



EN ROUTE VERS L'EXPORT

DATABOOK
2024



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Introduction

The cosmetics industry is one of the key sectors of the French economy. According to official figures, the sector represents 24 billion in sales. Its power is also confirmed internationally: the industry generates nearly 15 billion in export sales. But expanding abroad is not so easy. And to succeed, it is essential to have a well-honed strategy.

First of all, you have to determine the desired export zone. Then comes the question of the regulatory framework: you have to make sure that you comply with the rules in force locally. Last but not least, it is essential to calibrate your offer to the needs of a population whose expectations, needs and lifestyle change from what you are used to in your domestic market.

It is with this in mind that this databook was created. Conceived as a toolbox, it aims to provide concrete answers to the questions of brands wanting to develop abroad.

It begins by taking stock of the most recent major international regulatory developments. Several areas are highlighted: the United Kingdom in the post-Brexit era, the United States and China implementing their new regulations, Canada and the revision of its Cosmetics Regulations, New Zealand, the first country to ban PFASs... There are also detours to Brazil, Australia, Japan and California...

The second part focuses on a few promising international trends.

Regulation

To sell cosmetics abroad, it is imperative to respect, and therefore know, the regulatory framework in force.

This chapter focuses on the new provisions (outside Europe) that need to be complied with just about everywhere on the planet.

With first a world tour of authorised and prohibited claims.



THE "FREE-FROM..." CLAIMS AT THE INTERNATIONAL LEVEL

It is now well known that "Free-from..." claims are particularly in the crosshairs of regulatory and control authorities in Europe, and that most of them are, in fact, banned. But what about elsewhere in the world? Are there regions where it is possible to continue using them? During the International Meeting organised on 25 March 2021, Cristina Oncins Pallas, Cosmed's International Regulatory Affairs Officer, proposed a world tour of "Free-from..." claims and the regulatory obligations that surround them.

At the beginning are **the Common Criteria** "for the justification of claims used in relation to cosmetic products"... Established by the European Regulation 655/2013, there are six of them:

- The "Legal compliance" criterion, which prohibits claiming that the product complies with the regulations in force, or that the product has been authorised or approved by a competent authority
- The "Truthfulness" criterion, which implies that the claim must be true, and that, for example, a claim about the properties of an ingredient should not imply that the finished product has the same properties if this is not the case
- The "Evidential support" criterion, which requires that evidence be available to substantiate the claim (except in the case of clearly exaggerated claims that cannot be taken at face value (e.g. the classic "this perfume gives you wings" ...))
- The "Honesty" criterion, which prohibits claims that go beyond the available evidence or that attribute to the product characteristics that are presented as unique if similar products have the same characteristics
- The "Fairness" criterion, which requires that a claim should not disparage competitors or ingredients used by others legally (the traditional "Paraben-free" is cited here...),
- The "Informed decision-making" criterion, which requires that the claim be clear and understandable to the end user, and in any case appropriate to the target audience.

Common Criteria and "Free-from..." claims

We also know that European cosmetic regulations are well exported, and this is also the case of the Common Criteria: Turkey and the Gulf States (GSO) have adopted them, and the Eurasian Economic Union, including Russia, has been strongly inspired by them.

In addition, for countries requesting Certificates of Free Sale (CFSs) it is required to comply with European regulations for products shipped from Europe. Article 20 of the Cosmetics Regulation mentions the Common Criteria, which must therefore be respected for these countries, in addition to compliance with local regulations.

"Free-from..." claims in Europe

As a reminder, this type of claims includes not only the very explicit "Free-from..." or "Without..." , but also "0%" or any other similar statement...

In Europe, Annex III of the Technical Document on Cosmetic Claims has given precise examples on their acceptability (or not).

Prohibited

- The "Free-from..." substances prohibited or claimed targeting the absence of characteristics imposed by the regulation
- The "Free-from..." substances whose absence cannot be verified (allergenic substances...)
- The "Free-from..." substances regulated or authorised in the annexes to Regulation 1223/2009 but

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