

# 欧盟和美国化妆品法规更新 EU and US cosmetic regulation updates

#### 李钟瑞

毒理评估 Risk Assessment

Healthcare and Beauty Products | Chemicals and Pharmaceuticals



## 个人介绍





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风险评估师, 欧盟毒理学会继续教育课程(巴黎): 风险评估 法规咨询师, 英国毒理学会成员

曾就职于天祥专家服务组服务(前Ciba专家服务),负责化学品的 毒理评估、报告审核、卷宗制作和注册等。目前负责化妆品、玩具 和日化产品的风险和安全评估。

参与和完成的行业机密报告有:中国首份和多份REACH主注册卷宗和化学品风险安全报告;中国环保部第一份新化学物质申报(常规申报);某些石油产品和染料的毒代动力学评估报告;某化学品推导无影响程度(DNEL)报告;某些化学品毒理评估和分类(GHS/CLP)提案;化妆品和玩具的毒理风险评估和欧盟化妆品安全报告等。

Ray. li@intertek.com

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Intertek是全球领先的质量和安全服务公司,可以为众多行业和产品提供相关服务。

我们的服务涉及几乎所有行业,包括纺织、玩具、电子、建筑、加热设备、医药、石油、食品和货物扫描等,可以为产品、货物和体系提供包括测试、检验、认证 在内的一系列服务。

Intertek实验室和办事处网络遍布全球100多个国家, 员工人数超过30,000人。

天祥集团成员,英国富时100强的公司

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## 欧盟化妆品法规1223/2009



## 欧盟化妆品的定义:

化妆品是用于人体外部任何部位(皮肤、毛发、指甲、口唇、和外阴部)或牙齿及口腔粘膜的物质(substance)或混合物(mixture),主要起到清洁、香化或保护作用,以达到保护良好状况、美容或消除体臭的目的。

### 停留类产品(Leave-on):

是化妆品将在皮肤、头发或粘膜上停留一段时间。

## 冲洗类产品 (Rinse-off):

是指化妆品接触到皮肤、头发或粘膜后将被迅速冲洗掉。











## 欧盟化妆品法规1223/2009



2009年12月发 布了法规 1223/2009 2010年12月 CMR禁令开始 执行 2012年1月电 子通告(e-Notification) 开放

2013年1月纳 米材料通告和 评估 2013年7月11 日法规剩余条 款正式执行

# 欧盟化妆品法规1223/2009-责任人



- ▶ 欧盟境内的制造商
- ▶ 将产品输入到欧盟的进口商
- ▶ 欧盟境内的经销商
  - ▶ 使用自己的名字或商标
  - > 对化妆品的更改影响其合规性
- ▶ 指定责任人 (接受书面指定)



## 责任人的责任



产品安全 (禁用和限用物质, 化妆品安全报告, 产品信息档案)

GMP- ISO 22716 (需要明确列出产品生产遵从 GMP)

通告 (Notification)

未进行动物测试 (如果已经进行,则需记录并给出理由)

标签和声明

向公众提供安全信息(香精的Code和供应商名称)

