ctfa
COSMETIC TOILETRY & FRAGRANCE ASSOCIATION OF SOUTH AFRICA

news

DECEMBER 2024

IN THIS ISSUE:

FROM THE ED'S DESK

Dear CTFA Members

As 2024 comes to a close, we reflect on a successful year for CTFA in its service delivery and retention of valued members.

2024 was a milestone year for CTFA, we celebrated 30 years of excellence. It was a time for reflecting on how far our Association has come, the strides we made nationally and on a global scale and the relationships we have built with our member companies over the years.

The CTFA Compendium continues to be a vital source of information for the industry, with 2024 seeing the addition of many substances to the Annexes. Ensure that you are up to date with the various updates as these will have an effect on your business strategies and future planning.

The cosmetic industry is accustomed to the list of allergens that are required to be declared on the INCI list. Over and above the 24 declarable allergens, there are now an additional 56 allergens that are subject to presence declaration, and have been under scientific evaluation for more than a decade. The objective of this regulation is to protect the consumer, and South Africa will align with the EU on deadlines.

Although South Africa's industry is bound by local legislation, we look to Europe as well for a framework upon which we base our regulations . It is important to keep an eye on Europe for any advances that may influence our regulatory path. This issue depicts some significant developments that are advisable to keep top of mind.

CTFA engages with various regulators of cosmetics across Africa and advises on relevant information that assists our member companies with exports. In this issue we focus on developments in Zambia, Botswana, Kenya and Rwanda.

Lastly, each member company will have received a pre-populated membership renewal form, a gentle reminder to please verify the information, sign and send back to us as soon as possible.

Thank you for your ongoing support.

The CTFA wishes you a safe and peaceful festive season with friends and family.

Adelia Pimentel
Executive Director

CHANGES TO THE CTFA COMPENDIUM 2024

The CTFA Compendium continues to be a vital source of information for the industry. 2024 saw the addition of many substances to the Annexes.

Members are encouraged to make use of the Annex Update Reminder document as a valuable resource for timeous preparation in compliance for entries that are yet to come into force, and for those entries that occur between compendium updates.

An informative update session was held in August which delved into the changes that occurred, a summary of which can be found below.

ANNEX II – List of substances prohibited in cosmetic products

- *1725 – 1729 – Nano substances* - From 1 February 2025 cosmetic products containing that substance shall not be placed on the Union market. From 1 November 2025 cosmetic products containing that substance shall not be made available on the Union market. EU dates apply locally.
- *1730 - 4-Methylbenzylidene Camphor* - From 1 May 2025 products containing that substance shall not be placed on the Union market. From 1 May 2026 cosmetic products containing that substance shall not be made available on the Union market. EU dates apply locally.

ANNEX III - List of substances cosmetic products must not contain, except subject to restrictions laid down

- *56 new allergens to be declared* - Cosmetic products containing that substance that do not comply with the restrictions may, provided that they comply with the restrictions applicable on 15 August 2023, be placed on the Union market until 31 July 2026 and made available on the Union market until 31 July 2028. EU dates apply locally.
- *372 - Hydroxyapatite (nano)* - From 1 February 2025 cosmetic products containing that substance and not complying with the restrictions shall not be placed on the Union market. From 1 November 2025 cosmetic products containing that substance shall not be made available on the Union market. EU dates apply locally.
- *373 – 378 – Genistein, Daidzein, Kojic Acid, Retinol, Alpha-Arbutin, Arbutin* - From 1 February 2025 cosmetic products containing that substance and not complying with the conditions shall not be placed on the Union market. From 1 November 2025 cosmetic products containing that substance and not complying with the conditions shall not be made available on the Union market. EU dates apply locally.

ANNEX VI – List of UV filters allowed in cosmetic products

- entry 18 is deleted.

ANNEX V – List of preservatives allowed in cosmetic products

Point 2 to the Preamble of Annex V to Regulation (EC) No 1223/2009 is replaced by the following:

2. All finished products containing substances which are listed in this Annex and which release formaldehyde shall be labelled with the warning "releases formaldehyde" where the total concentration of formaldehyde released in the finished product exceeds 0,001 % (10 ppm), irrespective of whether the finished product contains one or more substances releasing formaldehyde.

However, all finished products containing substances referred to in the first subparagraph which comply with Regulation (EC) No 1223/2009 as applicable on 30 July 2022 may be placed on the Union market until 31 July 2024 and be made available on the Union market until 31 July 2026.

REGULATORY SCENTS - ALLERGENS

CTFA explores the evolving landscape of fragrance regulations and how brands can continue to innovate while ensuring safety for consumers.

Fragrance has always influenced a large portion of the decision in the purchase of a cosmetic product. A favourite bodywash and hand cream may become almost a signature scent. Fragrance is not only known for being an addition to leave on and rinse-off cosmetic products for masking or sensorial aesthetic purposes, but they also strongly hold their own as an entire category that embraces century old traditional practices, highly skilled personnel and the encompassing title of luxury. It appears though that as the decades passed by, fragrance has been put under the spotlight and has significantly influenced the decision-making process. Awareness in the potential harmful reaction of allergens present in those much-loved scents has been brought to attention and scrutiny resulting in more regulation regarding fragrance allergens. So much attention that one might even forego scented products altogether and opt for fragrance free options out of fear of a contact reaction either personally or for a loved one.

