



Supervision and Administration Measures on Online Operation of Cosmetics (Draft for Comments)

化妆品网络经营监督管理办法 (征求意见稿)

National Medical Products Administration

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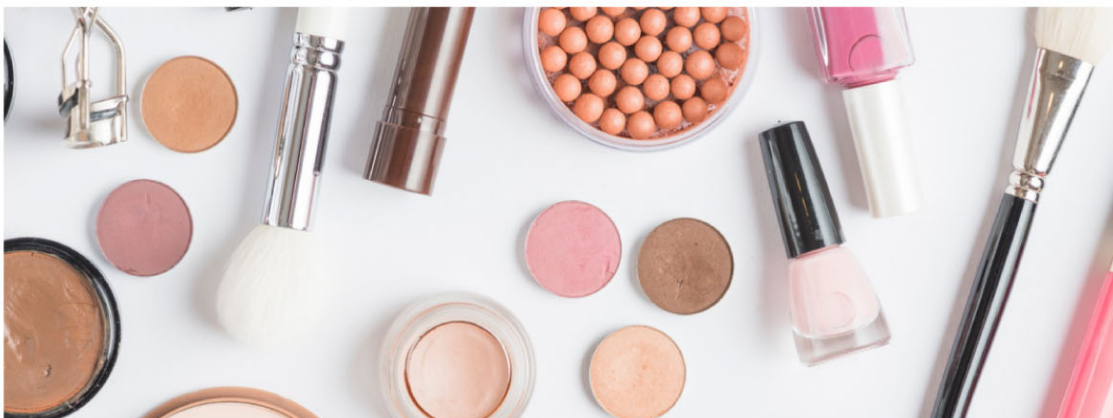
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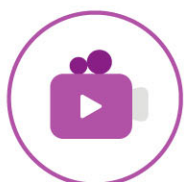


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Annex 1

**Supervision and Administration Measures on Online Operation of
Cosmetics****(Draft for Comments)****Chapter I General Provisions**

Article 1 Purpose and Basis In order to strengthen the online operation of cosmetics and the service behaviors of the cosmetic e-commerce platforms, ensure the safety of the public when using cosmetics, the *Measures* is formulated in accordance with the laws, regulations and rules of *E-commerce Law of the People's Republic of China*, *Cosmetic Supervision and Administration Regulation (CSAR)*, *Supervision and Administration Measures on Cosmetics Manufacture and Operation*, *Supervision and Administration Measures on Online Transactions*, etc.

Article 2 Scope of Application The *Measures* shall apply to the online operation of cosmetics, the provision of cosmetic e-commerce platform services, and the supervision and administration of them within the territory of the People's Republic of China.

Article 3 Objects of Supervision The cosmetic e-commerce operators include the cosmetic e-commerce platform operators, the cosmetic operators on the platform, and the e-commerce operators who operate cosmetics through self-built websites or other online services. Those who operate cosmetics through the self-built websites and other online services shall perform the obligations of cosmetic operators on the platform stipulated in the *Measures*.

Article 4 Supervision Principles The medical products administration departments shall adhere to the principles of encouraging innovation, being tolerant and prudent, strictly observing the bottom line, and implementing the online and offline integrated supervision, and encourage to carry out the supervision and administration work by utilizing information technology means so as to ensure the quality and safety of cosmetics.

Article 5 Supervisory Responsibilities The National Medical Products Administration (NMPA) shall be responsible for organizing and guiding the supervision and administration of cosmetic online operation and cosmetic e-commerce platform services nationwide.

The medical products administration departments of the local people's governments at or above the county level shall be responsible for the supervision and administration of

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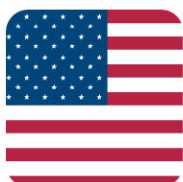
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- + California Safe Cosmetics Program (CSCP)
- + Toxicological Risk Assessment (TRA)
- + INCI application

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附件 1

化妆品网络经营监督管理办法 (征求意见稿)

第一章 总 则

第一条 (目的和依据) 为规范化妆品网络经营和化妆品电子商务平台服务行为,保障公众用妆安全,根据《中华人民共和国电子商务法》《化妆品监督管理条例》《化妆品生产经营监督管理办法》《网络交易监督管理办法》等法律法规和规章,制定本办法。

第二条 (适用范围) 在中华人民共和国境内从事化妆品网络经营、提供化妆品电子商务平台服务及其监督管理,适用本办法。

第三条 (监管对象) 化妆品电子商务经营者包括化妆品电子商务平台经营者、平台内化妆品经营者以及通过自建网站或者其他网络服务经营化妆品的电子商务经营者。通过自建网站以及其他网络服务经营化妆品的,应当履行本办法规定的平台内化妆品经营者的义务。

第四条 (监管原则) 负责药品监督管理的部门应当坚持鼓励创新、包容审慎、严守底线、线上线下一体化监管的原则,鼓励利用信息化技术手段开展监督管理工作,保障化妆品质量安全。

第五条 (监管职责) 国家药品监督管理局负责组织指导全国化妆品网络经营、化妆品电子商务平台服务的监督管理工作。

县级以上地方人民政府负责药品监督管理的部门依职责负责本行政区域内化妆品网络经营、化妆品电子商务平台服务的监督管理工作。

第六条 (社会共治) 负责药品监督管理的部门应当与相关部门加强协作,引导行业组织、消费者组织等共同参与化妆品网络经营市场环境治理,加强行业自律和诚信建设,促进化妆品安全社会共治。

第二章 化妆品电子商务平台经营者管理

第七条 (管理制度) 化妆品电子商务平台经营者应当依法承担平台内化妆品经营者管理责任,建立实名登记、日常检查、违法行为制止及报告、投诉举报处理等化妆品质量安全管理制度的有效实施。化妆品电子商务平台经营者应当依照《中华人民共和国



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