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**NATIONAL AGENCY FOR FOOD AND DRUG
ADMINISTRATION AND CONTROL ACT
(CAP. N1 LFN), 2004**

COSMETICS PRODUCTS LABELLING REGULATIONS, 2021



ARRANGEMENT OF REGULATIONS

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SCHEDULE

S. I. No. 79 of 2021

**NATIONAL AGENCY FOR FOOD AND DRUG
ADMINISTRATION AND CONTROL ACT
(CAP. N1 LFN), 2004**

COSMETICS PRODUCTS LABELLING REGULATIONS, 2021

[7th Day of July, 2021]

Commence-
ment.

In exercise of the powers conferred on it by sections 5 and 30 of the National Agency for Food and Drug Administration and Control Act (Cap. N1, LFN), 2004 and section 12 of the Food, Drug and Related Products (Registration, Etc.) Act (Cap. F33, LFN), 2004 and all other powers enabling it in that behalf, the Governing Council of the National Agency for Food and Drug Administration and Control with the approval of the Minister of Health makes the following Regulations—

1. These Regulations applies to all cosmetic products manufactured, imported, exported, advertised, sold, distributed or used in Nigeria.

Scope of
application.

2.—(1) All cosmetic products manufactured, imported, exported, advertised, sold, distributed or used in Nigeria shall be registered in accordance with the provisions of these Regulations.

Prohibition.

(2) A cosmetic product shall not be manufactured, imported, exported, distributed, advertised, displayed for sale, offered for sale, sold, or used as a cosmetic product, unless a label has been affixed thereto with the information specified in the First Schedule to these Regulations and appearing on both the inner and outer container, (as applicable).

3.—(1) All information required to be indicated on the label of a cosmetic shall be informative, accurate, prominent, legible and distinct.

Labelling
information.

(2) All statements shall appear in font size and style type, which is legible for clarity and on sufficient contrasting background without obscuring designs or vignettes or crowding within written, printed or graphic matter.

(3) The letters of the name of the cosmetic product and the net content shall be of a size reasonably related to the predominant character on the label.

(4) Labeling shall not be false, misleading, deceptive or likely to create an erroneous impression regarding its character, quality, quantity and origin.

(5) The label space shall not be used to present information, statement or graphics not required by these Regulations in such a manner that may make the label space insufficient for the prominent placing of such information or statements required under these Regulations.

Validity of approval.

- (6) A cosmetic product labels shall state the following—
- (a) brand name, (where applicable) ;
 - (b) product's statement of identity ;
 - (c) lot or batch number ;
 - (d) net content ;
 - (e) expiry date ;
 - (f) manufacturer's name and location address including country of origin ;
 - (g) registration number assigned to it in a manner as prescribed by the Agency ;
 - (h) storage conditions ; and
 - (i) any other information as may be prescribed by the Agency.

(7) Where a cosmetic container is covered with a wrapper, the label shall be readily legible through the outer wrapper and shall not be obscured.

(8) Where the wrapper carries the required information, it shall be affixed in a manner that is not removable from the cosmetic container.

(9) Label on cosmetic product shall not bear words, pictorial or other means, which refers to any other product or falsely suggests either directly or indirectly, that the cosmetic product is connected with other product.

(10) All information and statements as required by these Regulations shall appear on the part or panel of the label, which is presented or displayed under customary conditions of purchase.

(11) Any claims on the cosmetic product shall be substantiated.

(12) All information on a cosmetic product shall be in english language, and may include any other languages.

Product identity.

4.—(1) The outer and inner labels of a cosmetic product shall be required to bear the name of the cosmetic product, which shall indicate the accurate nature of the cosmetic product.

(2) Where a common name or statement of identity has been established for the cosmetic, it shall be used in conjunction with the brand name of the cosmetic product.

(3) Where no common name or statement of identity exists for a cosmetic product, an appropriate descriptive name shall be affixed to it.

(4) Where a coined or fanciful name is used for a cosmetic product, the name shall not be misleading and accompanied with appropriate descriptive term.

5.—(1) A complete list of ingredients used in preparing the cosmetic product shall be declared on the outer label and inner label where appropriate in decreasing order of predominance, provided that—

(a) fragrance, colour or flavour may be listed in any order after the other ingredients as fragrance, colour or flavor ; and

(b) an ingredient that is a fragrance, colour and flavour shall each be designated by internationally identified name or code.

(2) Where there is no outer packaging, the list of ingredients shall appear on the inner label.

(3) Ingredients in concentrations of less than 1% may be listed in any order after those concentrations of 1% or more.

(4) Decorative cosmetic product, marketed in several colour shades, all colouring agents may be listed, preceded by the words “may contain”.

(5) Where the ingredients of a cosmetic product have more than one component, the name of the components shall be included in the list of ingredients.

