Commonwealth Coat of Arms

Cosmetics Amendment (Sunscreen) Standard 2013

I, Shayne Neumann, Parliamentary Secretary for Health and Ageing, make the following standard under subsection 81(1) of the *Industrial Chemicals (Notification and Assessment) Act 1989*.

Dated: 17 June 2013

Shayne Neumann

Parliamentary Secretary for Health and Ageing

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1 Name of standard

This standard may be cited as the *Cosmetics Amendment (Sunscreen) Standard 2013*.

2 Commencement

This standard commences on 1 August 2013.

3 Authority

This standard is made under subsection 81(1) of the *Industrial Chemicals (Notification and Assessment) Act 1989.*

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Cosmetics Standard 2007

1 Section 3

Insert:

***AS/NZS*** ***2604:2012*** means *AS/NZS 2604:2012 Sunscreen products—Evaluation and classification*, published by SAI Global on 30 May 2012.

2 Schedule 1 (cell at table item 1, column headed “Standards”)

Repeal the cell, substitute:

| For a product imported into, or manufactured in, Australia before 1 August 2018, both:  (a) the product must be a secondary sunscreen product within the definition of ***secondary sunscreen product*** in:  (i) AS/NZS 2604:1998; or  (ii) AS/NZS 2604:2012; and  (b) any protection factor or equivalent category description stated on the product’s label must be in accordance with:  (i) clauses 6.2 and 6.3 of AS/NZS 2604:1998; or  (ii) clauses 5 and 6 of AS/NZS2604:2012.  For a product imported into, or manufactured in, Australia on or after 1 August 2018, all of the following:  (a) the product must be a secondary sunscreen product within the definition of ***secondary sunscreen product*** in AS/NZS 2604:2012;  (b) any protection factor or equivalent category description stated on the product’s label must be in accordance with clauses 5 and 6 of AS/NZS 2604:2012;  (c) if the product’s label states a protection factor, the label must meet the requirements of clauses 7.1 and 7.3 of AS/NZS 2604:2012;  (d) the product must meet the performance requirements for a ***broad‑spectrum product*** set out in:  (i) Table 1 in clause 5.2 of AS/NZS 2604:2012; and  (ii) clause 6.3 of AS/NZS 2604:2012. |
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3 Schedule 1 (cell at table item 2, column headed “Standards”)

Repeal the cell, substitute:

| For a product imported into, or manufactured in, Australia before 1 August 2018, all of the following:  (a) the product must be a secondary sunscreen product within the definition of ***secondary sunscreen product*** in:  (i) AS/NZS 2604:1998; or  (ii) AS/NZS 2604:2012;  (b) the product must:  (i) not be presented as having a sun protection factor of more than 15; and  (ii) not be presented as water‑resistant; and  (iii) if it is not stable for at least 36 months—include an expiry date or use‑by date on its label; and  (iv) have a pack size not larger than 300mL or 300g; and  (v) not have a therapeutic claim, including any representation about skin cancer, made for it;  (c) any representation in connection with the product about premature skin ageing linked to sun exposure may be made only if the product meets the performance requirements for a ***broad‑spectrum product*** set out in:  (i) clause 7.2 of AS/NZS 2604:1998; or  (ii) both:  (A) Table 1 in clause 5.2 of AS/NZS 2604:2012; and  (B) clause 6.3 of AS/NZS 2604:2012;  (d) any protection factor or equivalent category description stated on the product’s label must be in accordance with:  (i) clauses 6.2 and 6.3 of AS/NZS 2604:1998; or  (ii) clauses 5 and 6 of AS/NZS 2604:2012. |
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| For a product imported into, or manufactured in, Australia on or after 1 August 2018, all of the following:  (a) the product must be a secondary sunscreen product within the definition of ***secondary sunscreen product*** in AS/NZS 2604:2012;  (b) the product must:  (i) not be presented as having a sun protection factor of more than 15; and  (ii) not be presented as water‑resistant; and  (iii) if it is not stable for at least 36 months—include an expiry date or use‑by date on its label; and  (iv) have a pack size not larger than 300mL or 300g; and  (v) not have a therapeutic claim, including any representation about skin cancer, made for it;  (c) the product must meet the performance requirements for a ***broad‑spectrum product*** set out in:  (i) Table 1 in clause 5.2 of AS/NZS 2604:2012; and  (ii) clause 6.3 of AS/NZS 2604:2012;  (d) any protection factor or equivalent category description stated on the product’s label must be in accordance with clauses 5 and 6 of AS/NZS 2604:2012;  (e) if the product’s label states a protection factor, the label must meet the requirements of clauses 7.1 and 7.3 of AS/NZS 2604:2012. |