



20 February 2023

(23-1216)

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Committee on Technical Barriers to Trade

Original: English/French

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>CANADA</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Department of Health Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: Canada's Notification Authority and Enquiry Point Technical Barriers and Regulations Division Global Affairs Canada 111 Sussex Drive Ottawa, Ontario, K1A 0G2 Canada Telephone: (343) 203-4273 Fax: (613) 943-0346 E-mail: enquirypoint@international.gc.ca
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Cosmetic products (ICS Code 71.100.70)
5. Title, number of pages and language(s) of the notified document: Regulations Amending Certain Regulations Concerning the Disclosure of Cosmetic Ingredients made under the Food and Drugs Act and the Cannabis Act, 11 February 2023 (65 pages, available in English and French)
6. Description of content: This proposal would amend the Cosmetic Regulations to increase transparency in labelling of certain fragrance allergens present in cosmetics by: <ul style="list-style-type: none">• requiring the disclosure of certain fragrance allergens on cosmetic labels within the list of ingredients. It is proposed to incorporate by reference, on an ambulatory basis, the fragrance allergens identified in the Annex III of the of the European Commission's Cosmetics Regulation, including the transition period set out in that Annex for future updates to substances identified for disclosure. This would align Canadian requirements with those of the European Commission with respect to fragrance allergen disclosure.• adding greater flexibility for the disclosure of ingredients on the labels of cosmetics sold in small packages;

<ul style="list-style-type: none"> • improving regulatory oversight of cosmetics by clarifying terminology, strengthening the cosmetic notification requirements, and enhancing compliance and enforcement tools; and • making changes of an administrative nature to correct the publisher for a referenced document, to revise entries in the Schedule to the regulations, and to revise definitions to reflect current drafting conventions.
<p>7. Objective and rationale, including the nature of urgent problems where applicable: This proposal is expected to increase transparency in labelling of certain fragrance allergens present in cosmetics. This proposal would help consumers identify ingredients that they may be allergic or sensitive to or wish to avoid and help them make more informed health decisions regarding product purchase and use. The proposal is expected to add greater flexibility for the disclosure of ingredients on cosmetic labels sold in small packages, to increase the regulatory oversight of cosmetics by clarifying terminology, strengthening the cosmetic notification requirements, and enhancing compliance and enforcement tools and to make changes of administrative nature.</p>
<p>8. Relevant documents:</p> <p><i>Canada Gazette</i>, Part I, February 11, 2023, pages 346-411 (available in English and French)</p> <p>https://canadagazette.gc.ca/rp-pr/p1/2023/2023-02-11/pdf/g1-15706.pdf#page=173</p>
<p>9. Proposed date of adoption: On the date of registration (publication) in the <i>Canada Gazette</i>, Part II.</p> <p>Proposed date of entry into force: The majority of amendments would come into force 180-days after the publication of the Regulations in <i>Canada Gazette</i>, Part II. Requirements related to the disclosure of fragrance allergens would come into force on the second anniversary of the registration of these regulations.</p>
<p>10. Final date for comments: 22 April 2023</p>
<p>11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>The electronic version of the regulatory text can be found at: https://canadagazette.gc.ca/rp-pr/p1/2023/2023-02-11/html/reg4-eng.html (English:) https://canadagazette.gc.ca/rp-pr/p1/2023/2023-02-11/html/reg4-fra.html (French)</p>