

Guidelines for Cosmetic Advertising and Labelling Claims



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The Guidelines for Cosmetic Advertising and Labelling Claims were revised by Health Canada in conjunction with Advertising Standards Canada. February 2006



Advertising Standards Canada
Les normes canadiennes de la publicité

Our mission is to help the people of Canada
maintain and improve their health.

Health Canada

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The *Guidelines for Cosmetic Advertising and Labelling Claims* can be obtained
via the Internet from the Web sites listed below:

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1. INTRODUCTION

| | |
|---|---|
| 1.1 Overview | 3 |
| 1.2 Guidelines Sponsoring Organizations | 4 |
| 1.3 Broadcast Advertising Clearance | 4 |
| 1.4 Future Guidelines Revisions | 5 |

2. GUIDELINES FOR COSMETIC ADVERTISING AND LABELLING CLAIMS

| | |
|--|------|
| 2.1 Using the Guidelines | 6 |
| 2.2 Definitions | 7 |
| 2.3 Guidelines for Cosmetic Advertising and Labelling Claims | 8-19 |
| 1. Substrate Type | 8 |
| A. Hair | |
| i) Hair care | 8 |
| ii) Depilatories | 8 |
| B. Nails | 9 |
| C. Skin | |
| i) Exfoliants (Alpha-hydroxy Acids/Scrubs/Peels) | 9 |
| ii) Moisturizers | 10 |
| iii) Cleansers/Astringents/Toners | 11 |
| iv) Contour Creams | 11 |
| v) Acne-Prone Skin | 12 |
| vi) Oil Management | 12 |
| 2. Product Type | 12 |
| A. Oral Care Products | |
| i) Dentifrice/Cosmetic Chewing Gum | 12 |
| ii) Mouthwash/Breath Fresheners | 13 |
| iii) Teeth Whiteners (e.g. Strips/Solutions) | 13 |
| B. Deodorant | 13 |
| C. Perfumes/Fragrances/Colognes/Body Sprays | 13 |
| D. Cosmetic Suncare Products | 14 |
| E. Vitamins/Minerals/Antioxidants | 14 |
| F. Aromatherapy | 15 |
| G. Intimate Products | |
| i) Personal Lubricants | 15 |
| ii) Sex-related Topical Products | 16 |
| H. Massage Oils | 16 |
| I. Makeup | 16 |
| 3. Claim Type | 17 |
| A. Anti-Aging/Anti-Wrinkle | 17 |
| B. Healthy | 17 |
| C. Ingredient | |
| i) Active | 18 |
| ii) Biological | 18 |
| D. Nourish/Replenish | 18 |
| E. Relax | 19 |
| F. Respiration | 19 |
| G. Energize/Revitalize | 19 |
| H. Therapy/Treatment | 19 |
| I. Lift/Lifting | 19 |

1.0 INTRODUCTION

1.1 Overview

The Guidelines are designed to help creators of advertising develop advertising messages, including those made on or inside the package, that comply with Canadian cosmetic regulatory requirements.

The publication of the Guidelines represents the culmination of a collaborative effort between Advertising Standards Canada (ASC, formerly Canadian Advertising Foundation) and the Cosmetics Division of Health Canada.

To ensure that all regulations governing cosmetics are met, the Guidelines should be used in conjunction with the *Food and Drugs Act* and *Cosmetic Regulations*, the *Consumer Packaging and Labelling Act and Regulations*, and other applicable legislation and regulations.

History of the *Guidelines for Cosmetic Advertising and Labelling Claims*

In 1996, ASC approached Health Canada to propose a revision to the *1992 Guidelines: Labelling of Cosmetics*.

Having used the 1992 Guidelines for a number of years to review and clear broadcast cosmetic advertising copy, ASC recognized that the 1992 Guidelines no longer served industry and consumer needs. (See sections 1.2 and 1.3 for a description of ASC's responsibilities for cosmetic broadcast advertising clearance.)

In light of rapidly evolving technologies and the plethora of new products and product categories in the marketplace, Health Canada concurred that a revision was required. In the spirit of responsible self-regulation, it was agreed that ASC and the Canadian Cosmetic, Toiletry and Fragrance Association (CCTFA) would develop new guidelines and submit them to Health Canada for consideration.

