



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

---

## INTRODUCTION

1. The Sixth Meeting of the ASEAN Consultative Committee for Standards and Quality (ACCSQ) ASEAN Cosmetic Committee (ACC) was held on 15-16 June 2006 in Siem Reap, Cambodia. The Meeting was preceded by the Regional Workshop on Development of Safety Evaluation Guideline on 12- 13 June and the 5<sup>th</sup> Meeting of the ASEAN Cosmetic Scientific Body on 14 June 2006.
2. The Meeting was chaired by Drs. Ruslan Aspan, Deputy of Traditional Medicine, Cosmetic and Complementary Product Control, National Agency of Drug and Food Control, Republic of Indonesia.
3. The Meeting was attended by the representatives from Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Philippines, Singapore, Thailand, Viet Nam, the ASEAN Secretariat and the ASEAN Cosmetic Association. Representatives from ASEAN Cosmetic Industry also attended the Meeting as observers. The list of delegates appears as **ANNEX 1**.

## OPENING CEREMONY

4. The Meeting was officially opened by H.E. Dr. Ung Phyrun, Secretary of State, Ministry of Health of Cambodia. In his opening remarks, he welcomed all delegates and observers to the 6<sup>th</sup> Meeting of the ASEAN Cosmetic Committee. He highlighted the ASEAN regional commitments on economic integration which include the fast-track integration of eleven priority sectors by 2010 and the establishment of the ASEAN Economic Community by 2020. He also highlighted the commitment and progress made by Member Countries towards the implementation of the ASEAN Cosmetic Directive by 1<sup>st</sup> January 2008. He expressed his appreciation to the European Union, International Trade Centre and Physikalisch-Technischen Bundesanstalt (PTB) Germany for their valuable support for ASEAN to implement the ASEAN Cosmetic Directive. His opening remarks appear as **ANNEX 2**.
5. On behalf of all delegates and observers, Drs. Ruslan Aspan, the Chair of the ACC expressed his sincere thanks and appreciation to the host country, Cambodia for the warm hospitality and excellent arrangements made for the Meeting.

|                       |                               |
|-----------------------|-------------------------------|
| <b>Agenda Item 1:</b> | <b>ADOPTION OF THE AGENDA</b> |
|-----------------------|-------------------------------|

6. The Meeting adopted the agenda as amended, which appears as **ANNEX 3**.

|                       |                             |
|-----------------------|-----------------------------|
| <b>Agenda Item 2:</b> | <b>BUSINESS ARRANGEMENT</b> |
|-----------------------|-----------------------------|



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

7. The Meeting was held in plenary.

|  |
|--|
| <b>Agenda Item 3: FOLLOW-UP FROM THE 27<sup>TH</sup> ACCSQ MEETING</b> |
|--|

8. The ASEAN Secretariat briefed the Meeting on the progress in ASEAN Economic Cooperation as well as the outcome of the 27<sup>th</sup> ACCSQ Meeting held on 20-22 March 2006, in Penang, Malaysia.

9. The Meeting noted, among other matters, the following:

- The ASEAN Leaders during their 11<sup>th</sup> ASEAN Summit held on 12 December 2005 in Kuala Lumpur, Malaysia signed the Kuala Lumpur Declaration on the establishment of ASEAN Charter. It is a landmark constitutional document embodying fundamental principles, goal, objectives and structures of ASEAN Cooperation. An Eminent Persons Group (EPG) has been established to examine and provide practical recommendation on the directions for ASEAN and nature of the ASEAN Charter.
- Progress in ASEAN FTAs negotiations with China, Japan, India, Korea and CER.
- Endorsement of the ASEAN Policy Guideline on Standards and Conformance which was recently endorsed by the ASEAN Economic Ministers.

|   |
|---|
| <b>Agenda Item 4: FOLLOW-UP FROM THE 5<sup>TH</sup> ACC MEETING</b> |
|---|

10. The Secretary of ACC presented to the Meeting the main outcomes of the 5<sup>th</sup> ACC Meeting held on 7-8 December 2005 in Brunei Darussalam. The report of the 5<sup>th</sup> Meeting of the ACC appears as **ANNEX 4**.

|   |
|---|
| <b>Agenda Item 5: OUTCOME OF THE ASEAN REGIONAL WORKSHOP ON COSMETIC GOOD REGULATORY PRACTICE, 13-15 MARCH 2006</b> |
|---|

11. The ASEAN Secretariat reported to the Meeting on the outcome of the Regional Workshop on Cosmetic Good Regulatory Practice held on 13-15 March 2006 in Jakarta, Indonesia. The ASEAN Secretariat's presentation appears as **ANNEX 5**.

