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Cosmetic Supervision and Administration Regulation

化妆品监督管理条例

The State Council of the People's Republic of China

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Translated by ChemLinked

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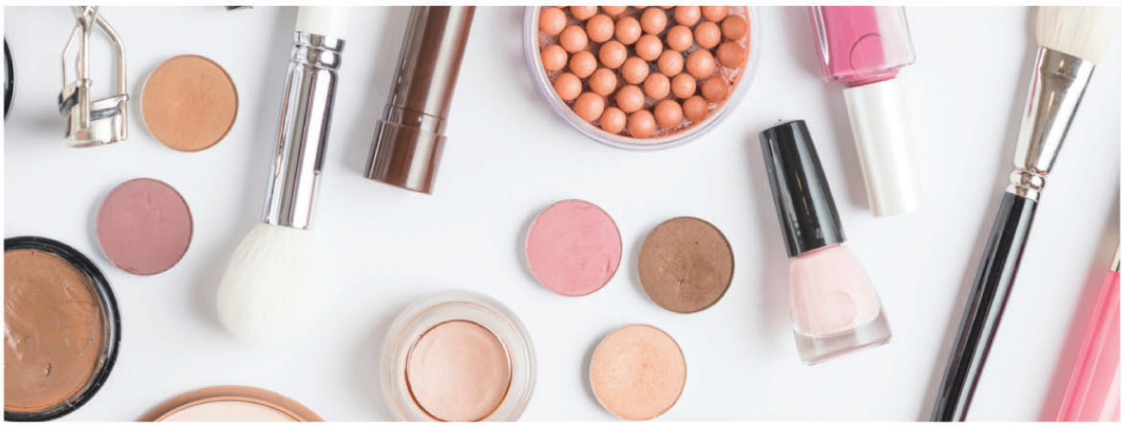

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Decree of the State Council of the People's Republic of China

No. 727

The "Cosmetic Supervision and Administration Regulation" was passed at the 77th Executive Meeting of the State Council on January 3, 2020 and is hereby promulgated, which will come into force on January 1, 2021.

Premier: Li Keqiang

June 16, 2020

Cosmetic Supervision and Administration Regulation

Chapter I General Provisions

Article 1 This Regulation is formulated for the purpose of regulating cosmetics production and operation activities, strengthening cosmetics supervision and administration, ensuring cosmetics quality and safety and consumers' health, and promoting healthy development of cosmetics industry.

Article 2 Engaging in cosmetics production and operation activities in the territory of the People's Republic of China and supervision and administration thereof shall comply with this Regulation.

Article 3 "Cosmetics" herein refers to daily chemical products intended to be applied on human skin, hair, nails, lips, *etc.*, by spreading, spraying or other similar ways for cleansing, protecting, beautifying or grooming purposes.

Article 4 The state shall implement classified management of cosmetics and cosmetics ingredients based on the degree of risk.

Cosmetics are divided into special cosmetics and general cosmetics. The state shall implement registration management for special cosmetics and filing management for general cosmetics.

Cosmetics ingredients are divided into new ingredients and existing ingredients. The state shall implement registration management for new cosmetics ingredients with a higher degree of risk, and filing management for other new cosmetic ingredients.

Article 5 The National Medical Products Administration (NMPA) of the State Council is responsible for the supervision and administration of cosmetics nationwide. The relevant departments of the State Council are responsible for the supervision and administration of cosmetics within their respective scopes of responsibility.

The medical products administration departments of the local people's governments at or above the county level are responsible for the supervision and administration of cosmetics within their respective administrative areas. The relevant departments of the local people's governments at or above the county level are responsible for the supervision and administration of cosmetics within their respective scopes of responsibility.

Article 6 Cosmetics registrants and filers are responsible for the quality, safety and efficacy claims of cosmetics.

Cosmetics producers and operators shall engage in production and operation activities in accordance with laws, regulations, mandatory national standards and technical standards, strengthen management, practice integrity and self-discipline, and ensure the quality and safety of cosmetics.