In mid-1996, CCTFA, in cooperation with ASC, formed the Cosmetic Advertising and Labelling Review Task Force, whose goal was to develop the revised Guidelines. After several meetings with Health Canada officials, the final draft of the Guidelines was submitted to Health Canada in 1997. They received final approval in May, 1998 and were first published in June 1998. The Guidelines were updated in 2000, 2001, 2003, and 2005.

In an effort to make the process for amending the Guidelines more open and transparent to all stakeholders, in 2005, HC determined that the Guidelines would be published jointly by ASC and Health Canada. Industry would be able to submit proposed Guidelines additions or changes directly to Health Canada or ASC for review. Health Canada, with input from ASC, developed a draft revision, which was made available to all stakeholders via their website. This process allows for a greater number of interested parties to comment on the proposed changes prior to the final revision of the Guidelines being posted on the Health Canada website.

About the Guidelines

Cognizant of the movement towards global marketing and harmonization, the Guidelines were developed to harmonize to the greatest extent possible, and afford advertisers maximum flexibility in communicating with Canadian consumers. In contrast to the 1992 Guidelines, which were prescriptive in nature, the Guidelines utilize a more "user-friendly" format, encompass new product categories, and include a broader range of cosmetic claims. As well, the Guidelines allow for the overall impression of an advertisement to be considered.

ASC and HC are confident the Guidelines will allow advertisers of personal care products to achieve the goal of providing Canadian consumers with important product information, within the confines of current legislative and regulatory requirements.

1.2 Guidelines Sponsoring Organizations: Roles and Responsibilities

Health Canada (HC)

Cosmetics Division

Consumer Product Safety Bureau

Contact: Manager, Cosmetics Division

Tel: (613) 946-6452 Fax: (613) 952-3039 E-mail: cosmetics@hc-sc.gc.ca

Health Canada's Cosmetics Division has the mandate to protect the health of Canadians by minimizing the risk associated with the use of cosmetics marketed in Canada. The Division defines and communicates requirements for the manufacture, labelling, distribution and sale of cosmetics, and evaluates compliance. The basis for the regulatory authority for the Cosmetics Division comes from the *Food and Drugs Act* and *Cosmetic Regulations*.

Advertising Standards Canada (ASC)

Contact: Vice-President, ASC Clearance Services

Tel: (416) 961-6311 Fax: (416) 961-7904

Founded in 1957, ASC is the national advertising industry self-regulatory body. In 1992, after a five year successful experiment, Health Canada (then Health and Welfare Canada) officially transferred the cosmetic advertising broadcast preclearance function to ASC. Although preclearance was no longer a regulatory requirement, the government expressed confidence that the self-regulatory preclearance mechanism, supported by industry, broadcasters, and ASC, would be successful.

Today, with broad support from industry, ASC continues to provide advertising clearance services. ASC's experience in copy review, coupled with its credibility with government, industry, and the public, helps continue to ensure cosmetic broadcast advertising messages meet government regulations and industry objectives for responsible advertising.

1.3 Broadcast Advertising Clearance

ASC provides cosmetic broadcast advertising clearance services on a fee-for-service basis. Consultations are also available.

For information, contact:

Vice-President, ASC Clearance Services

Advertising Standards Canada

175 Bloor Street East, South Tower, Suite 1801

Toronto, Ontario M4W 3R8

Tel: (416) 961-6311 Fax: (416) 961-7904

Web site: www.adstandards.com

1.4 Future Guidelines Revisions

The personal care sector is dynamic and continues to evolve rapidly. The sponsoring organizations of the Guidelines are committed to ensuring that the document remains current. Therefore, the Guidelines will be reviewed on a regular basis. Prior to official final revisions, a draft revision of the Guidelines will be posted on the Health Canada website for stakeholder comments.

