painted grey or blue. Hair Henna derived from *Lawsonia Inermis* was famous hair dye and additionally used to stain the fingernails and toenails. The

Egyptians used a mixture of incense cake, wax, freshly squeezed olive oil, and cypress folded into fresh milk to the face for 6 days to prevent or lessen wrinkles. The ancient Sumerians, Babylonians and Hebrews also employed the cosmetics for their beautification. Cosmetic use peaked around 1760, but with the arrival of the French Revolution, it all but vanished. In the year 1900, their use was revived, accompanied by the introduction of scientifically based beauty aids in France. Since then, the sector has grown to enormous dimensions, with goods designed for every possible application. By the beginning of the 21st century, the cosmetics industry had mostly been taken over by major corporations and had grown to be a multibillion-dollar business. Modern cosmetic products include skin care preparations, face powder, rouge, eye makeup, foundation, lipstick, shampoo, hair care preparations, hair colors, dyes, nail polishes, and related products include deodorants, antiperspirants, depilatories, astringents, mouthwashes and bath crystals. In current scenario, the cosmetic products are widely used by people of every country which lead to a large market capital across the world.

DEFINITIONS OF COSMETICS AS PER DIFFERENT REGULATIONS

As per European regulations, cosmetics may be defined as “any substance or preparation intended to be placed in contact with the various external parts of the human body (epidermis, hair system, nails, lips and external genital organs) or with the teeth and the mucous membranes of the oral cavity with a view exclusively or mainly to cleaning them, perfuming them, changing their appearance and/or correcting body odours and/or protecting them or keeping them in good conditions.”

As per Japanese regulations, cosmetics may be defined as “articles with mild action on the human body, which are intended to be applied to the human body through rubbing, sprinkling or other methods, aiming to clean, beautify and increase the attractiveness, alter the appearance or to keep the skin or hair in good condition”.

As per United States Regulations (FD&C Act), cosmetics may be defined as “articles intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance”.

As per Canada regulations, cosmetics may be defined as “any substance or mixture of substances, manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair or teeth and includes deodorants and perfumes”.

According to Indian regulations (Drugs and Cosmetics Act, 1940), cosmetics may be defined as any substance proposed to be rubbed, poured, sprayed or sprinkled on, or applied to, human body or any part for cleansing, beautifying, enhancing the attractiveness or changing the appearance.

As per Australian regulations, cosmetics may be defined as “A substance or preparation intended for placement in contact with any external part of the human body, including the mucous membrane of the oral cavity, the teeth, with a view to altering the odours of the body; or changing its appearance; or cleansing it; or maintaining it in good condition; or perfuming it; or protecting it”.

As per Chinese regulations, cosmetics may be defined as “those daily used chemical products applied on the surface of any part of the human body (such as skin, hair, nails and lips) by way of smearing, spraying or other similar methods to keep the body clean, to get rid of undesirable smell, to protect the skin, to make up the face and to increase the beauty of the appearance”.

As per ASEAN regulation, (Having ten countries), the definition of cosmetics is same as under European regulations. ASEAN is made up of ten countries which include Brunei, Darussalam, Indonesia, Cambodia, Myanmar, Malaysia, Singapore, Lao PDR, Philippines, Vietnam and Thailand.

Note: The cosmetics regulations for different countries has been summarized into Table 1.1.

TABLE 1.1: Summary of cosmetics regulations for India, USA and Europe.

CONTENTS	INDIA	USA	EUROPE
Authority	CDSCO	FDA	EMA
Rules & Regulations	Drugs & Cosmetics Act	Food, Drugs & Cosmetics Act	Council Directive 76/768/EEC
Labelling	Must comply with part XV of Drugs & Cosmetics rules 1945	Must comply with FD&C and FP&L	Based on council directive 76/768/EEC
Pre-market approval	Required under state licensing authority	Not required	Not required
Expiry date	Indicated as ‘use before date’	Not required	Date of minimum durability if durability is less than 30 months. Period after opening if durability is more than 30 months

TABLE 1.1: *Contd...*

CONTENTS	INDIA	USA	EUROPE
Post marketing reporting system	NA	Yes (Voluntary Cosmetic Registration Program)	NA

