



16 January 2015

(15-0291)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>THE SEPARATE CUSTOMS TERRITORY OF TAIWAN, PENGHU, KINMEN AND MATSU</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> Food and Drug Administration Ministry of Health and Welfare No.161-2, Kunyang St, Nangang District Taipei City 115-61, Taiwan Tel.: (886-2) 2787-8000 ext 7564 Fax: (886-2) 2787-7589 E-mail: <a href="mailto:myrna_li@fda.gov.tw">myrna_li@fda.gov.tw</a>  <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>
<b>3. Notified under Article 2.9.2 [ X ], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Cosmetics
<b>5. Title, number of pages and language(s) of the notified document:</b> Proposed amendment of the Statute for Control of Cosmetic Hygiene (12 pages, in English)
<b>6. Description of content:</b> In view of the fact that current cosmetic regulations are inadequate in the face of practical requirements, the proposed amendment of the Statute for Control of Cosmetic Hygiene was formulated to increase the protection of national health and international trade liberalization. The main amendments contained in this draft are as follows: <ol style="list-style-type: none"><li>1. The definition of cosmetics has been revised to expend the cosmetic categories to oral care products;</li><li>2. Both of registration and market approval for cosmetics containing medical, poisonous or potent drug(s) and pre-market filing for other cosmetics have been replaced by requirements of product notification and product information files creation;</li><li>3. Regulations governing the labelling information have been amended;</li><li>4. Manufacturers for cosmetics have been required to comply with good manufacturing practice and be supervised by pharmacists or personnel with professional skills in the field of cosmetics;</li><li>5. Pre-approval of advertisements has been replaced by increase of the legal responsibility of businesses, including that cosmetics businesses may be required to publish or broadcast corrective advertisements in case of severe violations of advertisements regulation and media businesses shall preserve data pertaining to commissioning entities for advertisements to allow an effective tracking of the source of violating advertisements;</li></ol>

<p>6. Cosmetics businesses have been given responsibilities of keeping data on direct supply sources and destinations of products and reporting serious adverse effect generated by cosmetics;</p> <p>7. The central competent authority is authorized to announce certain cosmetics categories or items that may be pose a hazard to hygiene and safety requiring test checks and inspection at the time of importation;</p> <p>8. Competent authorities may grant rewards to people who found violations of the provisions listed in this Act;</p> <p>9. Criminal punishment has been converted into administrative fines with minimum fine amounts have been specified and maximum fine amounts have been increased.</p> <p>Competent authorities have been authorized to publish information about violations and businesses committing violations to protect the rights and interests of consumers, and to appoint or commission other units to conduct legally required inspections, test checks, tests or issue production and sales certificates.</p>
<p><b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Consumer protection</p>
<p><b>8. Relevant documents:</b> Statute for Control of Cosmetic Hygiene</p>
<p><b>9. Proposed date of adoption:</b> To be determined <b>Proposed date of entry into force:</b> To be determined</p>
<p><b>10. Final date for comments:</b> 60 days from the date of notification</p>
<p><b>11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b></p> <p>WTO/TBT Enquiry Point The Bureau of Standards, Metrology and Inspection Ministry of Economic Affairs 4, Chinan Road, Section 1 Taipei City 100, Taiwan Tel.: (886-2) 2343-1801 Fax: (886-2) 2343-1804 E-mail: <a href="mailto:tbtenq@bsmi.gov.tw">tbtenq@bsmi.gov.tw</a></p> <p><a href="https://members.wto.org/crattachments/2015/TBT/CHT/15_0200_00_e.pdf">https://members.wto.org/crattachments/2015/TBT/CHT/15_0200_00_e.pdf</a></p>