User feedback outside the official comment period is always welcome. Please direct comments to:

Vice-President, ASC Clearance Services
Advertising Standards Canada
175 Bloor Street East, South Tower, Suite 1801
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E-mail: cosmetics@hc-sc.gc.ca

2.0 GUIDELINES FOR COSMETIC ADVERTISING AND LABELLING CLAIMS

2.1 Using the Guidelines

The Guidelines are presented in table format and include three numbered sections (1, 2, 3). Each section is divided into categories (A, B, C...) and sub-categories (i, ii, iii...). The table is divided in two columns:

Column I: Acceptable Claims

Column I includes examples of claims that are acceptable for a cosmetic.

Column II: Unacceptable Claims

Column II includes examples of claims that are unacceptable for cosmetics.

Notes:

- Drug-type claims are not acceptable for cosmetics. See section 2.2 for definitions of ‘drug’ and ‘cosmetic’
- The claims provided in the table are examples only. The list is not exhaustive, and should be used only as a guide. It may be necessary to refer to numerous headings/references to determine acceptable and unacceptable claims for a specific product.
- Each claim will be evaluated within the overall context of the advertisement.
- Claims must be true, verifiable and accurately communicate product features, characteristics and performance.

Examples

To determine which types of claims are acceptable for a vitamin-enriched shampoo, refer to the following sections of the Guidelines:

1A Hair

3B Healthy

EXAMPLE – ACCEPTABLE CLAIM

Our shampoo makes your hair soft and healthy looking.

This claim is acceptable because it:

- describes ‘healthy hair’ in the context of appearance (sections 1A & 3B).
- refers to the product performance, without attributing a therapeutic effect (section 1A).

EXAMPLE – UNACCEPTABLE CLAIM

Our shampoo makes your hair grow.

This claim is unacceptable because it:

- attributes a therapeutic effect to the product (section 1A)

2.2 Definitions

Pertinent definitions from the *Food and Drugs Act* and the *Cosmetic Regulations* are provided below. It is generally understood that the requirements of the *Regulations* pertaining to drugs take precedence over the *Regulations* pertaining to cosmetics when a product has both drug and cosmetic properties. Although 'cosmetic' and 'drug' definitions share certain features, only claims of a cosmetic nature are acceptable for cosmetics. Drug-type claims are not permitted for cosmetics. However, drug and cosmetic claims are acceptable for drugs that possess both drug and cosmetic properties.

Food and Drugs Act definitions:

- Advertisement** Includes any representation by any means whatever for the purpose of promoting directly or indirectly the sale or disposal of any food, drug, cosmetic or device.
- Cosmetic** Includes any substance or mixture of substances manufactured, sold or represented for use in cleansing, improving or altering the complexion, skin, hair or teeth, and includes deodorants and perfumes.
- Drug*** Includes any substance or mixture of substances manufactured, sold or represented for use in:
- (a) the diagnosis, treatment, mitigation or prevention of a disease, disorder, abnormal physical state, or its symptoms, in human beings or animals,
 - (b) restoring, correcting or modifying organic functions in human beings or animals, or
 - (c) disinfection in premises in which food is manufactured, prepared or kept.
- Label** Includes any legend, word or mark attached to, included in, belonging to or accompanying any food, drug, cosmetic, device or package.

Cosmetic Regulations definitions:

- Inner Label** Means a label on or affixed to the immediate container of a cosmetic.
- Outer Label** Means a label on or affixed to the outside package of a cosmetic.

* **Drug** includes therapeutic products regulated under the *Food and Drug Regulations* and natural health products regulated under the *Natural Health Products Regulations*