Article 7 Cosmetics industry associations shall strengthen industry self-discipline, supervise and guide cosmetics producers and operators to engage in production and operation activities in accordance with laws to promote the industry integrity construction.

Article 8 Consumer associations and other consumer organizations shall conduct social supervision in accordance with laws on violations of the provisions herein that damage the legal rights and interests of consumers.

Article 9 The state shall encourage and support the research and innovation of cosmetics to meet consumer needs, promote the building of cosmetics brands, and give play to the leading role of cosmetics brands. The state shall protect the legal rights and interests of units and individuals in carrying out cosmetics research and innovation.

The state shall encourage and support cosmetics producers and operators to adopt advanced technologies and management standards to improve the quality and safety of cosmetics, use of modern science and technology and combination with the national traditional superior projects and special plant resources to research and develop cosmetics.

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第 727 号

《化妆品监督管理条例》已经 2020 年 1 月 3 日国务院第 77 次常务会议通过，现予公布，自 2021 年 1 月 1 日起施行。

总　理　　李克强

2020 年 6 月 16 日

化妆品监督管理条例

第一章　总　　则

第一条　为了规范化妆品生产经营活动，加强化妆品监督管理，保证化妆品质量安全，保障消费者健康，促进化妆品产业健康发展，制定本条例。

第二条　在中华人民共和国境内从事化妆品生产经营活动及其监督管理，应当遵守本条例。

第三条　本条例所称化妆品，是指以涂擦、喷洒或者其他类似方法，施用于皮肤、毛发、指甲、口唇等人体表面，以清洁、保护、美化、修饰为目的的日用化学工业产品。

第四条　国家按照风险程度对化妆品、化妆品原料实行分类管理。

化妆品分为特殊化妆品和普通化妆品。国家对特殊化妆品实行注册管理，对普通化妆品实行备案管理。

化妆品原料分为新原料和已使用的原料。国家对风险程度较高的化妆品新原料实行注册管理，对其他化妆品新原料实行备案管理。

第五条 国务院药品监督管理部门负责全国化妆品监督管理工作。国务院有关部门在各自职责范围内负责与化妆品有关的监督管理工作。

县级以上地方人民政府负责药品监督管理的部门负责本行政区域的化妆品监督管理工作。县级以上地方人民政府有关部门在各自职责范围内负责与化妆品有关的监督管理工作。

第六条 化妆品注册人、备案人对化妆品的质量安全和功效宣称负责。

化妆品生产经营者应当依照法律、法规、强制性国家标准、技术规范从事生产经营活动，加强管理，诚信自律，保证化妆品质量安全。

第七条 化妆品行业协会应当加强行业自律，督促引导化妆品生产经营者依法从事生产经营活动，推动行业诚信建设。

第八条 消费者协会和其他消费者组织对违反本条例规定损害消费者合法权益的行为，依法进行社会监督。

第九条 国家鼓励和支持开展化妆品研究、创新，满足消费者需求，推进化妆品品牌建设，发挥品牌引领作用。国家保护单位和个人开展化妆品研究、创新的合法权益。

国家鼓励和支持化妆品生产经营者采用先进技术和先进管理规范，提高化妆品质量安全水平；鼓励和支持运用现代科学技术，结合我国传统优势项目和特色植物资源研究开发化妆品。

第十条 国家加强化妆品监督管理信息化建设，提高在线政务服务水平，为办理化妆品行政许可、备案提供便利，推进监督管理信息共享。

第二章 原料与产品

第十一条 在我国境内首次使用于化妆品的天然或者人工原料为化妆品新原料。具有防腐、防晒、着色、染发、祛斑美白功能的化妆品新原料，经国务院药品监督管理部门注册后方可使用；其他化妆品新原料应当在使用前向国务院药品监督管理部门备案。国务院药品监督管理部门可以根据科学研究的发展，调整实行注册管理的化妆品新原料的范围，经国务院批准后实施。

第十二条 申请化妆品新原料注册或者进行化妆品新原料备案，应当提交下列资料：

（一）注册申请人、备案人的名称、地址、联系方式；

（二）新原料研制报告；

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