It must be made clear when the term "fragrance allergen" is used, that an allergen can originate from various sources in a cosmetic product and not just from the fragrance used. This is a common misconception on the part of the consumer and an important consideration for the formulator/manufacturer. Botanical extracts and oils as well as impurities in other raw materials used in the formulation can be the cause of a reaction such as contact dermatitis in a person when a product is used. In fact, it is noteworthy to consider that the majority of natural botanicals contain at least one allergen.

The industry had gotten accustomed to checking the list of 26 allergens when calculating which of the allergens were declarable on the INCI list, until two of the allergens (hydroxyisohexyl 3-cyclohexene carboxaldehyde trade name lyral and butylphenyl methylpropional trade name Lillial) moved onto the list of prohibited substances, which left 24 fragrance allergens subject to being declared. This was not the end.

In July 2023, the official regulation released by the EU listed 56 additional allergens that are now subject to presence declaration - should an existing formulation contain any of the allergens at or above the threshold limits given for rinse off and leave on products, that is 0,01% and 0,001% respectively, then the allergen would need to be declared on the label. Although this might prove to be burdensome on the manufacturer it is important to understand that the objective of this regulation is to protect allergic individuals by providing this previously undeclared information on the label. This in turn serves well in playing the part in the safety and interests of the consumer. This particular allergen extension regulation was not done in haste either, it has been under scientific opinion and evaluation for more than a decade. After deliberation and consultation with stakeholders locally, it was decided that South Africa will align precisely with the EU on deadlines; products have until 31 July 2026 to be placed, and until 31 July 2028 to be made

available, on the EU and local markets.

The CTFA Cosmetic Compendium and the CTFA Annex Reminder document are invaluable resources when it comes to such regulations. With each substance individually listed along with their respective deadlines, manufacturers have been informed of the regulations well in advance and reminders are periodically sent out. CTFA was proud to have successfully held two information sessions in 2024 on this topic to which members and non-members of the Association were invited in an effort to assist all companies in navigating this new regulatory change that affects all in some way.

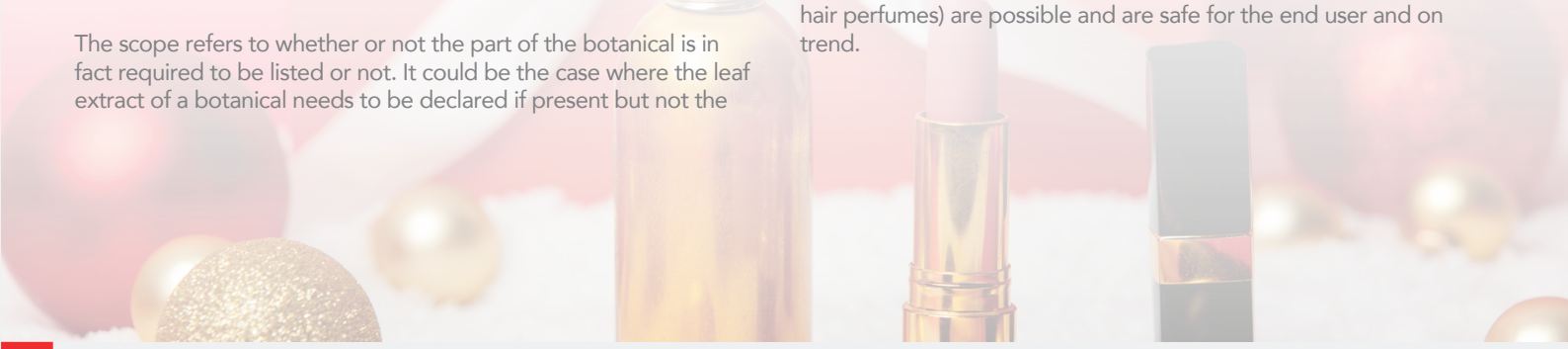
For the individual responsible for compiling the INCI list of a product, there are some very vital points to consider as the allergen listing is not as straight forward as one would hope or was accustomed to. There now exists terms such as group listings and scope of the material.

Group listings are essentially making use of a single name for all listed parts or species of a botanical (or a group), such as the leaf or peel etc. The declared INCI name would then be only one listed name should that particular part/s or species of the botanical family be present in the formulation.

The scope refers to whether or not the part of the botanical is in fact required to be listed or not. It could be the case where the leaf extract of a botanical needs to be declared if present but not the bark, for example.

It is important to correctly identify the raw material used, then confirm the scope of the material, and consider all constituents that may need to be cumulatively added to the final declaration (as there may be more than one source of the allergen) and then identify the correct name that is to be declared on the label.

