

Health Canada Cosmetic Regulations

What is a cosmetic?

Under Canada's *Food and Drugs Act*, a cosmetic includes "any substance or mixture of substances, manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair or teeth and includes deodorants and perfumes."

Examples: Makeup products including remover, facial cream, moisturizer, nail polish including remover, perfume, soap, shampoo, hair styling product.

Cosmetics or drugs?

Whether a product is classified as a cosmetic or a drug depends on two main factors: (1) the composition of the product and (2) the claims that are made about the product (including what it is and what it does). Health Canada may also take into account other considerations when classifying a product as a cosmetic or a drug.

For example, sunscreen lotions that have "SPF" or "sunscreen" or "sunblock" on the label would be classified as a drug, but the same product would be considered a cosmetic if it was used as a cosmetic moisturizing lotion (containing sunscreen ingredients) and was not labeled with "sunscreen" or "sunblock" or "SPF".

More information and guidance on the difference between a cosmetic and a drug can be found here:

<https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics/cosmetic-drug-interface.html>

The Cosmetic Regulations and Food and Drugs Act

Cosmetics are regulated by Health Canada's *Cosmetic Regulations* and *Food and Drugs Act*. These regulations set forth manufacturing, packing and storage requirements for cosmetics sold in Canada. In addition, the manufacturer must notify Health Canada about the cosmetic and provide a list of the cosmetic product's ingredients.

More information and guidance about Canada's Cosmetic's Regulations can be found here:

<https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics/regulatory-information.html>

Cosmetic Notification Form

Suppliers must notify Health Canada of all cosmetic products via a Cosmetic Notification Form. This is required to be submitted prior to shipping to Nordstrom Canada if Nordstrom is the importer. Failure to notify may result in a product being denied entry into Canada or removed from sale.

More information and guidance about the Cosmetic Notification Form can be found here:

<https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics/notification-cosmetics.html>

Cosmetic Ingredient Hotlist: Prohibited and restricted ingredient

The composition of all cosmetics sold in Canada must comply with Health Canada's *Cosmetic Ingredient Hotlist*, which lists ingredients that are prohibited or restricted for use.

More information about ingredients that are on the Cosmetic Ingredient Hotlist can be found here:

<https://www.canada.ca/en/health-canada/services/consumer-product-safety/cosmetics/cosmetic-ingredient-hotlist-prohibited-restricted-ingredients/hotlist.html>

Labelling and Packaging requirement

Cosmetics sold in Canada must be packaged and labeled to meet the requirements of Canada's *Food and Drugs Act and Cosmetics Regulations*, the *Consumer Packaging and Labelling Act and regulations* and the *Hazard Products Act and regulations*.

More information about Canada's labelling and packaging requirements can be found here:

<https://www.canada.ca/en/health-canada/services/consumer-product-safety/reports-publications/industry-professionals/labelling-cosmetics.html>

The information contained within this document should not be taken as legal advice or as a legal guide to Canada's Cosmetics Regulations. Please consult with your legal counsel on any questions you may have about compliance with Canada's laws and regulations that apply to your products.