



Cosmetics Act

화장품법

Ministry of Food and Drug Safety

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COSMETICS ACT

[Enforcement Date 17. Aug, 2021.] [Act No.18448, 17. Aug, 2021., Partial Amendment]

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose) The purpose of this Act is to contribute to improving public health and developing the cosmetics industry by prescribing matters concerning the manufacture, importation, sale, exportation, etc. of cosmetics.
<Amended by Act No. 15488, Mar. 13, 2018>

Article 2 (Definitions) The terms used in this Act shall be defined as follows:
<Amended by Act No. 11690, Mar. 23, 2013; Act No. 14264, May. 29, 2016; Act No. 15488, Mar. 13, 2018; Act No. 16298, Jan. 15, 2019; Act No. 17250, Apr. 7, 2020>

1. The term "cosmetic" means any item intended to be used by means of spreading, rubbing, spraying on or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness or brightening the appearance, or maintaining or improving the health of skin and hair, which have light effects on the human body: Provided, That goods constituting medicines defined in subparagraph 4 of Article 2 of the Pharmaceutical Affairs Act shall be excluded therefrom;
2. The term "functional cosmetic" means any of the following cosmetics prescribed by Ordinance of the Prime Minister:
 - (a) A product aiding in the whitening of the skin;
 - (b) A product aiding in improving wrinkles in the skin;
 - (c) A product aiding in tanning skin gently or protecting skin from ultraviolet rays;

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- (d) A product aiding in changing or removing the color of hair, or nourishing hair;
 - (e) A product aiding in preventing or improving dryness, splits, loss, cornification, etc. resulting from weakened functions of skin or hair;
- 2-2. The term "natural cosmetic" means any cosmetic that contains animals or plants, or raw materials derived therefrom, and complies with the standards prescribed by the Minister of Food and Drug Safety;
3. The term "organic cosmetic" means any cosmetic that contains organic materials, plants, animals, materials, etc. derived therefrom, and complies with the standards prescribed by the Minister of Food and Drug Safety;
- 3-2. The term "custom cosmetic" means any of the following:
- (a) A cosmetic made by mixing the contents of a manufactured or imported cosmetic with the contents of any other cosmetic or a raw material prescribed by the Minister of Food and Drug Safety;
 - (b) A cosmetic repackaged by dividing the contents of a manufactured or imported cosmetic into smaller amounts; Provided, that the cosmetics prescribed by the Ordinance of the Prime Minister such as solid soap, etc. being divided into smaller amounts shall be excluded therefrom.
4. The term "safe container or packaging" means any container or packaging designed or planned with child-proof lids for children under the age of five;
5. The term "use-by date" means the minimum period from date of manufacture during which consumers can safely use a cosmetic with its unique characteristics preserved in appropriate storage conditions;
6. The term "primary package" means packaging containers which come into direct contact with the contents of cosmetics at the time of manufacturing;
7. The term "secondary package" means one or more packages, protecting materials, and packages for the purpose of labeling (including attached documents, etc.) that encase the primary package;
8. The term "labeling" means letters, numbers, figures or pictures written on

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the containers and packages of cosmetics;

9. The term "advertisement" means conduct to display or notify information on cosmetics by means of radio, television, newspapers, magazines, voice, sound, videos, the Internet, printings or billboards, or by other means;
10. The term "cosmetic manufacturing business" means the business of manufacturing (excluding the process of secondary packaging or labeling only) all or part of a cosmetic;
11. The term "responsible cosmetic distribution business" means the business of distributing or selling a cosmetic, or offering or supplying a cosmetic for import agency business while controlling the quality, safety, etc. of such cosmetic;
12. The term "custom cosmetic sales business" means the business of selling a custom cosmetic.

[Enforcement Date: Mar. 14, 2020] Amendments to Article 2 regarding custom cosmetics, custom cosmetic sellers, and custom cosmetic compounding managers

Article 2-2 (Types of Business) (1) The types of business provided in this Act are as follows:

1. Cosmetic sales business;
2. Responsible cosmetic distribution business;
3. Custom cosmetic sales business.

(2) The detailed types of business described in paragraph (1) and the scope thereof shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 15488, Mar. 13, 2018]

[Enforcement Date: Mar. 14, 2020] Amendments to Article 2-2 regarding custom cosmetics, custom cosmetic sellers, and custom cosmetic compounding managers

CHAPTER II MANUFACTURE AND DISTRIBUTION OF COSMETICS

Article 3 (Registration of Business) (1) A person who intends to conduct cosmetic manufacturing business or responsible cosmetic distribution business shall register with the Minister of Food and Drug Safety, as prescribed by Ordinance of the Prime Minister. The foregoing shall also apply if any of the important matters prescribed by Ordinance of the Prime Minister with respect to registration information is amended. <Amended by Act No. 11690, Mar. 23, 2013; Act No. 14027, Feb. 3, 2016; Act No. 15488, Mar. 13, 2018>

(2) A person who intends to register his/her cosmetic sales business pursuant to paragraph (1) shall meet the facility standards prescribed by Ordinance of the Prime Minister: Provided, That the person need not be equipped with part of the required facilities in cases prescribed by Ordinance of the Prime Minister, such as engaging in only part of cosmetic manufacturing processes.<Amended by Act No. 11690, Mar. 23, 2013; Act No. 15488, Mar. 13, 2018>

(3) A person who intends to register his/her responsible cosmetic distribution business pursuant to paragraph (1) shall comply with the standards for quality control and responsible post-sale safety control of cosmetics, which are prescribed by Ordinance of the Prime Minister, and shall employ a manager capable of managing such standards (hereinafter referred to as "responsible distribution manager").<Amended by Act No. 11690, Mar. 23, 2013; Act No. 15488, Mar. 13, 2018>

(4) Matters necessary for procedures for registration, qualification requirements for and duties of responsible distribution managers, etc. under paragraphs (1) through (3) shall be prescribed by Ordinance of the Prime Minister.<Amended by Act No. 11690, Mar. 23, 2013; Act No. 15488, Mar. 13, 2018>

Article 3-2 (Filing Reports on Custom Cosmetic Sales Business) (1) A person

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