Regulation in the fragrance arena should not be seen as a hinderance in any way to innovation. With the age of awareness and safety, the trends of natural scents and sustainable resources can be met with confidence. Instantaneous access to information, constant bombardment of stimuli and the new norm of a faster pace, scent trends are leaning toward giving the user a calming, more tranquil sense of balance, a way to slow down and be present. Nature in all its glory is embraced with florals and fruity scents evoking the feeling of freedom and release, or perhaps an escape to a sweet playful fantasy world or a strong empowering scent that boldly announces presence and lasts a longer time to stand out in a crowd are trending going into the new year. Manufacturers will still have access to the vast array of scents, be it from fragrance oil mixtures that have been revised or natural botanicals and can be assured that creation of signature scents and innovative products (such as hair perfumes) are possible and are safe for the end user and on trend.



AN EYE ON EUROPE

Although South Africa has government departments upon which the local cosmetic industry is dependant and bound by for many pieces of legislation, we look to Europe as well since we use the EU as a framework upon which we base our regulations in our dynamic self-regulated environment. It is important to always keep an eye on Europe for any advances that may influence our regulatory path. Below is a round-up of the significant developments that have occurred and will come into effect this year.

GREENWASHING

Early in the year, the EU published Directive 2024/825, amending Directive 2005/29/EU on Unfair Commercial Practices and Directive 2011/83/EU on Consumer Rights that empower consumers with better information and stronger protection against unfair practices for the green transition so that purchasing decisions can be more informed and the consumer is able to play an active role in the green transition with rules established to fight greenwashing. EU member states will have until 27 March 2026 to transpose the Directive into national law. The measures will start applying as of 27 September 2026.

The Directive adds several points to the Annex I list of Directive 2005/29/EU that contains commercial practices unfair in all circumstances. Of note, it prohibits the use of generic environmental claims for which there is no demonstrated excellent performance. Claims of this nature include "biodegradable", "green", "ecological", and "eco-friendly". In addition, claims such as "sustainable" and "conscious" cannot be used if they are linked to environmental qualities as these terms relate also to other aspects, such as social ones. Other commercial practice inclusions include making environmental claims about the whole product or the company's entire business when it concerns only an aspect of the product or a specific company activity and presenting legal requirements as a distinctive feature of a product.

The Directive makes provision for when a claim compares products regarding their environmental, social and circularity characteristics, traders must provide the method of comparison, product suppliers and measures in place to keep the information up to date. Claims with future environmental performance shall have clear, objective and publicly available commitments with an implementation plan and time-bound targets.

DEFORESTATION FREE PRODUCTS

Before the close of the first half of the year, the European Commission issued Regulation (EU) 2023/1115 that establishes rules on the placing on the EU market and export from the EU of certain products containing or made of cattle, cocoa, coffee, oil palm, rubber, soya, and wood owing to these feedstocks being identified as accounting for most of the deforestation caused by the EU. These commodities cannot be placed on the EU market unless they are deforestation-free, have been produced according to the legislation of the country of production and are covered by a due diligence statement (simplified due diligence applies to products produced in countries classified as low-risk).

Before placing or exporting to the EU market, companies must ensure products meet these criteria and submit a due diligence statement to the competent authorities through an online information system. In light of this, companies must establish a due diligence system to review when necessary and at least once a year. The system consists of the following elements:

- Collection of information for each supplier to be kept for five years.
- Risk assessment — Companies cannot place the products on the market or export them unless there is no risk or only a negligible risk of non-compliance.
- Risk mitigation — Procedures and measures to achieve an acceptable level of risk.
- Annual publication of a report on the procedures applied and actions taken.

The law provides some exceptions for micro, small, and medium-sized enterprises (SMEs).

Competent authorities will carry out checks and suspend the placing on the market and export of non-compliant products. Penalties will apply as well.

For products placed on the EU market from a third country, the first natural or legal person in the EU who makes them available is responsible for compliance with the Deforestation Regulation. Companies may mandate an authorised representative to submit the due diligence statement on their behalf, but they remain responsible for compliance.

It is important to note, the European Commission has clarified that the Regulation does not apply to finished cosmetic products as they are not among the products included in Annex I. However, it might apply to certain raw materials used as cosmetic ingredients, such as palm oil, consequently affecting the supply chain.

The Regulation entered into force on June 29, 2023, and will start applying as of December 30, 2024. There is a longer transition period until June 30, 2025, for micro and small enterprises.

DISTANCE SALES – COSMETIC APPLICATION

The European Union published the General Product Safety Regulation (GPSR) in May 2023. This ruling applies to products not regulated by sector legislation as of 13 December 2024. The GPSR replaces the General Product Safety Directive (GPSD) and includes requirements for matters that were not addressed by the Directive, such as distance sales, e.g., e-commerce. Article 19 GPSR establishes the information economic operators shall indicate in the offers of products made available on the EU market through online or other distance sales means.

Cosmetic products placed on the EU market through any methods, including online sales, shall fully comply with the EU Cosmetics Regulation (CPR). Cosmetics sold via distance sales must meet the requirements of Article 19 GPSR as it concerns aspects not covered by the CPR. Hence, Article 19 GPSR is complementary to Article 19 CPR on labelling requirements.