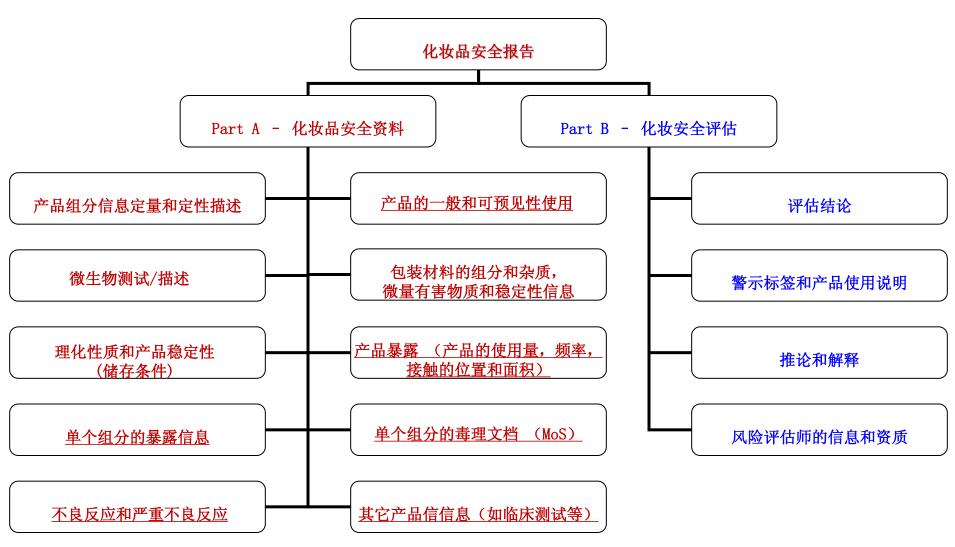
报告任何不良反应和严重不良反应

保存产品信息档案10年以上,并随时更新并供官方当局查询

# 化妆品安全报告

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## PIF细则



- 1. 产品的名称,数量,类别和详细描述
- 2. 责任人信息(地址,资质和联系方式)
- 3. 生产商信息
- 4. 产品的定性和定量信息
- 5. 产品和原材料物理和化学信息
- 6. 微生物检测
- 7. 原材料的SDS(不是MSDS,符合欧盟CLP规范)
- 8. 稳定性测试

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9. 化妆品安全报告 (CPSR)

- 10. 化妆品安全报告评估师的信息
- 11. 生产方法
- 12. 良好生产规范(GMP)
- 13. 有效性说明
- 14. 不良反应
- 15. 成分(INCI)和浓度信息,产品标签
- 16. 申报书 (Notification)
- 17 其它相关资料,如动物测试或临床测试报告

企业应对突发安全事件,证明产品安全的有力证据



## 欧盟化妆品法规更新



1. Guidelines to Commission Regulation (EU) No 655/2013 laying down common criteria for the justification of claims used in relation to cosmetic products

2013年6月,颁布了化妆品产品宣传指南

1. Legal compliance 法规遵从性

(CE mark 不适用于化妆品,不能说产品满足欧盟化妆品法规要求)

2. Truthfulness 真实性

(宣传不含有XXX,产品中却含有)

3. Evidential support 证据支持 (中国化妆品宣传指南+临床测试前不用动物毒理测试)

(this perfume gives you wings 指示想象,不可能有证据支持)

4. Honesty 诚实

(before'/ 'after images in product 不允许)

5. Fairness 公平

(Low in allergens because without preservatives, 暗示防腐剂是致敏源)

6. Informed decision-making 知情决策

(宣传要消费者易懂)

## 欧盟化妆品法规更新



- 2013/674/EU COMMISSION IMPLEMENTING DECISION on Guidelines on Annex I to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products
- 2013年11月, 欧盟对于化妆品安全报告(CPSR)指南颁布, 现在已正式实施。
- 对1223/2009附录I的补充和解释,列出了详细要求,如产品中的每一个成分都要进行安全边际(MoS)计算。

## 防腐剂尼泊金酯类 新要求:

- 禁用尼泊金异丙酯、羟苯异丁酯(氯化钠及盐类)、苯基羟苯甲酯、羟苯苄酯、戊基羟苯甲酯。
- 三**氯生(triclosan)作出了限制规定**,即在漱口水中使用的最大浓度为0.2%,在 其他化妆品(如牙膏、洗手液和扑面粉)中的最大浓度为0.3%。

## 更多更新见Intertek国际化妆品新闻月度回顾:

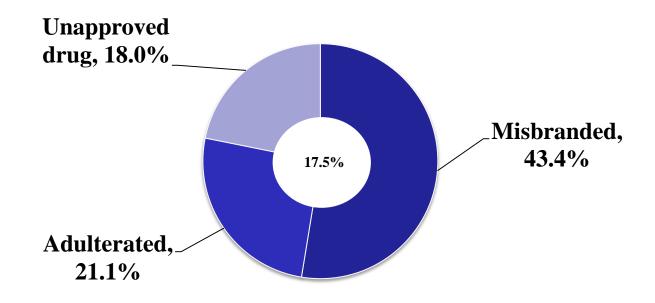
http://www.intertek.com.cn/industry/cosmetic.html