(6) The declaration of ingredients shall be prominent, readable and understood under normal conditions of purchase.

(7) Where a grade designation is used, it shall be appropriately stated in a manner that is not misleading or deceptive.

(8) Where a cosmetic product contains a pharmaceutically active ingredient, the declaration of ingredients shall declare the active drug ingredients in accordance with the Agency's Drug Labelling Regulations.

(9) Where an ingredient of a cosmetic product is known to cause hypersensitivity, such shall be declared on the label.

(10) Where multi-packs are involved, the following shall apply, where the—

(a) ingredient labeling is on the outer packaging, the ingredients for each product may be separately listed or combined into one list ;

(b) labeling on the outer packaging is impossible for practical reasons or impracticable for reasons of size or shape, the list shall be given on a leaflet, label, tag, tape or card enclosed with the product and the consumer shall be referred to the text either by abbreviated information or by a special symbol on the outer pack ;

(c) products within the multi-pack have containers, which are individually labeled or printed with an ingredient list, there is no need for a separate leaflet, label, tape, tag or card ; and

(d) transparent package is used and ingredient labelling is clearly visible, a separate labelling shall not be required.

(11) For the purposes of labelling, the following shall not be regarded as cosmetic ingredient and need not be shown on the label—

(a) impurities of the raw materials ;

(b) subsidiary technical materials used in the preparation of the cosmetic product but not present in the final product ; and

(c) materials used in strictly necessary quantities as solvents or as carriers for perfumes and aromatic compositions.

Net content
of cosmetic
product.

6.—(1) The accurate average net content of every cosmetic product shall be declared on the inner and outer label in the metric system.

(2) Products with only inner label shall meet the same requirements as those for the outer labels of products having both an outer and inner label.

(3) The declaration of the average net content of the cosmetic product shall be required to be made in the case of—

(a) liquid cosmetic in volume ;

(b) solid cosmetic by weight and number or count, where applicable ;
and

(c) semi-solid or viscous cosmetic by weight or volume.

(4) The declaration referred to in subregulation (3) of this regulation shall accurately reveal the quantity of cosmetic in a package exclusive of wrappers and other material packed with it, provided that—

(a) in the case of cosmetics packed in containers designed to deliver the cosmetic under pressure, the declaration shall state the net quantity of the contents that may be expelled when the instructions for use as shown on the container are followed and the propellant is included in the net quantity declaration ;

(b) in the case of a package, which contains the integral components making up a complete kit and which is designed to deliver the components in the manner of an application, the declaration may state the net quantity of the contents in non-deceptive terms of the number of applications available in the kit, when the instructions for use as shown on the container are followed ;

(c) the declaration of net quantity of contents shall express an accurate statement of the quantity of contents of the package ; and

(d) reasonable variations caused by loss or gain of moisture during the course of Good Distribution Practice or by unavoidable deviations in Good Manufacturing Practice will be recognized along with variations from stated quantity of contents, which shall not be unreasonably large.

7.—(1) The name and full location address of the manufacturer and packer of a cosmetic product shall be specified on both the inner and outer label, where applicable, in such a manner that is easily readable.

(2) Where the name of the Holder of Certificate of Registration a cosmetic product is specified on the inner and outer label, it shall be easily readable.

(3) Where a cosmetic product undergoes any processing, which affects its contents in another country, such country shall be considered as the country of manufacture for the purpose of labelling.

(4) Notwithstanding the provisions of subregulation (1) of this regulation, a cosmetic packed in a container that is 10cm or its equivalents or less shall indicate the following—

- (a) the brand name, where applicable ;
- (b) the product statement of identity ;
- (c) lot or batch number ;
- (d) net content ;
- (e) expiry date ;
- (f) manufacturer's name and full address ; and
- (g) registration number assigned to it in a manner prescribed by the Agency.

8. The batch number shall be indicated on both the inner and outer labels, where applicable, of all cosmetic products and where it is impossible, for reasons of size, for details of the batch number to appear on both the inner and outer packaging, the details shall be given on the inner packaging.

9.—(1) The date marking shall be stated for all cosmetic products and shall be stated on both the inner and outer labels, where applicable.

(2) The batch number and date markings shall not be pre-printed on the label.

10. The required storage conditions shall be specified on both the inner and outer labels, where applicable.

11.—(1) The brand name or Trademark shall be displayed on the label and shall not give wrong impression of the nature, quality or substance of the cosmetic product.

(2) Where the brand name or Trademark registration is in conflict with any Regulations or requirements of the Agency, the latter shall supersede and prevail.

Declaration
of name,
address and
country of
manufacture,
etc.

Batch
number.

Date
marking
instructions.

Storage
condition.

Brand
name or
Trademark.