In November 2023, Cosmetics Europe published a guidance document for the industry on how Article 19 GPSR applies to cosmetic products. CTFA shared this with its members.

CARCINOGENIC, MUTAGENIC AND REPROTOXIC (CMR) CHEMICALS WILL BE BANNED IN COSMETICS IN THE EU FROM 1 SEPTEMBER 2025 – OMNIBUS VII

In June 2024, the European Commission notified the World Trade Organization (WTO) of a draft regulation amending the use of certain CMR substances in cosmetic products. It is the draft of Omnibus Act VII which aims at implementing Commission Regulation (EU) No 2024/197 in the EU Cosmetics Regulation. Commission Regulation (EU) No 2024/197 introduced newly classified CMR substances into the EU CLP Regulation. This WTO alert was distributed to CTFA members.

Omnibus Act VII will apply as of 1 September 2025 with no difference between placing on the market and making available on the market. It means that as of the application date, non-compliant cosmetics cannot be sold on the EU market anymore and must be recalled.

The CTFA's Technical Committee considered this and concluded, taking into account that the substances are a risk to consumer safety and that internationally the industry did not submit any requests for using these substances in cosmetic products by way of exception, South Africa will adopt the same deadline.

The following substances will be added to Annex II, namely the list of banned substances for use in cosmetic products:

- diphenyl(2,4,6-trimethylbenzoyl) phosphine oxide – which is currently restricted under Annex III to the EU Cosmetics Regulation;
- 2,2',6,6'-tetrabromo-4,4'-isopropylidenediphenol; tetrabromobisphenol-A;
- transfluthrin (ISO); 2,3,5,6-tetrafluorobenzyl (1R,3S)-3-(2,2-dichlorovinyl)-2,2-dimethylcyclopropanecarboxylate;
- clothianidin (ISO); (E)-1-(2-chloro-1,3-thiazol-5- ylmethyl)-3-methyl-2-nitroguanidine;
- benzyl(diethylamino) diphenylphosphonium 4-[1,1,1,3,3,3-hexafluoro-2-(4-hydroxyphenyl)propan-2-yl] phenolate;
- benzyltriphenylphosphonium, salt with 4,4'- [2,2,2-trifluoro-1-(trifluoromethyl)ethylidene]bis[phenol] (1:1);
- reaction mass of 4,4'-[2,2,2-trifluoro-1-(trifluoromethyl)ethylidene] diphenol and benzyl(diethylamino) diphenylphosphonium 4-[1,1,1,3,3,3-hexafluoro-2-(4-hydroxyphenyl)propan-2-yl]phenolate (1:1);
- reaction mass of 4,4'-[2,2,2-trifluoro-1- (trifluoromethyl) ethylidene]diphenol and benzyltriphenylphosphonium, salt with 4,4'- [2,2,2-trifluoro-1-(trifluoromethyl)ethylidene]bis[phenol] (1:1);
- dimethyl propylphosphonate;
- dibutyltin maleate;
- dibutyltin oxide;
- reaction mass of 1-(2,3-epoxypropoxy)-2,2-bis ((2,3-epoxypropoxy)methyl) butane and 1-(2,3- epoxypropoxy)-2-((2,3-epoxypropoxy)methyl)-2-hydroxymethyl butane;
- 4,4'-[2,2,2-trifluoro-1- (trifluoromethyl) ethylidene]diphenol; bisphenol AF;
- benfluralin (ISO); N-butyl-N-ethyl-a,a,atrifluoro-2,6-dinitro-p-toluidin;
- N,N-dimethyl-p-toluidine;
- 1,4-Benzenediamine, N,N'-mixed Ph and tolyl derivs;
- 4-nitrosomorpholine;
- difenoconazole (ISO); 1-({2-[2-chloro-4-(4- chlorophenoxy) phenyl]-4-methyl-1,3-dioxolan-2- yl} methyl)-1H-1,2,4-triazole; 3-chloro-4-[(2RS,4RS;2RS,4SR)-4-methyl-2-(1H-1,2,4- triazol-1-ylmethyl)-1,3-dioxolan-2-yl]phenyl 4- chlorophenyl ether;
- 4-methylimidazole;
- 3,3'-dimethylbiphenyl-4,4'-diyl diisocyanate;
- foramsulfuron (ISO); 2-{[(4,6-dimethoxypyrimidin-2-yl)carbamoyl] sulfamoyl}- 4-formamido-N,N-dimethylbenzamide; 1-(4,6- dimethoxypyrimidin-2-yl)-3-(2- dimethylcarbamoyl-5-formamidophenylsulfonyl)urea;
- and (2E)-2-cyano-N-[(ethylamino) carbonyl]-2- (methoxyimino) acetamide.

WHAT IS HAPPENING AT THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)?

Biodiversity

Review of the National Environmental Management: Biodiversity Act (NEMBA)

Following the review of the National Biodiversity Economy Strategy, the DFFE announced a draft Bill that is intended to replace the entire NEMBA. CTFA attended an engagement hosted by the DFFE to hear more about the intended changes. It was hoped that a revised approach to biotrade and bioprospecting in South Africa would be proposed to streamline the current regulatory approach and implementation challenges that has led to lower demand for South African biodiversity.