Market capital for cosmetics across the world

The demand for cosmetics is increasing steadily with passing time. The figure 1.1 depicts the market capital for cosmetic products in between 2018-2025 across the world. The market capital for cosmetic products was 507.8 billion US Dollars in 2018 across the world and now it is projected to a market capital of about 758.4 billion US Dollars by 2025 which shows the importance of cosmetic products in today's era across the world. The revenue for cosmetics in India was valued for USD 13191.23 million in year 2020 and expected that it will achieve USD 28985.33 million at 16.39% CAGR rate at 2026. Diversely it is forecasted that global cosmetic market will reach USD 450 billion in year 2025 at 4.3% CAGR rate which shows that India will devote 5% of total world cosmetic market and will become one among the highest five leading global cosmetic markets in terms of revenue

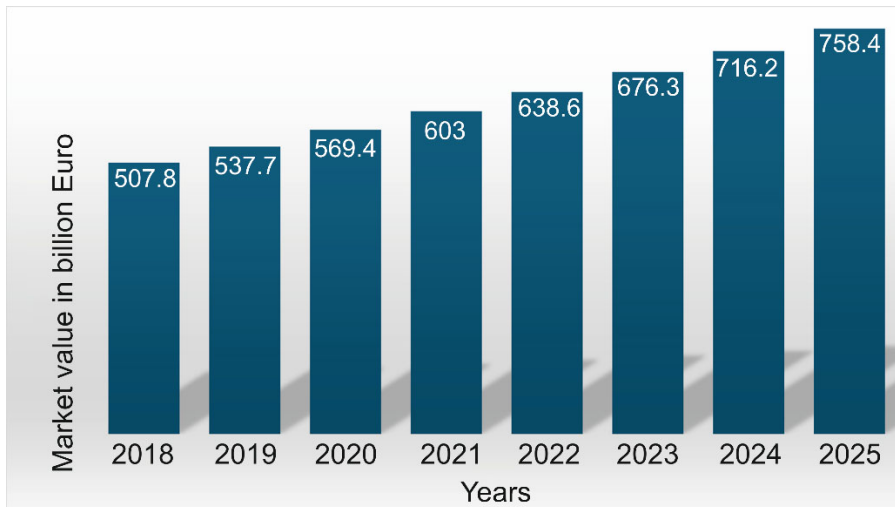


Figure 1.1 Market capital for cosmetics in 2018-2025

INDIAN REGULATORY REQUIREMENTS FOR LABELING OF COSMETICS

A cosmetic product shall carry inner and outer labels having various recognized instructions:

Information on inner and outer labels

1. The name of cosmetic products
2. The name of the manufacturer and the complete address of the establishments where the cosmetic product was manufactured. If the cosmetic product was not made on the firm's premises, the name and entire address of the actual manufacturer should be listed on the label as "Made in.....(name of premises)". If the cosmetic product is packaged in a tiny container and the manufacturer's complete address cannot be provided, the name of the producer and his main manufacturing facilities, as well as the pin code, should be listed on the label.
3. Use before or expiry date or date of expiry or use by

Information on Inner label:

For the cosmetic products where hazard exists, following information must be given on inner label:

1. Proper directions for safe use of the product
2. Any consumer-required warnings, specific instructions, or cautions during use
3. A declaration identifying the dangerous or deadly chemicals in the cosmetic product, as well as the amount of each.
4. A unique batch number, which serves as a reference point for recording and inspecting information about the manufacture of a certain batch from which the preparation is taken into the container. The figures representing the batch number beginning with the letter "B" or "Batch no." or "Lot no." shall bear providing this provision does not apply to any cosmetic product with a weight of 10 grams or less in solid or semi-solid form, or a volume of 25 milliliters or less in liquid form. In the case of soaps, instead of a batch number, the month and year of manufacture must be displayed on the label.
5. Manufacturing license number, the number being introduced by the letter "M" or "M.L. No." or "Mfg. Lic. No." shall bear on the label providing that, in the case of imported cosmetic products, if such a clause is not mandatory in the place of manufacture, these cosmetic items may be allowed to be sold without a manufacturing license number on the label as long as other import laws are followed.
6. If the cosmetic product container has only one label, the inner and outer label information must be combined on that label.