12. The Meeting discussed the outcome and agreed on the following:

GRP and WTO TBT Agreement



The Report of the Sixth Meeting of the  
 ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
 ASEAN Cosmetic Committee (ACC)  
 15-16 June 2006, Siem Reap, Cambodia

- Member Countries should consider adopting eleven (11) Good Regulatory Practice (GRP) principles when developing technical regulation
- Standards, conformity assessment procedures and technical regulations implemented in Member Countries need to be equally applicable to local and imported goods and services.

#### WTO TBT Agreement and the implementation of the ACD

##### (i) GMP

- ACD requires that all cosmetic products be manufactured according to ASEAN Cosmetic GMP Guideline and self declaration of compliance by manufacturers is allowed. However, the following issues need to be further taken into consideration:
  - ✓ What are the impacts of the GMP requirements on imported cosmetic products from outside ASEAN region?
  - ✓ Will GMP in country of manufacturing be considered equivalent to ASEAN GMP Guideline?
  - ✓ What evidence would be required to demonstrate equivalency?
  - ✓ How will audits of oversea manufacturers be carried out?
- The Meeting took note of some options for the above GMP matters for further discussion.

##### (ii) Borderline products between cosmetics and pharmaceuticals

- Although appendix III of ACD provides some factors to determine products to be either “cosmetic” or “drug”, most of Member Countries are facing difficulty in classifying borderline products. The same product can be treated differently in different countries.
- Based on Appendix III, the Meeting noted the recommendations of the Workshop that the following products should be treated as cosmetics:
  - ✓ Mouth wash
  - ✓ Anti-caries toothpaste
  - ✓ Anti-dandruff
  - ✓ Skin wash
  - ✓ Anti-bacterial including rinse off
  - ✓ Sunscreen
  - ✓ Skin Whitening
  - ✓ Anti- Acne
  - ✓ Anti-Hair loss
  - ✓ Anti- Cellulite
  - ✓ Bust Contouring Cream



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

---

- The following products are subject to further consideration and discussion:
  - ✓ Personal lubricant
  - ✓ Nasal cleanser
  - ✓ Anti bacterial leave on
  - ✓ Slimming products
  - ✓ Products containing ingredients from Annex II or Annex III (above the limits or for a different use) such as hydroquinone.
- There is a need to develop a list of unacceptable claims for cosmetic products to enable regulators and industry to use.

13. Regarding recommendations on borderline products and claims, the Meeting tasked the ACSB to discuss and submit the recommendations for consideration by the ACC at the next Meeting.

|                       |  |
|-----------------------|--|
| <b>Agenda Item 6:</b> | <b>IMPLEMENTATION OF THE ASEAN HARMONIZED COSMETIC REGULATORY SCHEME (AHCRS)</b> |
|-----------------------|--|

|                         |  |
|-------------------------|--|
| <b>Agenda Item 6.1:</b> | <b>Progress of the ASEAN Cosmetic Scientific Body (ACSB)</b> |
|-------------------------|--|

14. The Chair of ACSB reported to the Meeting on the outcome of the 5<sup>th</sup> ACSB Meeting held on 14 June 2006 in Siem Reap, Cambodia. The report appears as **ANNEX 6**

15. The Meeting considered the recommendations made by the ACSB and agreed on the following:

- (i) ASEAN Handbook of Cosmetic Ingredients and Microbiological Test Limits
  - 14 ingredients to be deleted from the ASEAN Handbook of Cosmetic Ingredients and to be added to respective annexes of the ASEAN Cosmetic Directive while 6 ingredients required further review and discussion.
  - Adopt additional banned ingredient (731), UV (3) and preservative (1) from the EU list.
  - Adopt an ASEAN guideline for Microbiological Test Limits
- (ii) Oral care
  - ACSB continues to review regulation of tooth whitening products containing more than 6% hydrogen peroxide for use by dentists and submit its recommendation for consideration by the ACC at the next Meeting. In this regard, the Meeting agreed with Singapore's proposal that Member Countries would consult their



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

Dentist Associations and submit their inputs on current use levels of hydrogen peroxide for tooth-whitening by dentist to Singapore and Malaysia by end of September 2006.

- Thailand proposed the adoption of a max limit of 1100ppm for fluoride. The Meeting encouraged Member Countries to coordinate with the Dentist Associations in their countries to evaluate the risks of fluorosis and submit inputs to the ACSB for discussion at its next Meeting. It was reminded that issues on public health, if they are specific in one country, can be covered by application of Article 11 of the ACD

(i) Claim Guideline on Cosmetic Products

- In response to the recommendation made at the Regional Workshop on Cosmetic GRP, the Meeting agreed to task the ACSB to develop a list of unacceptable claims for cosmetics and report the progress on this matter to the ACC at the next Meeting.

|  |
|--|
| <b>Agenda Item 6.2:                    Transposition of ASEAN Cosmetic Directive into National Legislation</b> |
|--|

16. Lao PDR and Viet Nam informed the Meeting on their work plan to adopt the draft legislations which were developed under the support of the APRIS I. Country Reports of Lao PDR and Viet Nam appears as **ANNEX 7 and ANNEX 8**, respectively

17. The Meeting requested Lao PDR and Viet Nam to submit the final draft legislation to the ASEAN Secretariat as soon as possible.

18. Brunei Darussalam informed the Meeting on the progress and problem encountered of Transposition of ACD. Although much effort is being taken in transposition process, it still faces difficulty in terms of expertise and experience. Brunei Darussalam's report appears as **ANNEX 9**.

19. Cambodia informed the Meeting on their activities with regard to the transposition of ASEAN Cosmetic Directive into National Legislation. A survey to determine the extent of cosmetic products is being conducted. The Meeting also noted that a mechanism to transpose the ACD into National Law in Cambodia is being undertaken with the support of the EU. Cambodia's progress report appears as **ANNEX 10**.

20. Indonesia informed the Meeting that deregulation on first stage had been conducted and it is now preparing for the second stage to amend the regulations to be in line with the ACD. Indonesia's report appears as **ANNEX 11**.



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

21. Malaysia informed the Meeting that the implementation of Phase 1 of AHCRS is now running smoothly in Malaysia. Malaysia also informed that the GMP implementation for cosmetic manufacturers has been implemented since 1<sup>st</sup> January 2006. It further informed the Meeting that the amendment of current legislation to be in line with the ACD requirements is being positively carried out. Malaysia's report appears as **ANNEX 12.**

22. Philippines informed the Meeting that the Philippines Bureau of Food and Drugs (BFAD) has adopted and implemented the ASEAN Cosmetic Directive with the issuance of the Administrative Orders (AOs) by the Department of Health (DOH). Philippines also informed that her existing National Law, the Consumer Act of Philippines is in conflict with the ASEAN Cosmetic Definition and its legal experts are currently working to amend the said legislation to be in line with the ASEAN Cosmetic Directive before 1 January 2008. Philippines' report appears as **ANNEX 13.**

23. Singapore informed the Meeting that transposition process is being undertaken and new legislation which is in line with the ACD will be ready before 1<sup>st</sup> January 2008. Singapore's report appears as **ANNEX 14.**

24. Thailand informed the Meeting on her work plan for the implementation of the ACD which appears as **ANNEX 15.**

|  |
|--|
| <b>Agenda Item 6.3: Progress in ASEAN Cosmetic GMP</b> |
|--|

|  |
|--|
| <b>Agenda Item 6.3.1: Cosmetic GMP Training Module</b> |
|--|

25. Malaysia informed the Meeting that it has received comments from Indonesia and Singapore on the GMP Training Module 14 and their comments has been incorporated into the training module. Malaysia's report appears as **ANNEX 16.**

26. The Meeting agreed to adopt the training module 14, subject to confirmation by Indonesia and Singapore.

27. The Meeting also agreed that the 13 GMP training modules should be posted on the websites of the ASEAN Secretariat and the ASEAN Cosmetic Association for immediate public reference.

|   |
|---|
| <b>Agenda Item 6.3.2: Status of Echo Seminar on GMP at National Level</b> |
|---|

28. Member Countries informed the Meeting on their echo seminars on ASEAN GMP Training Modules at national level which are reflected in agenda item 6.2, while Singapore's report on GMP appears as **ANNEX 17.**



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

---

29. The Meeting requested Member Countries that have not yet conducted echo Seminar at national level to do so as soon as possible. The Meeting also agreed that all feedback on GMP training modules received from national training will be submitted to Malaysia and the ASEAN Secretariat **no later than 15 July 2006**.

30. The Meeting also agreed that the forthcoming regional workshop on GMP to be held in Kuala Lumpur will consider all inputs submitted by Member Countries on GMP training modules and come up with clarifications and solution if necessary.

**Agenda Item 6.3.3: Forthcoming Activities on GMP**

31. ASEAN Secretariat informed the Meeting on the forthcoming activities under the International Trade Centre (ITC) project, which appears as **ANNEX 18**.

32. The Meeting agreed to the ASEAN Secretariat's suggestion that the Regional Workshop will look into issues related to the implementation of GMP Guideline. The Meeting also agreed that Malaysia and the ASEAN Secretariat together with GMP experts work out the programme, the criteria to select participants to attend the Regional Workshop and circulate for consideration and follow-up actions by Member Countries.

33. Malaysia informed the Meeting that since Malaysia is more advanced than other Member Countries in GMP implementation and cascading, it is willing to offer its national GMP training sponsored by the ITC to other countries that are more in need of assistance. In this regard, Indonesia indicated its interest to have addition national follow-up on this area and requested the ASEAN Secretariat to follow-up with the ITC.

**Agenda Item 6.3.4: GMP Implementation Issues in General**

**GMP Requirements for the imported cosmetic products from outside ASEAN**

34. The Meeting requested Malaysia and the ASEAN Secretariat to coordinate with GMP experts and Member Countries to review the issue on equivalency to the ASEAN Cosmetic GMP Guideline as well as other recommendations and issues given at the Regional Workshop on Cosmetic GRP held on 13-15 March 2006 in Jakarta, Indonesia at the forthcoming GMP Workshop to be held in Kuala Lumpur on 31 July -3 August 2006. The outcome of the workshop will be reported to the next ACC Meeting for consideration.



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

### Company Inventory of GMP Compliance

35. Malaysia proposed to the Meeting the establishment of a regional database on GMP Compliance to be shared among Regulatory Authorities. The Meeting discussed and agreed that this issue should be reviewed at the forthcoming Regional GMP Workshop in Malaysia, taking into account manufacturers located within or outside the ASEAN region.

|                         |  |
|-------------------------|--|
| <b>Agenda Item 6.4:</b> | <b>Post Marketing Surveillance (PMS)</b> |
|-------------------------|--|

|                           |   |
|---------------------------|---|
| <b>Agenda Item 6.4.1:</b> | <b>PMS 1 – Strengthen Cosmetic Laboratories Network</b> |
|---------------------------|---|

36. Thailand informed the Meeting on the draft action plan on PMS 1 including pending issues from the EC-ASEAN regional economic programme. Thailand's presentation appears as **ANNEX 19.**

37. The Meeting agreed on the need to explore the fund to support the implementation of the action plan on PMS 1.

38. The ASEAN Secretariat presented to the Meeting the benefit of the use of accredited testing laboratories by regulators and industry. The ASEAN Secretariat's presentation appears as **ANNEX 20.** In this regard, the Meeting agreed on the suggestion of the ASEAN Secretariat that in selecting testing laboratories for regulatory purpose, Regulatory Authorities should consider using the accredited testing laboratories to the ISO/ IEC 17025 by national accreditation bodies or by accreditation bodies which are signatories to the ILAC or APLAC MRAs.

|                           |   |
|---------------------------|---|
| <b>Agenda Item 6.4.2:</b> | <b>PMS 2 &amp; 3 – Safety and Efficacy Evaluation</b> |
|---------------------------|---|

|                             |  |
|-----------------------------|--|
| <b>Agenda Item 6.4.2.1:</b> | <b>Outcome of regional workshop on Safety Evaluation Guideline</b> |
|-----------------------------|--|

39. Singapore reported to the Meeting on the outcome of the Regional Workshop on Development of Safety Evaluation Guideline on 12-13 June 2006, Siem Reap. Singapore's presentation and the Draft Guideline appear as **ANNEX 21.**

40. The Meeting agreed that Member Countries be given more time to consider the Draft Guideline and submit their comments if any to Singapore by 31 October 2006 so that it can consider revising the draft and re-circulate for consideration by Member Countries before the 2<sup>nd</sup> Workshop to be held back to back with the next ACC Meeting. The Meeting also agreed



The Report of the Sixth Meeting of the  
 ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
 ASEAN Cosmetic Committee (ACC)  
 15-16 June 2006, Siem Reap, Cambodia

that participants who attended the 1<sup>st</sup> Regional Workshop should attend the 2<sup>nd</sup> Workshop in order to ensure the continuity of the discussion.

|   |
|---|
| <b>Agenda Item 6.4.2.2: Outcome of the first series of training activities on PMS under the ITC project</b> |
|---|

41. The ITC Expert reported to the meeting the outcome of the first series of training activities on PMS 2 and 3 conducted at regional and national level in May and June 2006. The ITC Expert report appears as **ANNEX 22**.

42. The Meeting noted that there is gap in preparation for the implementation of the ACD in Member Countries. Some are more advanced than others. In this regard, the Meeting encouraged Member Countries to look into observations and recommendations and put extra effort in strengthening infrastructure so that the ACD can be smoothly implemented as scheduled.

43. The Meeting also noted some observations on ingredient labeling and stability and expiry date. In this regard, the Meeting agreed to request the ACA and ACSB to consider these matters and submit its recommendations for consideration by the ACC at the next meeting.

44. The Meeting further agreed on the need to develop the following technical guidelines:

- Post Market Surveillance Guideline including information that regulators should look for in the PIF
- How to develop PIF.

|  |
|--|
| <b>Agenda Item 6.4.3: Post Marketing Alert System (PMAS)</b> |
|--|

45. Singapore reported to the Meeting that the list of contact points of Member Countries has been completed and provided the Meeting with the status update of the 4<sup>th</sup> TMHS PWG Meeting and 11<sup>th</sup> PPWG Meeting regarding the PMAS. Singapore's report and the adopted PMAS appear as **ANNEX 23 and ANNEX 24**, respectively.

46. The Meeting agreed with Singapore's proposal to adopt the approach for the PMAS implementation from Pharmaceutical PWG to start with one year trial for period from 16 June 2006 to 16 June 2007. The PMAS will be reviewed after trial period before it can be officially adopted for the implementation at regional level.

|   |
|---|
| <b>Agenda Item 6.5: Consideration and Adoption of Notification Template and Guideline</b> |
|---|



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

47. Singapore reported to the Meeting the outcome of the Regional Workshop on Cosmetic Products Notification held on 16-17 March 2006 in Jakarta, Indonesia. Singapore's report and the final Cosmetic Product Notification Template appear as **ANNEX 25.**

48. The Meeting considered the Draft and agreed on the following amendment on Appendix 3 of Template: "*I hereby declare on behalf of my company that the product in the Notification meets all requirements of the ASEAN Cosmetic Directive, its Annexes and Appendixes which have been transposed into local legislation*".

49. The Meeting also agreed that in case the Article 11 of the ACD is allowed for particular countries for emergency situation of public health, this will be considered as country specific requirements and will be reflected in the respective annexes or appendixes of the ACD. The Meeting further agreed that all samples including hotel samples need to be notified to the relevant Regulatory Authorities in Member Countries.

50. The Meeting reviewed the revised Notification Template and agreed to adopt the revised Template which appears as **ANNEX 26.**

|                       |  |
|-----------------------|--|
| <b>Agenda Item 7:</b> | <b>Revised work program of the ACC</b> |
|-----------------------|--|

51. The Meeting adopted the revised Action/Work Programme, which appears as **ANNEX 27.**

|                       |                      |
|-----------------------|----------------------|
| <b>Agenda Item 8:</b> | <b>Other Matters</b> |
|-----------------------|----------------------|

52. There were no other matters discussed.

|                       |   |
|-----------------------|---|
| <b>Agenda Item 9:</b> | <b>Date and Venue of the Next Meeting</b> |
|-----------------------|---|

53. The Meeting agreed that the 7<sup>th</sup> ACC Meeting will be held tentatively first week of December 2006 in Philippines and the 8<sup>th</sup> ACC Meeting will be held tentatively in June 2007 in Lao PDR, respectively.

|                        |   |
|------------------------|---|
| <b>Agenda Item 10:</b> | <b>Adoption of the Minutes of the Meeting</b> |
|------------------------|---|

54. The Meeting considered and adopted the Report of the Sixth Meeting of the ACC held on 15 – 16 June 2006 in Siem Reap, Cambodia.

#### **ACKNOWLEDGMENT:**

55. The delegates of Brunei Darussalam, Indonesia, Lao PDR, Malaysia, the Philippines, Singapore, Thailand, Viet Nam, the ASEAN Secretariat and the ACA expressed their



The Report of the Sixth Meeting of the  
ASEAN Consultative Committee for Standards and Quality (ACCSQ)  
ASEAN Cosmetic Committee (ACC)  
15-16 June 2006, Siem Reap, Cambodia

---

appreciation to the Ministry of Health, Cambodia for the warm hospitality extended and the arrangements made for the Meeting.

56. The Meeting expressed its sincere appreciation to Ms. Suzie Quek, Health Authority of Singapore (HAS) for her invaluable contribution to the works of the ACC.

-----