Despite the intentions of the Bill being purported to streamline administration and reduce barriers, the biotrade and bioprospecting sector are likely to face more regulatory hurdles than is the case currently, should the Bill be finalised and brought into effect. Example of these are needing to have a Minister-approved Benefit Sharing Agreement in place prior to permits being applied for, as well as an increase in the Minister's powers - for example relating to the ownership of resources and controlling their pricing.

A number of other challenges were identified by CTFA including the process that led to the draft Bill and the contents of the Socioeconomic Impact Assessment Study that was clearly incomplete. It was also noted that the Bill is of such a high level that the requirements of those to be regulated will not be known until replacement regulations are developed - making the months and years to come of utmost importance in terms of stakeholder engagement.

CTFA submitted input to the DFFE for consideration with many views being echoed by other stakeholder groups in the private sector. A Workshop has been requested to review the provisions of the Bill so as to develop framework legislation that will meet its goals – to develop the bioeconomy, increase its contributions to employment and remove regulatory hurdles to further development – while protecting South Africa's unique biodiversity for future generations.

Chemicals Management

Prior Informed Consent administrative process for certain chemicals being imported, exported or transited

Following numerous iterations of the Regulations as well as the delay in their commencement and subsequent redrafting due to stakeholder concerns, the DFFE has **finalised** the Regulations to Domesticate the Requirements of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade. The Regulations will come into force 120 days from 7 October 2024.

Although an internal review as well as consideration by the CTFA's Technical Committee only identified "mercury compounds, including inorganic mercury compounds, alkyl mercury compounds, and alkyloxyalkyl and aryl mercury-containing compounds…CAS#7439-97-6-containing 62-38-4, 26545-49-3 and other" as being applicable to the sector for compliance purposes, *members are advised to review the list to identify any chemical that may apply to their activities and/or products.*

The Rotterdam Convention to which South Africa is a party does not ban listed chemicals or their trade, but rather puts a procedure in place for their countries to consent to trade.

CTFA has been following the development of the Regulations for a number of years and was particularly interested in providing input to the DFFE on the need to consider higher compliance thresholds to ease the administrative burden that industry may face; thereby balancing regulatory requirements with risk.

EXCLUSION CRITERION

Currently, if it is envisaged that 10 kg or more of any listed chemical is intended to be exported/imported per annum and per country (not per consignment), the Regulations will apply (Regulation 2(1)(c)). Although there are other exclusion conditions available in the Regulations, this threshold is considered the most relevant for members to consider.

For a copy of the Regulations that include the list of chemicals that determine compliance, as well as for assistance with determining if you may need to comply with the Regulations, please make contact with CTFA. **It should be noted that the Regulations extend compliance requirements beyond countries that are party to the Convention.**

National Regulations for the Management of Mercury in South Africa

South Africa is also a party to the Minamata Convention on Mercury that *"draws attention to a global and ubiquitous metal that, while naturally occurring, has broad uses in everyday objects and is released to the atmosphere, soil and water from a variety of sources. Controlling the anthropogenic releases of mercury throughout its lifecycle has been a key factor in shaping the obligations under the Convention."*.

In order to bring the agreements of the Convention into effect in South Africa, the Department has been developing regulations that are expected to be published as final Regulations soon. The latest updates to the draft Regulations included alignment to the outcomes of the fifth Conference of the Parties to the Convention that took place in 2023. Among the outcomes was the banning of mercury in cosmetics from 1 April 2025, from the perspective of manufacture; import; and export.

Through international consultations and domestics advocacy initiatives of the CTFA, the exception wording expected in the final Regulations for the ban of mercury in "Cosmetics, including skin lightening soaps and creams, and not including eye area cosmetics where mercury is used as a preservative and no effective and safe substitute preservatives are available" is: "The intention is not to cover cosmetics, soaps or creams with trace contaminants of mercury.".

REGULATORY DEVELOPMENTS IN AFRICA

CTFA engages with various regulators of cosmetics across Africa and will provide further information on major developments as they become available. The information provided below is not meant to be exhaustive.

Zambia
The Zambia Medicines Regulatory Authority (ZAMRA) developed the "Guideline on the application for grant of marketing authorization of cosmetics in Zambia" in 2020 and recently advised stakeholders that implementation would begin from 9 September 2024, with a maximum grace period of 24 months. The Guideline deals with the listing and registration of cosmetic products and includes a helpful section on the types of products included. The Guideline also includes extensive Annexes that list prohibited ingredients; restricted ingredients; and others that are intended to mirror the European Union (EU) Cosmetic Regulations' Annexes. It should be noted that the Annexes are not completely aligned to those of the EU although they are intended to be updated.

CTFA engages closely with cosmetic product regulators in other countries and Africa is becoming a focus due to the export potential to these markets from South Africa. Although Free Sale Certificates are a required document to be submitted with any application for registration, ZAMRA has agreed that these do not have to be provided immediately with the application. As long as they are produced, and a letter is included stating that the issuing body (CTFA) is considering the product for the issuing of Free Sale Certificates, applications will be considered. Due to the high demand for these certificates in a short space of time, please ensure you communicate your needs to CTFA as soon as possible.