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## 美国拒绝入关化妆品统计

- 2012年2月 2013年5月底
- 大约69个国家或地区的2930款产品
- USFDA关注产品的标签和宣称

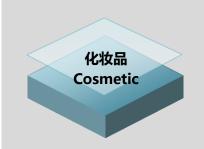




《联邦食品、药品和化妆品法案》(FD&C Act) 1938年

监管机构:FDA





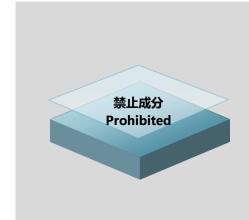
FD&C Act, Sec. 201(i) 除了脂肪酸碱性盐肥皂之外的施用于人体(擦、注、撒或喷)或其任何部位用于清洁、美化、增强吸引力或改善外貌而对让人体结构或功能没有影响的产品(article)



FD&C Act, Sec. 201(g)(1) 指用于治疗、缓解、医治或预 方人类和其他动物疾病的物品 以及食品之外的用于影响人体 或其他动物体结构和功能的物 品



## 联邦法规 21CFR – 化妆品 禁限用成分



- 硫双二氯酚(bithionol) [21 CFR 700.11]
- 卤代N-水杨酰苯胺 (halogenated salicylanilides) [21 CFR 700.15]
- 三氯甲烷 (chloroform) [21 CFR 700.18]
- 二氯甲烷(methylene chloride) [21 CFR 700.19]
- 氯乙烯(vinyl chloride) [21 CFR 700.14]
- 含锆复合物(zirconium complexes in aerosol cosmetics) [21 CFR 700.16]
- 氟氯化碳推进剂(chlorofluorocarbon propellants) [21 CFR 700.23]
- 牛牲畜类原材料(cattle materials) [21 CFR 700.27]



- 六氯酚(Hexachlorophene) [21 CFR 250.250] OTC
- 含汞化合物(Mercury compounds) [21 CFR 700.13]
- 防晒成分(Sunscreens in cosmetics) [21 CFR 700.35]



## 联邦法规 21CFR - 化妆品色素 (Color Additives-Cosmetic)

21 CFR Part 73 subpart C, 74 subpart C & Part 82 subpart B, C, D

Subject to

limitations

Subject to

limitations

tanning

preparations

Shampoos

21 CFR Part 73 subpart C -cosmetics								
Color Additive	Eye Area	Generally (Includes Lipsticks)	External Use	Specific Limitations and Comments	21 CFR Section			
Aluminum powder	Yes	No	Yes		73.2645			
Annatto	Yes	Yes	Yes		73.2030			
Bismuth citrate	No	No	Subject to limitations	Hair on the scalp	73.2110			
Bismuth oxychloride	Yes	Yes	Yes		73.2162			
Bronze powder	Yes	Yes	Yes		73.2646			
Caramel	Yes	Yes	Yes		73.2085			
Carmine	Yes	Yes	Yes		73.2087			
β-Carotene	Yes	Yes	Yes		73.2095			
Chromium hydroxide green	Yes	No	Yes		73.2326			
Chromium oxide greens	Yes	No	Yes		73.2327			
Copper powder	Yes	Yes	Yes		73.2647			
			<b>-</b>	For use in				

Color Additives That Are Exempt from Certification and Permitted for Use in Cosmetics

Color Additives That Are Subject to Certification and Permitted for Use in Cosmetics\*
Includes Straight Colors and Lakes

21 CFR Part 74 subpart C –cosmetics and 21 CFR Part 82 Subpart B, C and D

21 CTXT art 7 Tabbart C Cosmettes and 21 CTXT art 02 Subpart B, C and B							
Color Additive	Eye Area**	Generally (Includes Lipsticks)	External Use	Specific Limitations and Comments	21 CFR Section		
D&C Black No. 2	Subject to Limitations	Subject to Limitations	Subject to Limitations	Eyeliner, brush- on-brow, eye shadow, mascara, lipstick, blushers & rouge, makeup & foundation, nail enamel	74.2052		
D&C Black No. 3	Subject to Limitations	No	Subject to Limitations	Eyeliner, eye shadow, mascara, face powder	74.2053		
FD&C Blue No. 1	Yes, also Al lake	Yes	Yes		74.2101		
D&C Blue No. 4	No	No	Yes		74.2104		
D&C Brown No. 1	No	No	Yes		74.2151		
FD&C Green No. 3	No	Yes	Yes		74.2203		
D&C Green No. 5	Yes	Yes	Yes		74.2205		
D&C Green No. 6	No	No	Yes		74.2206		
D&C Green No. 8	No	No	Subject to Limitations	≤0.01%	74.2208		
D&C Orange No. 4	No	No	Yes		74.2254		

.....