7. The ingredients with a concentration of more than 1% shall be stated in descending order of volume or weight at the time of their inclusion, followed by the ingredients with a concentration of less than or equal to 1%, in any order, introduced by the "INGREDIENTS" heading provided that this information is not required to appear on packs containing less than or equal to 30gm solid or semi-solid items and 60ml liquid products.
8. For cosmetic products included under schedule "S," any labelling requirement stipulated in the appropriate Indian standards framed by the Bureau of Indian Standards shall bear on the label.
9. No cosmetic product may be imported unless it is packed and labelled in accordance with the rules, and the label of the imported cosmetic product must include the cosmetic's registration certificate number, as well as the name and address of the registration certificate holder for marketing purposes in India providing that if Indian-specific labelling instructions are required for imported cosmetic products, these instructions must be pasted on each package at the bonded warehouse.
10. To export the cosmetic product, the labels on the packages of cosmetics must comply with the country's labelling specifications, but the following specifications must appear on the label of the cosmetic product's innermost package and every other outer package in which the innermost package is packed:
 - a. The name of cosmetic product
 - b. A particular batch number or lot number or serial number introduced by the word "Lot No.", "Batch No." or "serial No." or "B".
 - c. Use before or expiry Date, if any
 - d. The name and complete address of the manufacturer along with the address of manufacturing premises
 - e. License Number introduced by the "Lic. No."
 - f. Internationally identified symbol in lieu of text, wherever needed providing that if the cosmetic product's consignee is not needed to be tagged with the manufacturer's name and address, the labels on containers or packages must bear a code number assigned by the state Licensing Authority.

Information on outer label:

A statement concerning the container's net contents, stated in fluid measurements for liquids, weight for solids and semi-solid items, and a numerical value if the content is subdivided providing that this disclosure is not required to be printed on the perfume container and

that the content of the toilet water does not exceed 30 grams. In the case of solid and semi-solid products, 60ml is required; in the case of liquid products, 60ml is required.

Forbidding against changing the inscription on containers, wrappers or labels of cosmetic products:

No one shall be permitted to change, erase, or deform any inscription or mark made or given by the manufacturer on the container, wrapper, or label of any cosmetic product, provided that nothing in this rule applies to any change in inscription or mark made or recorded on the label, container, or wrapper of any cosmetic product with the permission of the Central Licensing Authority.

Forbidding against misleading or false claims:

Any cosmetic product may not make any claim, pretend, or convey any impression that is untrue or deceptive to the user.

Labelling of hair dyes having dyes, colors and pigments:

- Hair dyes having paraphenylenediamine or other dyes, colors and pigments shall be labelled with the following in English and local languages legends and these legends shall be indicated on both inner as well as outer label of cosmetic product having the caution "This product contains ingredients which may cause skin irritation in some cases and so a preliminary test according to the accompanying directions should first be made. This product should not be used for dyeing of eyelashes, or eyebrows, as such a use may cause blindness".
- Each package shall also appear following information in English and local languages on the following lines for carrying out the test:

This preparation may cause serious inflammation of the skin in some cases and so a preliminary test should always be carried out to determine whether or not special sensitivity exists. To make the test, cleanse a small area of skin behind the ear or upon the inner surface of the forearm, using either soap and water or alcohol. Apply a small quantity of the hair dye as prepared for use to the area and allow it to dry. After twenty-four hours, wash the area gently with soap and water. If no irritation or inflammation is apparent, it may be assumed that no hypersensitivity to the dye exists. The test should, however, be carried out before each and every application. This preparation should on no account be used for dyeing eyebrows or eyelashes as severe inflammation of the eye or even blindness may result.

Special provisions for toothpaste having fluoride:

1. Content of fluoride in toothpaste shall not be more than one thousand ppm and the fluoride content shall be expressed in terms of ppm on tube and carton.
2. Expiry date shall appear on tube and carton.

REGULATORY PROVISIONS RELATING TO IMPORT OF COSMETICS

No cosmetic may be imported into India unless the Central Licensing Authority or any assigned person has registered the product in accordance with Drugs and Cosmetics rules 2020.

The manufacturer, or his authorized agent, or the importer in India, or the subsidiary in India authorized by the manufacturer, must submit an application for registration of a cosmetic product planned for import into India through the Central Government's online site in Form COS-1.

A manufacturer's authorization to his agent in India must be adequately authenticated either in India before a first class Magistrate or in the place of origin before a competent authority under the laws of that country or by an authority named in the First Schedule.

The applicant referred to above must also provide the following information and documents, which are listed in Part I of the Second Schedule provided however, that in the event of an application for bulk completed formulation ready to fill, the following extra documentation must be provided:

1. A valid manufacturing license from the State Licensing Authority for the finished formulation of the cosmetic ready to fill in finished form.
2. The registered brand owner of the finished product in India.

A copy of the receipt of fee deposited as stipulated in the Third Schedule must be included to the application for registration made.

The fee shall be the same for each cosmetic category and each manufacturing location, with a separate fee for each cosmetic category and variant indicated in the Fourth Schedule.