Botswana
Similar to the developments taking place in Zambia, The Botswana Medicines Regulatory Authority (BoMRA) is also developing Guidelines as well as listing and licensing requirements for cosmetics.

BoMRA held a stakeholder engagement session on 10 October 2024 for the cosmetics sector. BoMRA will be introducing new Guidelines for Cosmetics that will address: labelling; sustainability; product safety; ethical sourcing; and manufacture. The following will be required before placing cosmetic products on the market in Botswana: listing of products on the portal (BRIMS); licensing of products (to come once products are listed); independent third-party verification to substantiate claims; compliance with the Medicines and Related Substances Act and with specific standards such as BOSS 688 Part 1 (Classification of cosmetics raw materials and adjuncts — Part 1: Dyes, colours and pigments), and Part 2 (Classification of cosmetics raw materials and adjuncts — Part 2: List of raw materials generally not recognised as safe for use in cosmetics), and BOSS ISO 22715 (specifies the requirements for cosmetic packaging and labelling, ensuring clarity for consumers and regulators); for example.

A phased approach to licensing will be implemented; beginning with cosmetic product importers and manufacturers in the 2024-2025 financial year.

Kenya
Cosmetics in Kenya are to be regulated through two national bodies – the Kenyan Bureau of Standards (KEBS) and the Pharmacy and Poisons Board (PPB), depending on the type of cosmetic. The classes of cosmetics are: class 1 - those with medical/therapeutic claims; class 2 - special and related products – those claiming to prevent/interfere with normal physiological operations; and class 3 - general cosmetics that are limited to esthetics; texture; pH; colour; and smell.

The latter authority released proposed Guidelines for the Regulation of Cosmetic Products that instead of simplifying the already complex regulatory framework intend to place another layer of regulation on the sector that could result in unintended consequences to the market; both local and international suppliers; and the consumer.

CTFA has submitted input on the draft Guidelines and along with detailed comments questioned the principled scope of the Guideline as it relates to the regulation of cosmetics. If the two-authority-based system of regulation is to continue in Kenya, CTFA believes that the guidelines require substantive revision to make it clear that the contents only relate to the regulation of special cosmetics.

Apart from this regulatory approach that has been in force, Kenyan standards relating to cosmetics are considered mandatory to implement and, unlike standards of many other countries, are product-based rather than being general in nature.

Rwanda
Cosmetics are regulated in Rwanda both generally in a number of different legal frameworks, as well as specifically where the cosmetics are considered "medicated". Cosmetics must meet requirements in the following areas: free of toxic and prohibited substances; compliant with relevant standards including those pertaining to quality and restrictions of ingredients; principles of good preparation practice; no ingredients may be used are likely to adversely affect health or contain non-permitted colours; no cosmetics may be unsanitary or stored inappropriately; cosmetics may not be counterfeit or be marketed having erroneous impressions – labels should show an ingredient list with the relative concentration of ingredients included.

The Rwanda Food and Drugs Authority was established in 2018 with the mandate of "protecting public health by assuring the safety, efficacy and quality of…medicated cosmetics… through the regulation and control.". Regulations are in place for the assessment; registration; packaging and labelling; Good Manufacturing Practice; control of manufacture; import and export licensing; and post-marketing surveillance system; amongst others, for medicated cosmetics. Furthermore, the Rwanda FDA has the power to publish lists of prohibited cosmetics for the county. Note that although this mandate is specific to medicated cosmetics, the above-listed mechanisms do ensure that non-medicated cosmetics are regulated – albeit to a lesser extent – in Rwanda.

An important distinction to understand is where cosmetics cross over into the realm of medicated cosmetics and although the term "medicated" may bring more medicinal products to mind, it is noteworthy that even exfoliants are considered "medicated cosmetics". This highlights the importance of a comprehensive understanding of the requirements of different countries that products will be entering, as although regulatory harmonisation is a key goal of the African Union, it is by no means in place yet.

CTFA, as your partner in trade, can assist with unlocking such information and supporting your export activities.

CTFA 2025 RENEWAL FORMS

The CTFA, incorporated as a not-for-profit Section 10 – Schedule 1 Company under the Companies Act, 2008, requires members to sign an annual renewal form to confirm membership. This ensures your membership benefits remain active, and your information is up-to-date, enabling you to receive all CTFA notifications and important legislative updates.

We extend our thanks to members who have already submitted their membership renewal forms. The deadline to return all forms is January 31, 2025. After receiving your form, the accounts department will issue invoices.

As a reminder, an Early Bird Discount is available for members who complete payment by March 31, 2025.

Thank you for your continued commitment to CTFA.

CELEBRATING 30 YEARS

2024 has been a big year for the CTFA – it's our 30th anniversary! This year we reflect on how far our association has come, the strides we have made nationally and on a global sphere, and the relationships we have built with our member companies over the past 30 years.