73.2150

73.2120

Total 36

Total 29

No

Nο

No

Nο

Dihydroxyacetone

Disodium

EDTA-copper

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## 州立要求 States Requirement



- •加州65法案 -OEHHA Proposition 65
- •致癌、致生殖毒性警告标签 -Cancer and reproductive toxin Warning Labeling
- •通报加州公共卫生部(CDPH)







- •儿童安全保护法案CSPA
- •CHCC清单,特定的限量要求
- •通报生态环保部通报







[Minn. Stat. § 325F.177]

- •儿童产品禁止销售含 (formaldehyde prohibited) 甲醛或可释放甲醛的物质
- •2014年8月1日生效







[A 8697]

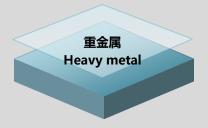
- •禁止在个人护理产品中使用三氯生或其衍生物
- •2014年2月4日发布,18个月后生效







## 测试要求



#### 汞 (Mercury)含量 - 21CFR 700.13

- ●普通产品 (general products) < 1 ppm
- ●眼部产品(eye products) < 65 ppm

#### 铅 (Lead)含量 – 加州65(Proposition 65)

- ●唇部 (lip products) <5 ppm (0.35ppm)
- ●眼部及腮红 (eye products& blus) < 10 ppm (0.5 ppm)



# 微生物 (Microbiological quality) USP 61 & USP 62

- ●总微生物数 (Total microbia count )
- ●不得检出菌种:金黄色葡萄球菌,白色 念珠菌,大肠杆菌等

# 防腐剂有效性 (Preservative efficacy) USP 51

- ●测试防腐体系的有效性
- ●金黄色葡萄球菌, 大肠杆菌,假单胞菌,白色念珠菌,巴西曲霉



产品在正常和合理可预见使用条件下必须安全





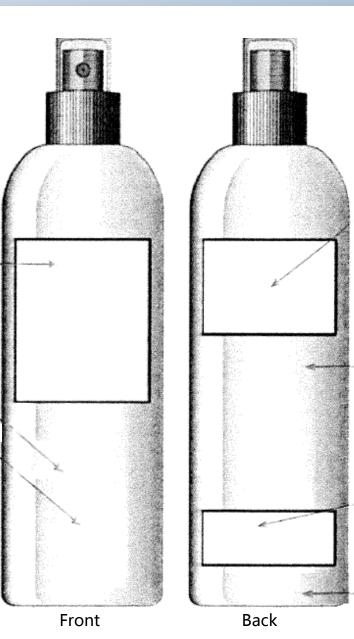
#### **Statement of Identity**

(outer container) FPLA requirement, although most manufacturers place on inner and outer containers.

#### 21 CFR 740.10 Warning

#### **Net Quantity of Contents**

(inner and outer container)
Net contents must appear on
PDP of outer package (lower
30%) or anywhere on the
label of immediate container,
if already declared on the
outer container. Type size of
at least 1/16".



#### **Ingredient Statement**

(FPLA requirement)
(outer container)
Ingredients should be listed
on immediate container if no
outer package is available.
For cosmetic products,
ingredients should be listed
in descending order of
prominence.

#### **Warning Statement**

Warning must appear on inner and outer container if packaged in both. Type size of at least 1/16".

#### Name and Address of Manufacturer, Packer, or Distributor

(inner and outer container)
May appear anywhere on the
package—not required on PDP. The
street address may be omitted if
manufacturer can be easily located in
local phone directory.

**Country of origin** 

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美国非处方药基本要求

### 工厂注册 及药品清单

- 1)向FDA注册及提交清单;
- 2) 开始生产后5天内注册;
- 3) 表格FDA-2656(工厂);
- 4) 表格FDA2657(产品目
- 录);
- 5) 美国代理商的信息

#### 药品生产

- GMP (强制)
- 1) 21 CFR 210
- 2) 21 CFR 211

#### 成分及标签

- 1) 活性成分满足 OTC monograph
- 2) 活性成分满足FDA要求
- 3) 色素满足 21 CFR 73,74,82
- 4) 非活性成分安全且不影响药效
- -5) 标签满足21 CFR 201.66
- 6) 标签满足 OTC monograph

#### 测试要求

- 1) OTC monograph
- 2) FDA规定的测试
- 3) 化妆品测试

重金属、微生物等



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■ 防晒霜 (Sunscreen)