B 3250

Registration number.	<p>12. All cosmetic products shall bear on its label its NAFDAC Registration Number (NAFDAC Reg. No.) issued on the Certificate of Registration in such a manner as prescribed by the Agency.</p>
Directions for-use.	<p>13. Directions for use, including reconstitution, where applicable, shall be included on the label to ensure correct utilisation of the cosmetic product.</p>
Warning and caution.	<p>14.—(1) The outer and inner label of every cosmetic product shall carry clear and adequate warning to prevent any danger in the use of the product.</p> <p>(2) Specific requirements shall apply to the classes of cosmetic products mentioned in the Second Schedule to these Regulations.</p>
Soap.	<p>15.—(1) Where soap is supplied in a container or wrapper, it shall comply with the labelling requirements set out in these Regulations.</p> <p>(2) Where a soap is not supplied in a container or wrapper, the name and address of the manufacturer or Holder of Certificate of Registration and the batch number shall be—</p> <ul style="list-style-type: none">(a) given on either the soap itself, the packaging in which it is exposed for supply ; or(b) on the container in which it was packed before being exposed for supply ; and(c) contain the manufacturing and expiry dates. <p>(3) The following shall be provided on a leaflet supplied with the soap—</p> <ul style="list-style-type: none">(a) warning statements and precautionary information ;(b) product function, where applicable ; and(c) ingredient listing.
Displayed information, etc.	<p>16.—(1) Any information displayed on a label, which misleads or deceives a consumer in anyway shall constitute an offence under these Regulations.</p> <p>(2) A person shall not remove, add to, alter, deface or render illegible any statement upon a label printed on or attached to a wrapper or container in accordance with these Regulations.</p>
Offences and Penalties.	<p>17.—(1) Any person who contravenes any of the provisions of these Regulations commits an offence and shall be liable on conviction, in the case of—</p> <ul style="list-style-type: none">(a) an individual, to imprisonment for a term not exceeding 1 year or to a fine not exceeding ₦800,000.00 or to both ; and(b) a body corporate, to a fine not exceeding ₦5,000, 000.00

(2) Where an offence under these Regulations is committed by a body corporate, firm or other association of individuals every—

(a) director, manager, secretary or other similar officer of the body corporate ;

(b) partner or officer of the firm ;

(c) trustee of the body concerned ;

(d) person concerned in the management of the affairs of the association ; or

(e) person who purports to act in a capacity referred to in paragraphs (a) to (d) of this subregulation,

is liable to be proceeded against and punished for that offence in the same manner as if, the person committed the offence, unless the person proves that the act or omission constituting the offence took place without his knowledge, consent or connivance.

18. A person convicted of an offence under these Regulations shall forfeit to the Federal Government—

Forfeiture
after
conviction.

(a) any asset or property constituting proceeds derived from or obtained, directly or indirectly, as a result of the offence ; and

(b) any of the person's property or instruments used in any manner to commit or to facilitate the commission of the offence.

19.—(1) The Cosmetics Product Labelling Regulations, 2005 is revoked.

Revocation.

(2) The revocation of the Regulations specified in sub-regulation (1) of this regulation shall not affect anything done or purported to be done under the revoked Regulations.

20. The Agency shall be responsible for the enforcement of these Regulations.

Enforcement
of these
Regulations.

21. In these Regulations—

Interpretation

“Address” means the place where the business of manufacture or sale or distribution or storage or display of cosmetic product is carried out which includes the house number, plot number, street name, Town or City, State, Country ;

“Agency” means the National Agency for Food and Drug Administration and Control ;

“Foaming Detergent Bath Products” means a foaming detergent bath product, also known as bubble bath product, is any product intended to be added to a bath for the purpose of producing foam that contains a surface-active agent serving as a detergent or foaming ingredient ;

“*Container*” means any form of packaging of cosmetics for sale as a single item whether by completely or partially enclosing the cosmetics and includes wrappers and a container may enclose several units or types of packages when such is offered to the consumer ;

“*Cosmetic product*” means any substance or mixture of substances intended to be rubbed, poured, sprinkled or sprayed, introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness or altering the complexion, skin, hair or teeth and includes deodorants and detergent powder ;

“*Decorative cosmetics*” means cosmetic products intended to modify the appearance of the area to which they are applied, usually by the use of colour ;

“*Ingredient*” includes all substances or mixture of substances used in the manufacture or preparation of cosmetic ;

“*Label*” means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, embossed or impressed on, or attached to, a package (container) of a cosmetic product ;

“*Inner label*” means primary packaging material label ;

“*Outer label*” means secondary packaging material label ;

“*Package labeling*” means the label on the immediate container plus all other printed matter such as outer wrapper, carton or leaflet associated with the package ;

“*Principal display panel (PDP)*” means the part of a package or label that is most likely to be displayed, presented, shown or examined under customary conditions of display for display for retail sale ;

“*Proceeds*” means any property derived or obtained, directly or indirectly, through the commission of the offence ; and

“*Lot or Batch number*” means the number, or a combination of numbers and letters specifically given to a cosmetics product which is linked to the manufacturing history of the product.

Citation.

22. These Regulations shall be cited as the Cosmetics Product Labelling Regulations, 2021.

FIRST SCHEDULE

[Regulation 2 (2)]

CONTENT OF INNER AND OUTER CONTAINER

A label may consist of more than one panel. It may consist of a front panel, side panels and a back panel. Back and side panels are generally called information panels.

(1) The information below shall appear on the label of the outer container which usually is a box. The immediate container holding the cosmetic product also is the outer container if it is not displayed in a box.

OUTER CONTAINER OR LABEL OF SINGLE CONTAINER PRODUCT

<i>Principal Display Panel</i>	<i>Information Panels</i>
Name of product	Directions for safe use Warnings
Identity	Name and Address of the Manufacturer Ingredient List
Net quantity of contents	Any other required information

(2) The information below shall appear on the label of the inner (immediate) container holding the cosmetic product.

INNER CONTAINER (IF PACKAGED IN AN OUTER CONTAINER)

<i>Front Panel</i>	<i>Information Panels</i>
Name of Product	Directions for safe use Warnings Name and Address of the Manufacturer Ingredient List Net quantity of contents Any other required information

REQUIREMENT FOR SPECIFIC COSMETIC PRODUCTS

(1) *Hair dyes* : Hair dyes containing para-phenylenediamines or other coal tar dye intermediates, shall bear the following on its outer and inner labels :

(a) "*Caution*" : This product contains ingredients that may cause skin irritation on certain individuals and preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eye lashes or eyebrows as to do so may lead to blindness".

(b) directions for preliminary sensitivity test shall be indicated on the product.

(2) *Products for genital use* : A product for use in the genital area shall carry all Directions and Warnings as required for the safe use of the product.

(3) *Pressurized metal containers* : where the packaging of a pressurised metal container has only an inner label, the following items shall be provided—

(a) the explosive symbol shall appear on the display panel of the label ;

(b) the word "*CAUTION*" shall appear on the display panel of the label and this signal word shall appear immediately below the symbol and shall be printed in boldface type ;

(c) the message "*CONTAINER MAY EXPLODE IF HEATED*" shall appear on the display panel of the label and this statement shall appear immediately below the signal word in boldface type ; and

(d) the following statement shall appear on any part on the Panel of the label, except the bottom of the container—

"Contents under pressure. Do not place in hot water or near radiators, stoves or other sources of heat and do not puncture or incinerate container or store at temperatures over 50 degrees Celsius".

(3) *Warning* — Avoid spraying in eyes. Contents under pressure. Do not puncture or incinerate.

(a) the words "*Avoid spraying in eyes*" may be omitted if the product is not expelled as a spray. *Example* : Aerosol shave cream.

(b) the word "puncture" may be replaced by the word "break", where the product is packaged in a glass container.

(c) where the product is intended for use by children, the phrase "except under adult supervision" may be added at the end of the last sentence of the warning.

(4) For pressurised metal containers having both an outer and inner label, the following shall apply, if the net quantity of product is—

(a) more than 120ml/120g, the outer and inner label shall comply with the requirements of Regulation 15(2)(c) *i-iv*,

(b) 120ml/120g or less but more than 60ml/60g, the outer label shall comply with the requirements of Regulation 15 (2)(c). *i-iv* and the inner label shall comply with paragraph 15(2)(c) *i-iii* but may also comply with paragraph 15(2)(c) *iv*,

(c) 60ml/60g or less, the outer label shall comply with paragraph 15(2)(c) *i-iv* and the inner label shall comply with paragraph 15(2)(c) *i* and *ii* but may also comply with paragraph 15(2)(c) *iii & iv*.

(d) where the information specified in this Regulation 15 is impracticable for reasons of size or shape, the information shall be given on a label, tag, tape or card attached to the product and the consumer shall be referred to it, either by abbreviated information or a special symbol on both the inner container and outer packing.

(5) *Foaming Detergent Bath Products :*

The caution stated below is required on the label of any foaming detergent bath product—

(a) *caution* — Use only as directed. Excessive use or prolonged exposure may cause irritation to skin and urinary tract. Discontinue use if rash, redness or itching occurs. Consult your physician if irritation persists. Keep out of reach of children.

(b) where the bubble bath product is intended for use by children, the phrase “Keep out of reach of children” may be expanded to further read “except under adult supervision.”

(c) the Regulation further requires that the label shall bear adequate directions for safe use of the product.

MADE at Abuja this 7th day of July, 2021.

DR OSAGIE E. EHANIRE, MD, FWACS
Honourable Minister of Health