The Association represents and promotes the interests of its member companies, is an authoritative voice for the South African industry and actively articulates industry viewpoints to government departments and international stakeholders alike.
Since inception, the purpose of the CTFA has been to guide Members on the South African Regulatory Codes of Practice and to ensure that the cosmetic and personal care industry flourishes.

Over the years, we have dedicated ourselves to support and develop a sustainable and respected South African Cosmetic Industry by retaining our position as the industry's voice committed to maintaining the high quality and safety of cosmetic products.
Being in service for 30 years would not have been possible without the amazing member companies within our organisation, which include an interesting mix of multinational players, local brand owners and small entrepreneurial companies. We are incredibly thankful for the hard work from our team as well as the individuals for their dedication and time, providing invaluable input by participating in the committees and working groups. This milestone would not be possible without them.
As the story of our Association continues, we honor our beginnings and the people who have made this Association what it is today. We continue the legacy of finding ground-breaking ways to support and develop a sustainable and respected South African cosmetic industry by proactively stimulating actions and developing tools that contribute to its growth and the progress of its members as well as promoting consumer safety.
We are proud of the progress we have made and are thrilled to see what the future holds!

30 YEARS OF EXCELLENCE TIMELINE

March 1994
The cosmetics industry held a historic meeting where there was unanimous agreement to form a trade association to self-regulate the cosmetic industry.
The Cosmetic Toiletry and Fragrance Association of South Africa (CTFA) was formed in 1994 to allow representation of the cosmetics industry by a single, focused body.

1997
CTFA heads up negotiations with government and successfully reduces Ad Valorem excise tax from 37.5% to 15%.

After working tirelessly towards the differentiation of medicines versus cosmetics, formal approval is received from the Medical Control Council (MCC) by way of resolution 172.08.06. Importantly this resolution indicated the acceptance of the European Union definition of a cosmetic , which remains in force to this day.

1998
In March, CTFA sees Ad Valorem excise duty reduced by another 5%.

In June the first edition of the Compendium is published.

2000
CTFA SA becomes a member of Colipa (The European Cosmetic and Perfumery Association) - Today known as Cosmetics Europe after its name change in January 2012)

2001
The second edition of the CTFA Cosmetic Compendium was published.

Further CTFA negotiations resulted in an additional reduction in Ad Valorem Excise Tax by the then Minister of finance from 10% to 5% for cosmetics and from 10% to 7% for fragrances.

CTFA also successfully negotiates with Treasury for changes in the calculation of Ad Valorem Duties so as to no longer disadvantage locally produced products.

2002
In October the International Sunscreen Conference was held at Sun City, South Africa led by CTFA working groups, and the Second Edition of the Sunscreen Standard SANS1557: 2002 was launched.

2003
CTFA joins the International Standards Organisation (ISO) Cosmetics Committee and participates in the Working Groups.

2004
Ingredient labelling of cosmetic products became mandatory. CTFA provides tools and for the implementation of this requirement for local industry.

2006
In June, international SPF Test method was signed and agreed to by South Africa, Japan, Europe & USA.

In December, labelling of the 26 allergens became mandatory and the CTFA provides tools and guidelines to industry to follow international protocol.

2008
CTFA motivates and acquires a special concession for Cosmetics containing Sodium Hyaluronate/Hyaluronic acid.

2011
The new Cosmetic Export Council (CECOSA) is established as a separate Section 21 Company, with a Public-Partnership (PPP) with the Department of Trade and Industry (the Dti). CTFA assists in launching CECOSA.

2012
Following the Consumer Protection Act coming into effect in 2011, the CTFA was represented on the task team which was responsible for the compellation of the generic consumer goods industry code of practice. This groundwork resulted in the formation of the Consumer Goods and Services Ombud (CGSO).

2013
In August The CTFA was contacted to assist the Department of Labour (DOL) with the formation of the Chemical Sector Occupational Health and Safety Accord. This agreement was between Government, organised labour and organised business to improve the status of Occupational Health and Safety (OHS) in the chemical sector in South Africa.

In October South Africa signed the MINAMATA Convention on Mercury. This gesture ensured that the use of mercury in cosmetics was banned. The CTFA has been a part of the ongoing interactions, participating in the forum that ensured that the facts surrounding mercury levels are objectively shown.

2014
CTFA is requested to be a part of the technical forum heading the Department of Environmental Affairs' Bioprospecting Access and Benefits Sharing (BABS) to facilitate Bioprospecting permits.

2015
In October the first inaugural DTI Cosmetics Steering Committee is incepted with the mandate to address the cosmetic industry's needs. The DTI and CTFA foster a stronger relationship and agreement on combined projects such as campaigns and training programmes for Port Health officials and emerging entrepreneurs.

2016
In August the Department of Health published draft regulations for the cosmetic industry. CTFA submitted comments on behalf of industry.

From left: CTFA Founding members – Mr Don Kourie and Mr Rob Scott, CTFA Honorary member – Mr John Knowlton, CTFA Chairperson – Mr Nizam Kalla and CTFA Executive director – Mrs Adelia Pimentel.