Until the online portal is operational for this purpose, the manufacturer or his approved agent, the importer in India, or the subsidiary in India authorized by the manufacturer may submit an offline application in Form COS-1 for registration of a cosmetic.

The applicant is responsible for paying testing fees directly to the Central Government-approved testing laboratory for the examination,

test, and analysis of imported cosmetics in respect of cosmetics indicated for such examination in the Fifth Schedule.

The applicant shall pay the amount set forth in the Third Schedule in connection with the costs of officers authorized by the Central Licensing Authority inspecting or visiting the manufacturing facilities of cosmetics recognized in other countries, as deemed necessary.

Registration procedure:

The trade mark owner who does not have a manufacturing facility in India but plans to sell his goods through appointed importers/distributors/marketers in India must now get a registration certificate in order to continue their marketing activities in India. The Drugs Controller must receive an application for registration on Form-42, along with all other papers. The Central Licensing Authority may grant import registration certificate in Form COS-2 after examination of documents submitted with the application if satisfied, or may reject the application for reasons to be recorded in writing within six months of the date of application. In the event of refusal, the applicant has 45 days to file an appeal with the Central Government, which may, after conducting any necessary investigation, issue orders within 90 days after the date of the appeal. Before registering the import of a new cosmetic into India, the applicant must get prior authorization from the Central Licensing Authority in Form COS-3, as described in Chapter V. For the import of one or more cosmetics manufactured by the same producer, a single application and a single registration certificate in Form COS-2 may be submitted but if the cosmetics are made in a single plant or multiple factories working together as a single manufacturing unit for cosmetics intended for registration.

If the original registration certificate is disfigured, destroyed, or lost, a charge as stipulated in the Third Schedule must be paid for a duplicate copy.

Validity of import registration certificate:

1. Unless the Licensing Authority suspends or cancels a registration certificate issued by it will remain valid in perpetuity, subject to payment of the registration certificate retention fee as stipulated in the Third Schedule before the end of the five-year period from the date of issue.
2. If the licensee fails to pay the appropriate registration certificate retention fee on or before the due date, the registration certificate holder will be charged a late fee of 2% of the registration certificate retention cost for each month or part thereof within 180 days and the registration certificate will be regarded to have been cancelled if the fee is not paid within that time period.

Fresh application in case of change of constitution:

1. If a registration holder's or an overseas manufacturer's constitution changes after a registration is granted, an application for a fresh registration must be made within 180 days of the date of the change in constitution providing that the present registration will be considered valid until a new registration is issued or the application is denied by the Central Licensing Authority.
2. Within fifteen days of any change in the labelling, composition, or testing of a registered product or its specifications, the Central Licensing Authority must be notified by the manufacturer, an authorized agent, an importer, or a subsidiary in India authorized by the manufacturer, along with an undertaking that the products comply with the Bureau of Indian Standards.
3. After grant of registration, if a registration holder or overseas manufacturer's name or address changes, an application for amendment must be made in the Central Government's online portal for prior approval from the Central Licensing Authority for the said changes in registration certificate within sixty days of the date of the change.

Conditions liable for suspension or cancellation of registration certificate:

If the manufacturer, authorized agent, or importer fails to comply with any of the Registration Certificate's conditions, the Central Licensing Authority may, after giving him an opportunity to show cause why such an order should not be passed, suspend or cancel the registration certificate for such period as it sees fit, by an order in writing, stating the reasons for doing so providing that a person who is aggrieved by a Central Licensing Authority order may appeal to the Central Government within thirty days of receiving the order, and that Government may, after making such inquiries as it deems necessary and after giving the said appellant an opportunity to be heard, pass such orders as it deems appropriate in the facts and circumstances.

Import of cosmetic product already registered for import:

Any person or company may import a cosmetic manufactured in a foreign country that has already been registered for import and sale in India by submitting an application in Form COS-4 to the Central Government's online portal, together with an undertaking as stated in the Sixth Schedule.

After reviewing the documents submitted with the application, the Central Licensing Authority may grant an import registration number in

Form COS-4A if satisfied, subject to the conditions, or may reject the application for reasons to be recorded in writing within six months of the date of application. Unless it is stopped or terminated, an import registration number issued remains valid for three years from the date of issue.

If an importer fails to comply with any of the conditions of the Import Registration Number issued in Form COS-4A, the Central Licensing Authority may, after giving him an opportunity to show cause why such an order should not be passed, suspend or cancel the import registration number for as long as it sees fit, by an order in writing stating the reasons.

