

Frequently Asked Questions on Cosmetics

1. What is considered as a 'Cosmetic Product'?

A 'cosmetic product' is 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 odors and/or protecting them or keeping them in good condition.

The products to be considered as cosmetic products within the meaning of this definition are the following:

- Creams, emulsions, lotions, gels and oils for the skin (hands, face, feet, etc.).
- Face masks (with the exception of peeling products).
- Tinted bases (liquids, pastes, powders).
- Make-up powders, after-bath powders, hygienic powders, etc.
- Toilet soaps, deodorant soaps, etc.
- Perfumes, toilet waters and eau de Cologne.
- Bath and shower preparations (salts, foams, oils, gels, etc.).
- Depilatories.
- Deodorants and anti-perspirants.
- Hair care products:
 - hair tints and bleaches,
 - products for waving, straightening and fixing,
 - setting products,
 - cleansing products (lotions, powders, shampoos),
 - conditioning products (lotions, creams, oils),
 - hairdressing products (lotions, lacquers, brilliantines).
- Shaving products (creams, foams, lotions, etc.).
- Products for making up and removing make-up from the face and the eyes.
- Products intended for application to the lips.
- Products for care of the teeth and the mouth.
- Products for nail care and make-up.
- Products for external intimate hygiene.
- Sunbathing products.
- Products for tanning without sun.
- Skin-whitening products.
- Anti-wrinkle products.

FAQs - Cosmetics

2. When should cosmetic products be notified?

According to the Cosmetics Regulations, as per Legal Notice 424 of 2004, any cosmetic manufacturer/importer placing imported cosmetic products on the market shall notify the Regulatory Affairs Directorate within the Technical Regulations Division of the Malta Competition and Consumer Affairs Authority (MCCAA).

If the product is manufactured locally or imported from countries outside the European Union the manufacturer/importer, established in the EU, is obliged:

- to duly fill and sign the [Cosmetic Product Registration Form](#) &
- to submit this form to the authority together with the original (or copy) label of the product.

Any additional information may be requested depending on a case by case basis. Please note that the Product Information File of each cosmetic product, as per paragraph 7 of the [Cosmetic Products Regulations](#) (Legal Notice 424 of 2004 as amended), should be made available upon request.

The cosmetic product is only notified if the label complies with the cosmetics regulations and all the requested information is submitted to the authority. Notifications issued by the authority do not constitute an approval of the cosmetic product. **The responsibility for the safety of the product lies always on the person placing on the market the cosmetic product.**

The notification fee per product is 40 euros.

Such notification shall not be necessary in the case of products which have already been placed on the market within the European Community and are according to LN 424 of 2004 (as amended) transposing the European Cosmetics Directive No. 76/768/EEC.

For your information, the new [Cosmetics Regulation \(EC\) No. 1223/2009](#), which will come into force on the 11 of July 2013, will directly implement in all EU Member States a new notification procedure and the use of frame formulations for the notification of cosmetic product information. The European Commission will officially launch the Cosmetics Products Notifications Portal (CPNP) in January 2012.

3. What are the labelling requirements of a cosmetic product?

The following labelling requirements should be present on the container and packaging of the cosmetic product or in an enclosed leaflet, in English and/or Maltese:

- **Particular precautions** to be observed in use such as conditions of use and warnings;
- **Function of the product**, unless it is clear from the presentation of the product.

FAQs - Cosmetics

Also, the following information must be present on the label however there are no language requirements in these cases:

- **Name & address** of the manufacturer or the importer or distributor of the cosmetic product within the European Community;
- **Country of origin** shall be specified for goods not manufactured in the EU;
- **Nominal content** at the time of packaging (by weight or by volume);
- **Date of minimum durability** indicated by the words: 'best used before the end of' followed by either the date itself (month & year *or* day), or details of where it appears on the packaging. The **period of time after opening** for which the product can be used without any harm to the consumer shall be indicated by the following symbol followed by the period (in months and/or years):



- **Batch or reference number**;
 - **List of ingredients** according to the International Nomenclature for Cosmetic Ingredients (INCI) nomenclature preceded by the word 'ingredients'; the ingredients can appear in an enclosed leaflet, on a label, tape or card which is enclosed or attached to the cosmetic product.
4. For control purposes, what type of information shall be readily accessible to the MCCAA?

The manufacturer or his agent or the person to whose order a cosmetic product is manufactured or the person responsible for placing an imported cosmetic product on the EU market shall for control purposes keep the following information readily accessible to the MSA:

- a) the qualitative and quantitative composition of the product;
 - i. in the case of perfume compositions and perfumes, the name and code number of the composition and the identity of the supplier;
- b) the physico-chemical and microbiological specifications of the raw materials and the finished product and the purity and microbiological control criteria of the cosmetic product;
- c) the method of manufacture complying with the good manufacturing practice;
- d) assessment of the safety for human health of the finished product:
 - i. general toxicological profile of the ingredients;
 - ii. their chemical structure and their level of exposure;
- e) the name and address of the qualified person or persons responsible for the assessment referred to in the above bullet point;
- f) existing data on undesirable effects on human health resulting from use of the cosmetic product;

FAQs - Cosmetics

- g) proof of the effect claimed for the cosmetic product, where justified by the nature of the effect or product;
- h) data on any animal testing performed by the manufacturer;

All the above information must be available in English and or Maltese.

The information required under (a) and (f) shall be made easily accessible to the public by any appropriate means, including electronic means. The quantitative information required under (a) to be made publicly accessible shall be limited to dangerous substances covered by L.N. 306 of 2008 (as amended).

Disclaimer: This document has been produced for information purposes only and is not in any respect a legal interpretation of the Detergent Regulations.