2017
CTFA invited by the Department of Health (DOH) to attend the International Co-operation on Cosmetics Regulation (ICCR) meeting in Brazil as the industry association representative for South Africa.
At this forum the regulator is given the platform to bring along an industry representative. The CTFA presented industry commentary on the draft regulations to both the international regulators and trade associations alike.

December 2017, the Department of Health (DOH) publishes the redraft regulations relating to Foodstuffs, Cosmetics and Disinfectants Act; Regulations: Labelling, advertising and composition of cosmetics. CTFA's submission of comments and lobbying efforts were instrumental in the publishing of the redraft.

2018
The Advertising Standards Authority of South Africa (ASASA) is liquidated and a new entity named the Advertising Regulatory Board (ARB), with the same mandate, is established to ensure self-regulation of advertising continues in the industry. The CTFA keeps a close watch on this new entity which co-houses the Cosmetic Code that the CTFA updates annually.

2019
In October, the CTFA was part of an international advocacy mission to Nairobi, Kenya to meet key regulatory local stakeholders to discuss best practice, convergence of standards and reduce barriers to trade.

CTFA widened its international reach by becoming members of the International Association Co-Operation (IAC) through Cosmetics Europe. A forum that discusses international concerns and promotes global harmonization.

2020
The world grappled with the Covid-19 pandemic.

CTFA were instrumental in lobbying the Department of Trade Industry and Competition (DTIC) and the National Department of Health (NDoH) to ensure that industry products were amongst the "Essential Products" listed in the gazetted Covid-19 legislation, thus allowing companies to continue trading during lockdown.

CTFA signed a Memorandum of Understanding (MoU) with the German Cosmetic, Toiletry, Perfumery and Detergent Association (IKW) regarding the training courses for safety assessors. IKW to develop and implement the training courses and CTFA to develop an annual seminar towards the training to assist local safety assessors in South Africa with global updates.

CTFA's Africa strategy was conceptualised in 2020, to promote regulatory convergence and pro-actively liaise with various countries' regulatory authorities.

From left: CTFA Head: Policy & Regulatory Affairs - Dr Glen Malherbe, CTFA Executive Director - Mrs Adelia Pimentel, CTFA Honorary member - Mr John Knowlton, CTFA Membership officer and Office Admin - Ms Samantha Lotkin, CTFA Technical and Regulatory Manager - Mrs Nadia Rashid and CTFA Chairperson - Mr Nizam Kalla

2021
EPR becomes mandatory for all producers and importers of packaging, with registration required at the Department Forestry, Fisheries and the Environment (DFFE) and reporting against the gazetted targets from January 2022.

CTFA and the South African Bureau of Standards (SABS) partner with the American National Standards Institute (ANSI) to create capacity building webinars aimed at sharing the various approaches in Africa and the Gulf regions with the intention of revisiting the content and the function of the proposed ARSO standards.

2022
CTFA underwent a transformation in its legal status, from a self-regulated organisation governed by its own constitution, to a fully-fledged corporation, operating under the auspices of the South African Companies Act (Act no.71: 2008) and registered as a Non-Profit Company (NPC).

CTFA was invited to be part of the African Organisation for Standardisation (ARSO) Technical working group (TC40) on cosmetics and related products. Their mandate is to harmonise African standards and reduce technical barriers to trade.

The CTFA Compendium to be updated twice annually, with a key change that when a substance has been classified as a CMR, South Africa will adopt the same date as the European Union ensuring consumer safety is a priority.

2023
CTFA became a member of the Advertising Regulatory Board with representation on their Board of Directors.

CTFA became part of the South African Bureau of Standards (SABS) Technical Committee on Hemp and Cannabis, TC0041.

2024
CTFA turns 30!

A GLIMPSE OF 2025 TRAINING

Through various engagements, CTFA continues to promote regulatory compliance and advice to members: cosmetic product manufacturers, brand owners, distributors, raw material manufacturers/ suppliers and retailers. In 2025, our members can look forward to training sessions on pertinent regulatory information and updates as they develop. CTFA has compiled a list of topics and events that will be beneficial for members - dates to be confirmed:

- AfCFTA Webinar
- Africa Focus
- Membership Breakfast
- Claims and Substantiation Training
- Labelling Requirements Training
- Good Manufacturing Practice: Cosmetics
- Seminar
- Compendium Update
- Safety Assessor Seminar
- Allergens

SAVE THE DATE ENGAGEMENT

CTFA Member Breakfast
07/03/2025

YEAR END SHUTDOWN

Please note that our offices will close on Friday, 13th December 2024 and will re-open on Monday, 6th January 2025.

The CTFA Team would like to thank each member for the ongoing and much-appreciated support this year. We look forward to a continued, mutually beneficial, working relationship that will ensure the growth and success of our industry. Warmest thoughts and best wishes for a wonderful holiday and a very happy new year.

Wishing you the gifts of the season -Peace, Joy, Hope.

Warm wishes from The CTFA Team
Adelia, Glen, Nadia, Samantha

ctfa
COSMETIC TOILETRY & FRAGRANCE ASSOCIATION OF SOUTH AFRICA

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