Forbidden of import of certain cosmetic products:

No cosmetic may be imported under the same name or any other name if its manufacturing, sale, or distribution is forbidden in the country of origin, except it is for the purpose of examination, test, or analysis. No cosmetics may be imported unless the "Use Before" or "Use By" date on the label, wrapper, or container is more than six months after the date of import.

Imports of hexachlorophene-containing cosmetics are prohibited.

After November 12th, 2014, no cosmetics that have been tested on animals can be imported into the country.

Documents to be present to the commissioner of customs:

Before any cosmetics are imported, the Commissioner of Customs must receive a declaration signed by the manufacturer or on behalf of the manufacturer, or by the importer or on behalf of the importer, stating that the cosmetics comply with the provisions of Chapter III of the Act and the rules made thereunder.

Procedure for import of cosmetic products:

1. If the official nominated by the Central Government at the port of entry has grounds to think that any cosmetic violates any of the Act's or its rules, he may take a sample of the cosmetic from the consignment for inspection.
2. If faults are discovered during the examination of the sample drawn, the officer must notify the Commissioner of Customs.
3. If the suspected violation of the Act or the rules requires a test, the officer shall send the sample to the Laboratory established for the purpose of performing such tests, and the consignment of the said cosmetic shall be held until the test report on that sample is received from the Director of the said Laboratory, or until any other offence is committed provided that the Commissioner of

Customs may make over the consignment to the importer if the importer offers a written promise not to dispose of the cosmetic without the agreement of the Commissioner of Customs and to return the consignment or any portion thereof as may be needed.

4. If the Commissioner of Customs requires the importer who has given a to return the cargo or portion thereof, he must return the consignment or portion thereof within ten days of receiving the notice.
5. If the Director of the Laboratory created by the Central Government for this purpose, or any other laboratory officer authorized by him in this capacity with the Central Government's agreement, reports to the Commissioner of Customs or to the officer that a sample of any cosmetic in a consignment violates the provisions of Chapter III of the Act or rules made thereunder and that the violation is such that it cannot be remedied by the importer, the Commissioner of Customs shall immediately communicate the report to the importer, who, within two months after receiving such communication, shall either return all cosmetics of that sort in the consignment to the nation in which they were manufactured or to the country from which they were imported, or give it over to the Central Government, who shall destroy it provided, however, that the importer may make a representation against the report to the Commissioner of Customs within thirty days of receipt of the report, who shall forward the representation along with a fresh sample of the cosmetic to the Central Licensing Authority, who shall, if necessary, pass orders thereon after obtaining the report of the Director of the Central Cosmetics Laboratory.
6. If the Central Licensing Authority, or any other person empowered by the said authority in this regard with the agreement of the Central Government, reports to the Commissioner of Customs after inspecting the cosmetic sample and, if necessary, making recommendations to the Commissioner of Customs, commissioner of Customs shall immediately communicate the report to the importer and permit him to import the cosmetic on the condition that he gives a written undertaking not to dispose of the cosmetic after obtaining a test report that the sample of the said cosmetic contravenes any provision of the Act or the rules made thereunder and that the contravention is such that it can be remedied by the importer.

Form COS-1
[See rule 12(2), and 12(7)]

Application for issue of registration certificate for import of cosmetics into India

L/We* _____ (Name and full address) hereby apply for the grant of registration certificate to the manufacturer, M/s _____ (full address with telephone number, fax and e-mail address of the foreign manufacturer) for his manufactured cosmetics meant for import into India.

- Names of cosmetics along with their brand name and pack size(s) and variants for registration.

Serial Number	Product or Brand of cosmetic	Brand name	Variant name	Pack sizes	Actual manufacturer and its premises

- I/We* enclose herewith the information and undertaking specified in Part-1 of Second Schedule duly signed by the manufacturer for grant of registration certificate for the premises stated below:-
- A fee of for registration of cosmetics for import as specified at serial number 2 above has been credited to the Central Government under the Head of Account--0210-Medical and Public Health, 04-Public Health, 104-Fees and Finest under the Cosmetics Rules, 2020--- Centralvide Challan No..... dated..... (attached in original).
- Particulars of premises to be registered where manufacture is carried on:
 Address(s): _____
 Telephone: _____
 Fax: _____
 E-mail: _____

I/we undertake to comply with all the terms and conditions required to obtain registration certificate and to keep it valid during its validity period.