2.3 Guidelines for Cosmetic Advertising and Labelling Claims

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

1. Substrate Type

| | Acceptable Claims | Unacceptable Claims |
|---|---|--|
| A. Hair i) <i>Hair Care</i> | <ul style="list-style-type: none"> • Removes loose dandruff flakes from the hair • Makes hair stronger • Fortifies the hair • Looks thicker • Thickens hair • Adds body • Thickens hair shaft • Repairs split ends/dry/damaged hair • Revitalizes hair/hair's beauty • Nourishes hair/hair nutrient (must qualify in cosmetic sense – moisturize, shine, texture, softness, beauty) • Healthy hair (in the context of appearance) • Root penetrating (i.e. thoroughness, root to tip) • Contains sunscreen | <ul style="list-style-type: none"> • Controls dandruff • Eliminates dandruff • Dandruff shampoo • Anti-dandruff shampoo • Stimulates hair follicles • Alopecia • Prevents/treats alopecia • Prevents hair loss/hair thinning • Replaces thinning hair • Restores hair cells • Stimulates hair follicles • Stimulates hair growth • Deeply root penetrating (i.e. any action under the scalp) • SPF |
| A. Hair ii) <i>Depilatories</i> | <ul style="list-style-type: none"> • Removes hair • Hair takes longer to appear [to be visible vs. another hair removal method (e.g. shaving)] | <ul style="list-style-type: none"> • Any reference to effect on physiological growth of the hair • Hair retardant • Hair inhibitor • Slows hair regrowth • Stops hair from growing back • Weakens hair growth • Less hair grows back |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

1. Substrate Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|-----------------|--|--|
| B. Nails | <ul style="list-style-type: none"> • Repairs nails • Reference to growth resulting from protection of fingernail from physical damage (abrasion, chipping, breaking) • Strengthens • Hardens | <ul style="list-style-type: none"> • Reference to growth resulting from nourishment of fingernail |

| | Acceptable Claims | Unacceptable Claims |
|--|--|--|
| C. Skin i) <i>Exfoliants</i> (<i>Alphahydroxy acids/Scrubs/Peels</i>) | <ul style="list-style-type: none"> • Sloughs off dead skin cells • Facial scrub • Younger looking • Fresher looking • Reveals next layer of skin • Revitalizes • Exposes new skin • Reduces signs (the visibility) of aging • Pores look smaller • Improves the texture of skin/retextures | <ul style="list-style-type: none"> • Makes skin younger • Reduces aging • Reverses aging • Slows aging • Prevents aging • Removes scars/sun damage • Reduces scars/sun damage • Keratolytic • Any reference to action at cellular level (living) • Makes pores smaller • Clears skin (acne) • Regenerates skin |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

1. Substrate Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|---|--|--|
| C. Skin ii) <i>Moisturizers</i> | <ul style="list-style-type: none"> • Relieves/alleviates dry skin • Soothes (when qualified in a cosmetic sense) • Softens skin • Moisturizes/hydrates/lubricates • Promotes elasticity • Protects skin against the abuse of the elements • Prevents damage caused by drying/dryness • Protects against and alleviates chapping, cracking and roughness due to dryness • Relieves itching due to dry skin • Moisturizes the skin so that complexion looks revitalized (radiant) • Smooths wrinkles (from an appearance perspective) • Tones skin by moisturizing • Firms skin (from an appearance perspective) • Replenishes/protects the skin's moisture barrier • Skin brightening/radiance | <ul style="list-style-type: none"> • Protects/relieves or soothes abrasions/bites/insect bites/cuts/nicks/irritated skin/ inflamed skin/rashes • Numbing effect • Therapeutic effect • Heals • Removes/reduces scars • Works on/from the inside • Skin lightening/whitening (unless concealer/pigmented product) • De-pigmentation • Reduces the appearance of veins, capillaries, etc. (unless concealer/pigmented product) • Repairs the skin's moisture barrier • Thins hair/hair is finer • Reduces the appearance of hair (unless by bleaching) |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

1. Substrate Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|--|---|--|
| C. Skin iii) <i>Cleansers/ Astringents/ Toners</i> | <ul style="list-style-type: none"> • Antibacterial cleanser • Antimicrobial cleanser • Kills odour causing bacteria (only acceptable qualification) • Cleans acne-prone skin • Purifies skin by removing dirt • Cleanses oily skin • Removes oil • Deep cleans pores • Facial scrub • Refreshes skin • Warms skin • Cools skin • Tightens skin • Tones skin • Energizes skin • Skin feels energized • Invigorates skin | <ul style="list-style-type: none"> • Kills pathogens • Kills germs • Kills bacteria (other than odour causing bacteria) • Antiseptic • Disinfectant/Sanitizer • Fungicide • Anti-blemish cream • Clears acne-prone skin • Cleans cuts • Reference to disease-causing organisms • Decongests skin • Stimulates circulation • Removes toxins • Any impression or reference to disease prevention • