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FROM THE ED'S DESK

Dear CTFA Members

Welcome to the September issue of CTFA News.

Spring has sprung!

Joy blooms, moods lift, natures vibrancy and renewal is everywhere!

In this issue we revisit Extended Producer Responsibility (EPR) legislation. With the onset of updated legislation there are many questions that member companies have. We look at Frequently Asked Questions and the responses thereto.

CTFA actively participates as an integral member of the Team that represents South Africa at the Cosmetics and Personal Care Products Technical Committee (TC 40) of the African Organisation for Standardisation (ARSO). An update is given on the status quo at TC40 thus far, as it is important to understand the implications of the harmonisation of standards across the continent, for the South African market as well as for products being exported to other African countries.

Don't miss the update on the negotiation of the "Plastics Treaty" which is the international legally binding instrument on plastic pollution, including the marine environment.

Lately Europe has been very busy, from bans to overarching principles impacting the cosmetics industry. We explore these movements in the regulatory space and the implications for South Africa. Included are the Talc and Tea Tree Oil shake-up, sun care standards recommendations and the EU regulation revision: 2025-2029 roadmap.

Other areas that you should be aware of are all the updates in the CTFA Compendium, that is updated twice per year, the deadline for artwork reviews submission for this year and the return of your membership renewal form that will be sent to all in October 2025, and needs verification of the current information, a signature and to be sent back to us as soon as possible.

May your days be filled with sunshine, laughter, and new beginnings. Wishing you a season of joy and vibrant energy as nature awakens all around you.



Adelia Pimentel
Executive Director

EXTENDED PRODUCER RESPONSIBILITY LEGISLATION

ANSWERS TO YOUR FAQs

Since 5 November 2020, the principle of holding producers more responsible for the waste that is created as a result of putting products on the market has been in force in South Africa. "Extended Producer Responsibility" (EPR)-related legislation was promulgated in terms of the National Environmental Management: Waste Act (NEMWA) and continues to develop as the waste hierarchy is implemented to achieve a more circular economy and increased sustainability. The primary focus of the national Department of Forestry, Fisheries and the Environment (DFFE) has been to avoid the landfilling of waste where possible and to move waste "up the waste management hierarchy" (Box 1 – refer to the arrow).

BOX 1



Box 2 shows the entire suite of EPR-related legislation under the NEMWA. Clearly, the most relevant to the cosmetics and personal care industry are the "EPR Regulations" and the "Paper, packaging and some single use products" sector scheme Notice – this will be the focus of the FAQs.

- **What are "identified products"?**

  ✓ "identified products means products that are identified in terms of section 18(1)(a) of the Act and published in the Government Gazette by the Minister;".
  ✓ ***This is the starting point to determine compliance requirements!***

- **Who/what is a "producer"?**

  ✓ "producer means any person or category of persons, including a brand owner, who is engaged in the commercial manufacture, conversion, refurbishment (where applicable) or import of new or used identified products as identified by the Minister by Notice in the Government Gazette in terms of section 18(1) of the Act, and a producer includes, where relevant, the same as defined in the specific section 18 Notice for each of the identified products as gazetted by the Minister in terms of section 18(1) and (2) of the Act;".
  ✓ Note that the definitions of "producer" in the Regulations and the Sector Notice are different and both should be considered. The definitions are likely to be aligned in upcoming amendments. It is particularly important to note that the definition in the Scheme Notice applies a threshold of 10 tonnes before compliance is required.

- **Who/what is a "brand owner"?**

  ✓ "brand owner means a person, category of persons or company who makes and/or sells any identified product under a brand label;".

Taking the above into consideration, it is clear and has been confirmed by the DFFE that only "producers" of "identified products" need to comply with the legislation directly (for example, registration and reporting requirements, joining or operating an EPR Scheme/ Producer Responsibility Organisation (PRO); etc.). As a manufacturer of a product that is packaged in a supplier's packaging for example - should the packaging be an "identified product" - the "producer" of that packaging would be liable to comply directly and as such would be financially contributing to a waste management scheme that is either run in house or by a PRO. That cost (e.g. EPR fee), initially borne by the "producer" of the "identified product" would likely be passed down to the consumer (i.e. purchaser of the packaging), so the purchaser of the packaging is contributing to EPR in South Africa. It is prudent to ensure that packaging that is purchased is checked against the Regulations and Scheme Notice to determine if it is an "identified product" and if so to ensure that the supplier is a part of an EPR Scheme. Ideally, supply/purchase agreements should include clauses to ensure that the purchaser of the "identified product" is not held liable for direct EPR legislative compliance and to confirm that the "producer" of the "identified product" is directly compliant with the legislation.

- **Will the company be considered a "free rider" if it does not directly comply, including joining a PRO?**

  ✓ Not necessarily. "free rider means a producer who benefits from the actions or efforts of another producer, in relation to an extended producer responsibility scheme without fully complying with the requirements of the extended producer responsibility scheme;".

  ✓ Remember, the definition of "producer" includes limiting the scope to those producing "identified products".

BOX 2

After a number of years of discussions with the private sector and debates regarding whether EPR should be implemented in terms of Section 18 or Section 28 of the Waste Act, the country's policy paradigm was set – consisting of the following legislation:

- EPR Regulations: the Regulations are overarching and are critical to implementation of the entire suite of related subordinate legislation;
- Sector Scheme Notices:
  - Paper, packaging and some single use product;
  - Lighting sector
  - Electrical and electronic equipment sector
  - Pesticide sector
  - Portable battery sector
  - Lubricant oil sector
- Guidelines:
  - Guideline and Toolkit for the determination of EPR fees;
  - Packaging Guideline: Recyclability by design for packaging and paper in South Africa

- **What if I import "identified products" (or a good already packaged in an "identified product")?**

  ✓ "importer means a person or category of persons who brings identified products or items that contain identified products into the country from abroad and including but not limited to the one that first places them into the market for sale;".
  ✓ There are different compliance requirements in this case, as the South African importer is held liable for placing the goods (including the packaging) on the market. So, in this case, the importer will be seen as the "producer" of the "identified product".
  ✓ Note however that if the company for example has a mixture of imported packaging (filled or not) and locally supplied packaging and both are "identified products", then direct compliance will only be required for the "identified product" that is imported.

Although the DFFE is currently considering the further draft amendments to the EPR-related legislation that were published on 7 November 2024, it has been confirmed that the policy intention is to remain as interpreted above.

- **Is glass that is used for cosmetic packaging included or excluded in terms of EPR requirements?**

  ✓ CTFA's view is that it is included in EPR requirements although there are no specific targets. CTFA is engaging with DFFE as the requirements are not clear given that applications (uses) of specific packaging form the basis of the listings ("identified products") in the legislation. At this point DFFE does consider this packaging to be included in the legislation.

- **The legislation makes reference to "standards" – what are these Standards and why must Standards be purchased when they are legal requirements?**

  ✓ DFFE is considering this further and will discuss the matter with the South African Bureau of Standards in due course.

- **In terms of determining recyclate content; biodegradability; and compostability for example, who determines what suffices as it is not given in the legislation?**

  ✓ DFFE is considering this further.

- **In terms of labelling requirements, can extensions be provided to deplete existing stock?**

  ✓ The DFFE is prepared to consider these on a case-by-case basis. Please make contact with CTFA for further information.

Is the "percentage post-consumer recyclate content" determined at the SKU (Stock Keeping Unit) level, or is it at a "total tonnage placed on the market level"? And who does this requirement apply to?
A stock-keeping unit (SKU) is an internal, alphanumeric code that a business assigns to each unique product variation to track inventory, monitor stock levels, and manage product details within their own system. SKUs identify specific products based on characteristics like color, size, brand, and style; it has nothing to do with the weight of the product as opposed to the definition of recyclate content which means:

" the proportion, by mass, of post -consumer recycled material in a product or packaging excluding any pre -consumer waste;". The percentage post-consumer recyclate content requirement is in terms of the total tonnage placed on the market of product; this is in keeping with the meaning of the reuse, collection and recycling percentage targets and applies to any "producer" who places "identified products" on the market.

Is there specification on the origin of the post-recyclate content? Does it need to come from a local source?
There is no clear indication in the Regulations or Scheme Notices on where post-consumer recycled content should originate from (either local or import sources). It is evident, however, that there is considerable import of post-consumer waste material such as various waste polymers (PET, PP, HD and LDPE, etc.) to supplement the local sources of waste material collected to meet demand in the market. The focus on building local recycling capacity strongly encourages producers to prioritise domestically sourced recyclate.

By 2025, plastic PET flexibles have a post-consumer recyclate content requirement of 70%. What is the definition of "Plastic PET Flexibles"? Is this for packaging that has PET as a main material or is it applied to products that even contain any PET?

The general definition is that it refers to packaging material made from a thin, flexible film of polyethylene terephthalate (PET) plastic that is designed to be easily bent or compressed.

It applies to packaging where PET is the main or primary materials by weight or function in the flexible packaging product. This recycled content percentage is for the total tonnage placed on the market of product.

Other waste management- and EPR-related documents are also under review by the DFFE, including the National Waste Management Strategy (2020) and the 2025 Road Map, so please keep a lookout for notifications from CTFA regarding coming changes to the legislation.

Please remember that where a guideline is published for implementation - having been provided for by primary or subordinate legislation - it should be complied with. CTFA is engaging with DFFE on whether the "Packaging Guideline: Recyclability by design for packaging and paper in South Africa" is mandatory to implement or not, as reports have been varied. Most recently, the DFFE has stipulated that it has been published for implementation (26 June 2023).

CTFA is engaging with the DFFE on the proposed amendments and others that could result in clearer legislation. The DFFE has committed to consider any proposals and is developing a mechanism to deal with them as they are received.

Please keep a look out for updates via CTFA's Policy, Regulatory, and Technical Notifications, ad-hoc electronic communications and other material that is distributed as the need arises.

Please contact CTFA should further information be required on any of the above.

HARMONISATION OF COSMETIC-RELATED STANDARDS ACROSS AFRICA

IMPLICATIONS FOR THE SOUTH AFRICAN SECTOR

CTFA actively participates as an integral member of the Team that represents South Africa at the Cosmetics and Personal Care Products Technical Committee (TC) of the African Organisation for Standardisation (ARSO), together with the South African Bureau of Standards (SABS; Secretariat and Chairperson of the South African Bureau of Standards Technical Committee 217 – Cosmetics) and the Department of Trade, Industry and Competition's Cosmetic Desk. Similar to the International Organisation for Standardisation at the global level, ARSO is the pan-African organisation responsible for developing and promoting African standards and facilitating trade within Africa. One of its core objectives is to harmonise industrial standards across the continent to reduce trade barriers.

To date, the ARSO TC has agreed on batches of existing cosmetic-related standards that were proposed by participating countries to be discussed for the purposes of their harmonisation

across the African Continent. The harmonisation of standards across Africa is very important to trade as it reduces existing and potential future trade barriers, thereby facilitating trade and hopefully driving mutual recognition agreements and conformity assessments even further than what has already been accomplished. Besides these benefits to the continent that will in turn be driven by the further establishment and implementation of the African Continental Free Trade Agreement, consumer safety objectives will be (more) aligned on the continent – vying to become the single largest trading bloc globally.

During 2025, work began to formally negotiate harmonised text for a number of standards – including both general standards and those of a product-specific nature. CTFA is pleased to report that negotiations went well for the general standards that were dealt with (list provided below), but are slower for the product-specific standards as there is far more to negotiate, such as test methods and respective limits/thresholds. CTFA does not support the product-specific standard-setting approach used by some countries. General approaches are favoured by South Africa and advocated for to cater for consumer safety requirements.

It is important to understand the implications of the harmonisation of standards across the continent, for the South African market as well as for products being exported to other African countries.

Firstly, strictly speaking, South Africa should adopt any standard that is harmonised through the ARSO process, as it is a member of ARSO and the African Union. However, there is some policy space to be able to motivate why the harmonised standard cannot be adopted in a country or to modify it to suit the needs of the country through its sovereignty. When a harmonised standard is considered for local adoption, the SABS publishes it for public comment prior to adopting it. This step will allow the respective SABS TC to consider any proposed amendments that make the standard more suitable for domestic implementation. This process will result in the harmonised standard – whether ultimately edited or not – being implemented on a voluntary or mandatory basis, the latter being the case if the Standard is incorporated into local legislation.

Secondly, and more importantly from market access and economy of scale perspectives, products being exported need to comply with the requirements of the importing country and in many cases mandatory product-specific standards are used to ensure the safety of cosmetic products. The use of mandatory product-specific (vertical) standards in some countries is quite a different regulatory approach to that of South Africa and can not only impact the cost and competitiveness of products entering the market (especially if the exporting country is not subject to such requirements like in South Africa), but requires extended timelines to allow for additional testing and certification, for example. The East African Community – one of the most important export destinations and trading blocs for South African cosmetics and personal care products – requires, amongst others, conformance to product-specific standards for cosmetics to enter the market. The main justification for the requirement is to support micro, small and medium enterprises to achieve the desired quality and safety of products. However, in many of the cases the content and breadth of the vertical standards unfortunately leads to innovation and export bottlenecks and inevitably increased costs without a necessary substantive positive impact on consumer safety. In short, even if a "African standard" (harmonised) is not adopted locally, other countries may require its mandatory implementation prior to products being accepted into their markets.

CTFA continues to engage with regulators across Africa as its reach and influence expands, advocating for a more general approach to consumer safety when it comes to cosmetics and personal care products. The tide may be changing as there are views that a more general approach is needed in the future.

BOX 1 – Draft general and product-specific standards under negotiation (first batch)

General standards
- General requirements for safety of cosmetic products
- Labelling of cosmetics — requirements
- List by category of cosmetic products
- Cosmetics and cosmetic products — Part 1: List of prohibited substances
- Cosmetic and cosmetic products — Part 2: List of substances which cosmetic products must not contain except subject to the restrictions laid down
- Cosmetics and cosmetic products — Part 3: List of allowed colorants, preservatives and UV-filters

Product-specific standards
- Lip balm (lip salve)
- Lip shine (gloss)
- Lipstick

BOX 2 – General and product-specific standards to be negotiated (second and third batches identified for negotiation to date)

General standards
- Cosmetics — Good Manufacturing Practices (GMP) - Guidelines on GMP

Product-specific standards
- Hair creams, lotions and gels
- Haircare products
- Hair oils
- Nail polish
- Nail gel polish
- Nail polish removers
- Body spray/body mist
- Cologne and perfume
- Aftershave
- Baby oils
- Bath oils
- Skin powders — Part 1: Body and face powder
- Skin powders — Part 2: Baby powders
- Chemical depilatories
- Shaving cream
- Chemical hair relaxers and hair waving products
- Cocoa butter for cosmetic use
- Ghee butter for cosmetic use
- Shea butter for cosmetic industry
- Pomades and solid brilliantines
- Skin care creams, lotions and gels

Microbiology-related standards
- Detection of *Staphylococcus aureus*
- Detection of *Pseudomonas aeruginosa*
- Enumeration and detection of aerobic mesophilic bacteria
- Guidelines for the risk assessment and identification of microbiologically low-risk products

NEGOTIATION OF THE "PLASTICS TREATY" – PLASTIC POLLUTION, INCLUDING IN THE MARINE ENVIRONMENT.

At the 2022 United Nations Environment Assembly meeting, 175 countries adopted Resolution 5/14 to negotiate an internationally binding agreement to end plastic pollution. Over the next three-and-a-half years that included unexpected delays, countries negotiated through Intergovernmental Negotiating Committee meetings held in Punta del Este (December 2022); Paris (June 2023); Nairobi (November 2023); Ottawa (May 2024); Busan (December 2024); and Geneva (August 2025). It had been expected that the Plastics Treaty would be established at the Busan meeting, but countries did not agree on any treaty text - it was made clear that nothing was agreed until the entire Treaty was agreed. A second opportunity was thought to be the latest meeting where countries would negotiate their differences out, but this did not happen at the "INC 5.2" negotiations.

The Treaty was (and is still) expected to cover the following aspects that will govern the future management of plastic pollution, including in the marine environment:

- Objectives, Principles, and Scope
- Primary plastic polymers/supply
- Chemicals of concern
- Problematic and/or avoidable plastic products including microplastics
- Product specification measures
- Extended Producer Responsibility; Waste Management and
- Means of Implementation (financing; reporting on progress; exemptions available to a party upon request.

At a recent stakeholder consultation session, the national Department of Forestry, Fisheries and the Environment (DFFE) that is leading the process for the country, provided the following report regarding the INC 5.2 negotiations:

- "The primary outcome was the failure to agree on a final text for a legally binding global treaty to end plastic pollution.
- Member States still held significantly different views on core issues, preventing consensus on key areas, including the scope of the treaty and specific actions.
- Many member States expressed disappointment and frustration at the lack of progress, as the talks failed to deliver the expected treaty to address the mounting global plastic crisis.
- The late circulation of new, but reportedly imbalanced, texts by the INC Chair did not gain widespread support, contributing to the difficulties in finding common ground.
- The meeting was adjourned on August 15, 2025, with the understanding that negotiations would resume at a later date to be announced by the INC Chair…continuing the effort to establish the international legally binding instrument on plastic pollution.
- The process ahead is expected to continue with bilateral and regional groups meetings, discussion on technical work to bridge the gaps in understanding and resolve the contentious issues.
- South Africa will continue to implement the interventions to curb plastic pollution like [Extended Producer Responsibility] and Microbeads regulations."

PROPOSED PROHIBITION OF PLASTIC MICROBEADS AND OTHER PLASTICS IN SOUTH AFRICA

CTFA circulated information to members on 14 August 2025 regarding the planned broad domestic prohibition of microbeads in South Africa – including on use; production; distribution; sale; import; and export of microbeads and products containing microbeads.

The DFFE, as provided for by the National Environmental Management Act plans to go ahead with the development of these regulations as well as with regulations to prohibit certain plastics of concern and certain chemicals that are contained in plastics - to move forward with some of the intentions of some parties to the Plastics Treaty negotiations. It is however noteworthy that although iterations of the Treaty's draft text contained a list of plastics and chemicals that could be considered for prohibition, none were ultimately agreed to and it was commonly understood by parties to the negotiations that no text was agreed until all the text of the agreement had been agreed to. As described by the DFFE, "Member States still held significantly different views on core issues, preventing consensus on key areas, including the scope of the treaty and specific actions.". Sectors of South African industry also have reservations regarding the development of lists for international and national regulation.

It is understood that microbeads have already been proactively phased out by the cosmetic and personal care industry in South Africa that follow the CTFA Cosmetic Compendium – the contents of which are approved by the CTFA Technical Committee and Board. However, the prohibition of certain plastics and chemicals may be premature by the DFFE given that international discussions are still required on the way forward.





REGULATORY RIPPLE EFFECTS FROM EUROPE TO SA

Europe has been quite busy, from bans to overarching principles impacting the cosmetics industry. CTFA's technical & regulatory manager, Nadia Rashid explores movements in the regulatory space and the implications for South Africa.

Nationally, the cosmetics and personal care industry in South Africa falls within the mandate of the National Department of Health (NDoH) while the Cosmetic, Toiletry and Fragrance Association of South Africa (CTFA) plays a key role in the self-regulatory environment. Most elements within the CTFA's Cosmetic Compendium are extracted from the European Cosmetic Regulation EC 1223/2009. When the EU undergoes cosmetic related regulatory changes, CTFA takes each change under very careful consideration for local adoption.

The past 12 months have seen significant movement in the regulatory space with bans, the reopening of the recommendation of the European Commission on sunscreen products and the opening of the public consultation on the evaluation of the EU Cosmetics Regulation. Committees involved in the safety assessment of ingredients, such as the Risk Assessment Committee (RAC) and European Chemicals Agency (ECHA), play a significant role in the eventual banning and restriction of cosmetics. Without the defense of the safe use of ingredients according to Article 15 of the EU regulation, a substance enters the EU regulation and the CTFA Compendium. With many ingredients under the spotlight, it's crucial to pay careful attention to those that would significantly impact the South African cosmetics industry, such as talc and tea tree oil.

THE TALC AND TEA TREE OIL SHAKE-UP

Talc has been a toiletry essential in almost every home for decades. From a cosmetic regulatory perspective, it is a restricted substance in the EU, and in South Africa via the self-regulatory approach. When a substance is restricted, it means that a condition for its use is set; it could be in the form of a quantity limitation, extra wording for the label, product type limitation or even a combination. In the case of talc, extra wording is added to the label as a precaution stating that it must be kept away from children's nose and mouth when used in powdery products intended to be used for children under three years of age. However, this categorisation for talc is about to change. In a report from September 2024, ECHA's RAC classified talc as a CMR (carcinogenic, mutagenic, and reprotoxic) substance Category 1B CMR according to criteria set by the Regulation on Classification, Labelling, and Packaging of chemical substances and mixtures (CLP Regulation). Official deadlines from the EU are awaited before taking any further action, but talc is expected to be banned in the EU during 2027.

Melaleuca alternifolia oil (tea tree oil) is used extensively in cosmetics and personal care products. In November 2023, RAC adopted an Opinion that tea tree oil is a category 1B reproductive toxicant. The committee concluded that classifications were warranted in nine hazard classes. In the Opinion, it said that it was not possible at the time to conclude on the mode of action nor show that results from the animal studies in the dossier are not relevant to humans. It also noted that there was no human epidemiological data on tea tree oil's reproductive toxicity. Any substance classified as a CMR in the EU CLP regulation, which includes those classified as Category 1B, are banned for use in cosmetics in the EU, unless industry members receive an exemption by demonstrating safe use according to specific criteria as per Article 15 of the EU Cosmetics Regulation (EC) 1223/2009.

A NEW ASSESSMENT APPROACH

When it comes to defending the safety of a substance used in a cosmetic product, it is important that the applicability of the approach itself is considered. A risk-based approach considers the likelihood and consequences of exposure to a hazard, whereas a hazard-based approach focuses on the inherent danger of a substance, regardless of exposure. Almost anything at a high enough dose and under the right conditions can be lethal. Yet all hope is not lost, as the European Commission received a dossier in August 2024 to defend the safe use of tea tree oil as an ingredient with anti-seborrheic and anti-microbial function in rinse-off and leave-on cosmetic products. Thereafter, the European Commission requested the Scientific Committee on Consumer Safety (SCCS) to carry out a safety assessment on this ingredient.

On 6 June 2025, the European Commission published two SCCS opinions open for comments until 18 August 2025 – one of which was on tea tree oil. In its Opinion, it states that tea tree oil (also referred as 'TTO') is considered as an anti-seborrheic and anti-microbial agent and considers its use in cosmetics is safe up to the maximum concentration of:

- 2.0% in shampoo
- 1.0% in shower gel
- 1.0% in face wash
- 0.1% in face cream

Comments on the Opinion can be submitted directly to the contacts provided by the Commission by specifying the SCCS Number. Tea tree oil contains a substance known as p-cymene. Depending on the outcome of the ECHA's Risk Assessment Committee opinions regarding the proposed new harmonised classification and labelling, p-cymene is at risk of being banned as a CMR.

According to the EU Cosmetics Regulation No. 1223/2009, cosmetic ingredients classified as CMR categories 1A or 1B under Part 3 of Annex VI to Regulation (EC) No 1272/2008, shall be prohibited. This substance is of great concern as it's found in many essential oils in varying amounts, thus their safety and classification may be at risk.

SUN CARE STANDARDS UNDER THE MICROSCOPE

When it comes to sun care, the current status of the EU regulation is that it is essentially a non-formal legislation and the recommendation used by industry and EU authorities is a reference. Over the past months, a working group has been established to delve into the principles of sun care as a whole. Feedback on the recommendations and conclusions of the working group is expected by the end of this year.

At this stage, what we do know is that although some aspects of sun care, such as critical wavelength and new methods of testing, are valid – others are being debated. These aspects include:

- the photoprotection ability ratio of UVA:UVB of 1:3;
- certain sun-sensitive skin types and considerations regarding them;
- the fact that secondary sun protection products are not included in the current scope;
- many labelling considerations with possible reduction in categories;
- the UVA logo; and
- warning statements.

EU COSMETIC REGULATION REVIEW: 2025-2029 ROADMAP

With great power, comes great responsibility and so rests the charge of regulation in Europe. The impact of changes in regulation affects not only the South African cosmetics industry, but those in many other countries worldwide. Taking this into consideration, Europe has opened the public consultation on the evaluation of the EU Cosmetics Regulation. Work on the targeted revision of the Cosmetics Product Regulation (CPR) showed that apart from areas identified in the Chemical Strategy for Sustainability (CSS), there are other areas needing revisiting and changes in the broader regulatory context advocate for a comprehensive and not 'piece meal' approach. Consultations began in Q1 of 2025. It is expected that an adoption of the evaluation report with recommendations will happen by Q3 of 2026. A revision of the CPR will most likely be undertaken, however the drivers behind it would be radically different from the 'targeted revision' discussed over the past three years. Targeted revision was imposed by the CSS and issues were identified under the chemicals legislation (REACH, CLP). The revision now proposed would be more driven from within, based on an assessment of what actually works (or does not work). A proposed timeline will follow on from the report in 2026 to an impact assessment and scrutiny by the board by mid-2027, Commission proposal for revised Regulation by end 2027, Ordinary Legislative Procedure (European Council and Parliament) until end 2028 and publication of the revised Regulation in early 2029.

SA'S CONFIDENCE IN EUROPEAN STANDARDS

In principle, any topic can be raised for regulatory change in the legislation. However, the topics discussed for the 'targeted revision' will certainly be brought up again, unless they have been addressed in the meantime. There is the possibility of relooking the following:

- Article 15 (CMR substances) and specific provisions on endocrine disruptors
- The safety assessment of mixtures/combinations
- updating the definition of nanomaterials
- the management of scientific committee SCCS
- better consumer information through digital means
- 'Lisbonisation' of the Cosmetics Regulation (i.e. introduction of procedure of 'delegated act' and implementing act' instead of 'comitology procedure')
- improved market surveillance though better coordination between customs and in-market control.

The Director of Technical Regulatory & International Affairs at Cosmetics Europe stated that "although improvements can always be made on the fringes, the core principles and requirements of the European Cosmetics Regulation are solid and continue to provide a strong reference for international legislations".

This statement gives the Cosmetic, Toiletry & Fragrance Association of South Africa (CTFA) confidence in our self-regulatory environment in South Africa and supports the fact that basing our framework on the European model while incorporating local nuances holds well for a reliable South African cosmetic industry to flourish.





CTFA COMPENDIUM 2025

The regulatory environment in South Africa is still a self-regulated one. Since the publishing of the draft regulations by the National Department of Health (NDoH) on the 22nd of December 2017: Government notice R.1469 Regulations relating to Advertising, Labelling and Composition of Cosmetics (redraft), the industry is still awaiting promulgation.

In the absence of promulgation, the CTFA continues to guide the industry based on standards, industry best practise guidelines and the EU legislation. The CTFA Cosmetic Compendium remains the cosmetic industry's reference and is an up-to-date guideline document available to the industry based on the EU Cosmetic Regulation. CTFA updates the Cosmetic Compendium twice per year.

It is of utmost importance for the cosmetic and personal care industry to keep abreast of developments captured in the CTFA Compendium. This relates specifically to the Annexes as this is the only platform that keeps the relevant annexes updated to align locally with the EC Regulation 1223/2009 as closely as possible.

CTFA keeps a close eye on various sources for regulatory developments such as the SCCS (Scientific Committee on Consumer Safety) Opinions, the European Chemicals Agency (ECHA), the EU Official Journal and the World Trade Organization (WTO). Once the amendments are published in the EU Official Journal the CTFA updates the Compendium annexes accordingly. Members are notified of these updates and the associated transition period and effective date for placing products on the market through regular "CTFA Annex Updates"

Please visit www.ctfa.co.za for the latest updates, to remain compliant and stay informed.

On the 20th of August 2025, CTFA hosted members for the annual Compendium Update session. The process of how regulations enter into the Compendium, deadlines, most recently affected substances taking into account historical entries coming to force in 2025, new entries and future entries to the Annexes were covered.

Members are encouraged to make use of the Annex Update Reminder as a valuable resource for timeous preparation for compliance.

Below is a summary of the updates thus far in 2025:

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.
- 1731 – 1751 – covers substances classified as CMR substances by Commission Delegated Regulation (EU) 2024/197 (3) ('the relevant substances'). Delegated Regulation (EU) 2024/197 will apply from 1 September 2025. 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 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.
- In Annex III, entry 311 is deleted.

ANNEX V – List of preservatives allowed in cosmetic products

- 23 - Triclocarban - Cosmetic products containing that substance that do not comply with the conditions may be placed on the Union market until 31 December 2024 and, if they have already been placed on the market before that date, continue to be made available on the Union market until 31 October 2025. EU dates apply locally.
- 25 - Triclosan - Cosmetic products containing that substance that do not comply with the conditions may be placed on the Union market until 31 December 2024 and, if they have already been placed on the market before that date, continue to be made available on the Union market until 31 October 2025. EU dates apply locally.

ANNEX VI – List of UV filters allowed in cosmetic products

- entry 18 is deleted.
- 3 - Homosalate - From 1 January 2025 cosmetic products containing that substance and not complying with the conditions shall not be placed on the Union market. From 1 July 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.

ADVERTISING REGULATORY BOARD AND THE COSMETIC CODE

CTFA recently hosted an insightful webinar focusing on the Advertising Regulatory Board (ARB) and its crucial role in self-regulation within the South African advertising landscape.

We were privileged to be joined by Gail Schimmel, CEO of the ARB, and Nadia Rashid, CTFA Technical and Regulatory Manager, who shared their expertise and perspectives with our members.

The session explored key areas, including:

- Why self-regulation is important
- Why CTFA is a member of the Advertising Regulatory Board
- The ARB advertising process, including decision levels
- The ARB Code of Advertising Practice
- Alignment of local codes with international best practises
- Industry-specific appendices such as CTFA's Cosmetic Advertising Code
- The importance of substantiated, compliant advertising claims in the cosmetics sector

In addition to contextualizing the ARB Cosmetic Code and highlighting the role CTFA plays in its update, there was also a focus on updates to the Cosmetic Code for 2025.

Updates include:

- Renumbering and grouping of sections
- Expansion to Section 7.1 on haircare products.
- 7.1.5. UV protection

  i. Products may claim, with appropriate substantiation, that they offer UV light protection for hair colour longevity.

  ii. Hair products cannot display an SPF number.

The updated Cosmetic Code 2025 is available on the CTFA website as well as on the ARB website as Appendix B.

With the cosmetics industry operating in a highly competitive, consumer-trust-driven space, compliance with advertising standards is not only essential but also a strategic advantage.

GOOD MANUFACTURING PRACTICE (GMP) TRAINING – 26 JUNE 2025

On 26 June 2025, CTFA hosted a successful, in-person training session on Good Manufacturing Practice (GMP) in cosmetics. The session focused on promoting product safety and compliance across the entire cosmetics supply chain, with practical insight into the implementation of cosmetic-related GMP principles aligned with the South African legislation and international trade requirements such as ISO 22716.

Attendees included professionals in quality, operations, R&D, regulatory affairs and senior management – all committed to strengthening their GMP compliance journey.

Our expert trainers with hands-on experience in GMP implementation, equipped attendees with tools to address evolving industry legislation and align processes with sustainability goals.



Thank you to all who joined us!

Held at: CTFA Offices, Sandton

SAFETY ASSESSOR SEMINAR

Another successful Safety Assessor Seminar in collaboration with the German Cosmetic, Toiletry, Perfumery and Detergent Association (IKW) was held on the 28 August 2025.

This annual seminar brings together safety assessors, regulatory professionals, R&D specialists, and responsible persons to explore the latest developments in cosmetic safety assessments.

For a competent assessment of the safety of cosmetic products, interdisciplinary knowledge is necessary in the fields of chemistry, toxicology, dermatology and (cosmetics-related) law, therefore continuing education in these specific areas is important to be obtained on a regular basis in order to be informed about the current state of science and technology in the field.

The South African draft Regulations relating to the Labelling, Advertising and Composition of Cosmetics no. R. 1469, 22 December 2017, states:
"(2) The responsible person must ensure that the cosmetic has undergone a safety assessment of the finished product and its ingredients.
(3) The cosmetic safety assessment must be carried out by an appropriately trained person."



With the growing importance of ensuring product safety, continuing education is essential across the above disciplines. The Seminar provided valuable updates and insights to keep professionals aligned with science, technology, and regulatory requirements.

The focus this year was on 'non-animal safety assessments: frameworks and tools for safe cosmetics, and presentations were made by Dr Dave Allen, Senior Director of Human Health Sciences and Operations at the International Collaboration on Cosmetics Safety (ICCS) and Ms Kristie Sullivan, Vice President Education and Outreach, Institute for In vitro Sciences.

We are grateful to everyone who attended and contributed to this year's seminar.

2026 MEMBERSHIP RENEWAL FORMS

It's almost time to renew your CTFA membership for 2026. Completing your Membership Renewal Application Form ensures that we have your most up-to-date details on file, keeping you connected to all the regulatory updates, industry notifications, training opportunities, and advocacy and support services available through CTFA.

Why renewal is important:

- ✓ Stay informed with timely regulatory and technical updates
- ✓ Access exclusive CTFA training, workshops, and networking opportunities
- ✓ Ensure uninterrupted membership benefits throughout 2026

How to submit
Please return your completed membership renewal form to info@ctfa.co.za. If you need assistance or prefer to submit in person, the CTFA team is happy to assist.

We thank all our members for their continued support. Your active participation strengthens our industry voice and ensures we move forward together in 2026.

The 2026 Renewal forms will be sent to each member company in October.

ARTWORK REVIEWS SUBMISSION DEADLINE – 2025

As part of our commitment to supporting members, CTFA offers Artwork Reviews to help ensure that product labels and claims comply with South African regulations, including Department of Health Government Notice R1469; relevant SABS standards; and the ARB Cosmetic Code.

To assist with year-end planning, please take note of the **cut-off date for 2025 submissions:**

Friday, 28 November 2025

Any artwork received **after this date** will still be logged, but reviews will only be processed in the **new year**.

We encourage members to plan ahead and submit artwork early to avoid delays. This ensures a smoother review process and helps you stay compliant as we move into 2026.

For more information on Artwork Reviews, visit www.ctfa.co.za or contact info@ctfa.co.za





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