## ◆ 活性成分

21 CFR 352.10 - OTC

二氧化钛: up to 25%

21 CFR 310.545 – 新药
 红石蜡( Red petrolatum )

## ◆ 有效性测试

- 防晒及广谱防晒(SPF & broad spectrum)
- 防水 (water resistant )

### ◆ 标签

- 21 CFR 201.66 & 21 CFR 330.1
- 21 CFR 201.327



#### Drug Facts

#### Active Ingredients Avoberzone 3%

Homosalate 10% Octyl methoxycinnamate 7.5% Purpose Sunscreen

#### Uses

- helps prevent sunburn
- If used as directed with other sun protection measures (see Directions), decreases the risk of skin cancer and early skin aging caused by the sun

#### Warnings

For external use only

Do not use on damaged or broken skin

When using this product keep out of eyes. Rinse with water to remove.

Stop use and ask a doctor if rash occurs

Keep out of reach of children. If product is swallowed, get medical help or contact a Poison Control Center right away.

#### Directions

- apply liberally 15 minutes before sun exposure
- reapply:
- after 40 minutes of swimming or sweating
- · immediately after towel drying
- at least every 2 hours
- Sun Protection Measures. Spending time in the sun increases your risk
  of skin cancer and early skin aging. To decrease this risk, regularly use
  a sunscreen with a broad spectrum SPF of 15 or higher and other sun
  protection measures including:
- limit time in the sun, especially from 10 a.m. 2 p.m.
- . wear long-sleeve shirts, pants, hats, and sunglasses
- . children under 6 months: Ask a doctor

#### Inactive ingredients

aloe extract, barium sulfate, benzyl alcohol, carbomer, dimethicone, disodium EDTA, jojoba oli, methytparaben, octadecene/MA copolymer, polyglyceryl-3 distearate, phenethyl alcohol, propylparaben, sorbitan isostearate, sorbitol, steario acid, tocopherol (vitamin E), thiethanolamine, water

#### Other information

\* protect this product from excessive heat and direct sun

Questions or comments? Call toll free 1-800-XXX-XXXX

注意: 防晒霜不得宣称 "Sunblock", "sweatproof", "waterproof"



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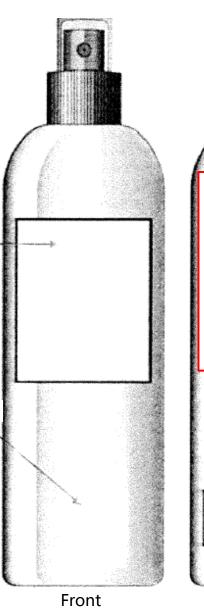


#### **Statement of Identity**

(Inner and outer container)

#### **Net Quantity of Contents**

(inner and outer container)
Net contents must appear on
PDP of outer package (lower
30%) or anywhere on the
label of immediate container,
if already declared on the
outer container. Type size of
at least 1/16".



Back

#### **Drug Facts**

# Active ingredients (in each tablet) Purpose Aluminum hydroxide gel 200 mg......Antacid Magnesium hydroxide 200 mg.....Antacid

Magnesium hydroxide 200 mg.......Antacid Simethicone 25 mg......Antigas

#### Uses

- relieves symptoms referred to as gas
- relieves: heartburn acid indigestion sour stomach upset stomach due to these symptoms

#### Warnings

Ask a doctor before use if you have kidney disease

Ask a doctor or pharmacist before use if you are taking a prescription drug. Antacids may interact with certain prescription drugs.

Stop use and ask a doctor if symptoms last for more than 2 weeks

Keep out of reach of children.

Directions ■ chew 1 to 4 tablets 4 times daily
■ do not take more than 16 tablets in 24 hours or use the
maximum dosage for more than 2 weeks

Inactive ingredients D&C red no. 30, D&C yellow no. 10, dextrose, FD&C blue no. 1, glycerin, magnesium stearate, mannitol, saccharin sodium, sorbitol, starch, sugar, talc

#### **Expiration Dating (sometimes)**

#### Name and Address of Manufacturer, Packer, or Distributor

(inner and outer container)
May appear anywhere on the
package—not required on PDP. The
street address may be omitted if
manufacturer can be easily located in
local phone directory.

**Country of origin** 

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## Thanks!



