

Trade Practices (Consumer Product Information Standards) (Cosmetics) Amendment Regulations 1998 (No. 1) 1998 No. 364

EXPLANATORY STATEMENT

STATUTORY RULES 1998 No. 364

Issued by the Authority of the Minister for Financial Services and Regulation

Trade Practices Act 1974

Trade Practices (Consumer Product Information Standards) (Cosmetics) Amendment Regulations 1998 (No. 1)

Section 172 of the *Trade Practices Act 1974* (the Act) provides that the Governor-General may make regulations for the purposes of the Act.

Subsection 65D(1) of the Act provides that a corporation shall not, in trade or commerce, supply goods that are intended to be used, or are of a kind likely to be used, by a consumer, if the goods are of a kind in respect of which a consumer product information standard has been prescribed, unless the corporation has complied with that standard in relation to those goods.

Subsection 65D(2) of the Act provides that a regulation may, in respect of goods of a particular kind, prescribe a consumer product information standard consisting of such requirements as to:

- (a) the disclosure of information relating to the performance, composition, contents, methods of manufacture or processing, design, construction, finish or packaging of the goods; and
- (b) the form and manner in which that information is to be disclosed on or with the goods,

as are reasonably necessary to give persons using the goods information as to the quantity, quality, nature or value of the goods.

The purpose of the amendments to the regulations is to harmonise with other international standards in the interests of increasing trade opportunities and compliance costs by adopting the International Nomenclature of Cosmetic Ingredients (INCI) system of nomenclature for the labelling of cosmetic products.

Details of the proposed amendment to the regulation are as follows:

Regulation 1 changes the name of the Regulations to the Trade Practices (Consumer Product Information Standards) (Cosmetics) Regulations 1991.

Regulation 2 specifies the changes to Subregulation 5 (6) to allow a reference to a colour additive to be identified by the words 'may contain' and the name of the additive or the symbol '+/-' and the name of the additive.

Regulation 3 specifies the changes to Paragraph 5 (7) (a) to allow the word 'aroma' as an alternative to flavour.

Regulation 4 specifies the changes to Paragraph 5(8) (a) to allow the word 'parfum' or 'parfums' to be used as an alternative to 'fragrance' or 'fragrances'.

Regulation 5 specifies the changes to the form of ingredients list to allow the names of the ingredients in the list to be either their English names or their International Nomenclature Cosmetic Ingredient names.

