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**NATIONAL AGENCY FOR FOOD AND DRUG ADMINISTRATION AND CONTROL (NAFDAC)**

**COSMETICS PRODUCTS (PROHIBITION OF BLEACHING AGENTS) REGULATIONS 2018**

**COMMENTS ARE WELCOMED FROM STAKEHOLDERS WITHIN 60 DAYS.**

**PLEASE SEND ALL INPUT TO****REGULATORYAFFAIRS@NAFDAC.GOV.NG**

**ARRANGEMENT OF REGULATIONS**

Commencement:

1. Prohibition of unsafe cosmetics
2. Penalty
3. Forfeiture
4. Interpretation
5. Repeal
6. Citation

**Commencement:**

**In exercise of the powers conferred on the Governing Council of the National Agency for Food and Drug Administration and Control (NAFDAC) by Sections 5 and 30 of the NAFDAC Act Cap N1 LFN 2004 and Section 12 of the Food, Drugs and Related Products (Registration, Etc.) Act Cap F33 LFN 2004 and of all the 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 Honorable Minister of Health hereby makes the following Regulations:-**

1. **Prohibition of Unsafe Cosmetics**
	1. No person shall import, manufacture, distribute, display for sale, offer for sale or use any cosmetics, which are adulterated or which contains any substance which when used according to the direction on the label accompanying the cosmetic product is likely to cause injury to the health of the user.
	2. No person shall import, manufacture, distribute, sell, display for sale, offer for sale or use any cosmetic product which contains any of the skin bleaching agents listed in the Schedule A to these Regulations.
	3. No person shall import, manufacture, distribute, sell, display for sale or offer for sale any cosmetic product which contains more than 1% of Hydroquinone and Arbutin as ingredients together.
2. **Penalty**
	1. A person who contravenes any of the provisions of these regulations is guilty of an offence and liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding ₦50,000.00 or to both such fine and imprisonment.
	2. Where an offence under these Regulations which has been committed by a body Corporate is proved to have been committed with the consent or connivance of or attributable to any neglect on the part of any director, manager, secretary or other similar officer of the body corporate or any person purporting to act in any of those capacities, he as well as the body corporate, shall be deemed to be guilty of the offence and shall be liable on conviction to a fine not exceeding ₦100,000.00
3. **Forfeiture**
	1. In addition to the Penalty specified in Regulation 2(1) of these Regulations, a person convicted of an offence under these Regulations shall forfeit to the Agency the Cosmetic product and whatsoever is used in connection with the commission of the offence.
	2. Any cosmetic product containing prohibited bleaching agent(s) and does not compile with the standards shall be fortified to the Agency
4. **Interpretation**

For the purpose of these Regulations, unless the context otherwise requires: -

* 1. **“Adulterated cosmetic”** means any of the following, that is, if -
		1. it contains more than a trace of mercury or any mercury salt which under normal condition of manufacturing practice is unavoidable; or
		2. contains more than a trace of mercury or any mercury salt calculated as the metal or preservative; or
		3. contains beyond 1% hydroquinone and any of the three forms of arbutin;
		4. bears or contains any poisonous or deleterious substances as to render it injurious to a user under the conditions prescribed in its labeling or under such conditions of use as are customary or usual for the cosmetic product; or
		5. has been prepared, packed or held under unsanitary conditions thereby rendering it likely to be injurious to health; or
		6. the container in which it is packed is composed in whole or part of poisonous or delirious substance which may render the contents injurious to health; or
		7. contains more than the permissible limit of an ingredient; or
		8. Revalidates any information originally indicated on its label or container by the manufacturer.
	2. **“Cosmetics”** includes 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.
1. **Repeal**
	1. The Cosmetic Product (Prohibition of Bleaching Agents, Etc.) Regulations (2005) are hereby repealed.
	2. The repeal of the Regulation specified in sub-regulation (1) of this Regulation shall not affect anything done or purported to be done under the repealed Regulations.
2. **Citation**

This Regulation may be cited as the Cosmetics Products Prohibition of Bleaching Agents Regulations, 2018.

**SCHEDULE A**

1. Corticosteroids
2. Mercury and Mercury compounds

**MADE at Abuja this ……………………….day of …………………………..2018**

**Inuwa Abdulkadir Esq**

**Chairman Governing Council**

**National Agency for Food and Drug Administration and Control (NAFDAC)**