Place:

Date:

Signature _____

Name _____

Designation _____

Form COS-2
[See rule 13(1), and 13(4)]

Import registration certificate to be issued for import of cosmetics into India

Registration Certificate No. _____ Date _____

M/s _____ (Name and full address of registered office) having factory premises at _____ (full address) has been registered under rule 13 as a manufacturer and is hereby issued this Registration Certificate.

2. Name (s) of cosmetics, along with their brand names and pack size(s) and variants which may be imported under this registration certificate.

Serial Number	Product or Brand of cosmetic	Brand name	Variant name	Pack sizes	Actual manufacturer and its premises
1					
2					

3. This registration certificate shall be in force from _____ to _____ unless it is sooner suspended or cancelled under the rules.
4. This registration certificate is issued through the office of manufacturer or his authorised agent or importer in India or by the subsidiary in India authorised by the manufacturer, namely M/s (name and full address). who shall be responsible for the business activities of the manufacturer, in India in all respects.
5. This Registration Certificate is subject to the conditions, stated below and to such other conditions as may be specified in the Drugs and Cosmetics Act, 1940 and the rules made thereunder, from time to time in this regard.

Place: _____

Date: _____

CENTRAL LICENSING AUTHORITY

Seal/Stamp

Form COS-3

[See rule 13(3), 23(3), 32(2) and 32(3)]

Permission to import or manufacture new cosmetics in India

Number of the permission and date of issue. M/s.
having address. is hereby permitted to import or manufacture the
following new cosmetic under rule 32 of the Cosmetics Rules, 2020.

1. Name of the cosmetic
2. Category or intended use
3. Composition of the product
4. Any special instruction

Dated:

Signature:

Name and Designation of Central Licensing Authority:

Form COS-4
[See rule 17(1)]

Application for issue of Import Registration Number for Import of already registered cosmetics

I/We* _____ (Name and full address of importer) hereby apply for the grant of registration number for Import of already registered cosmetics, meant for import into India.

1. Detail of cosmetics

Serial Number	Name of cosmetic	(Name of manufacturer and address)	Pack sizes	Registration Certificate Number
1				
2				
3				

2. I/We* enclose herewith the information and undertaking specified in Sixth Schedule duly signed.
3. I/we undertake to comply with all the terms and conditions required to obtain registration number and to keep it valid during its validity period.

Address(s): _____

Telephone: _____

Fax: _____

E-mail: _____

Place:

Date:

Signature _____

Name _____

Designation _____

Form COS-4A
[See rule 17(2)]

Import Registration Number to be issued for import of already registered cosmetics into India

Import Registration No. _____ Date _____

1. M/s _____ (Name and full Address of importer) has been registered under rule 17 as an importer and is hereby issued this Import Registration Number for import of already registered cosmetics into India.
2. Detail of cosmetics

Serial Number	Name of cosmetic (s)	Pack sizes	Name and address of manufacturer
1			
2			
3			

3. This Import Registration Number shall remain valid for three years unless it is sooner suspended or cancelled under the Cosmetics Rules, 2020.
4. This Import Registration Number is subject to the conditions stated below and to such other conditions as may be specified in the rules for the time being in force under the Cosmetics Rules, 2020.

Place: _____

Date: _____

Central Licensing Authority

Seal/Stamp

MISBRANDED AND SPURIOUS COSMETICS

Misbranded cosmetics:

A cosmetic is considered misbranded:

1. If it has a color that is not prescribed, or
2. If it is not labelled in the prescribed manner, or
3. If the label, container, or anything else that comes with the cosmetic contains any statement that is incorrect or deceptive in any way.

Example:

A container having cosmetic claimed to contain 20 grams of a particular ingredient but was almost less than 50% than its claimed amount. Hence in this case, the label on the container was deceptive or misleading in the particulars.

Spurious cosmetics:

A cosmetic is considered spurious:

1. If it's made under a brand name that belongs to another cosmetic, or
2. If the name of an individual or a firm professing to be the cosmetic's maker appears on the label or container, that individual or company is fictional or does not exist, or
3. If it is a deceptive imitation of, substitute for, or resembles another cosmetic in any way, or bears the name of another cosmetic on its label or container, unless it is explicitly and conspicuously marked to reflect its real character and lack of identification with such other cosmetic, or
4. If it claims to be a product of a company for which it is not a true product

Example: Luk for Lux, Sun max for Super master

Note: Offences and penalties related to misbranded and spurious cosmetics has been explained at last of the chapter under the heading of offences and penalties.

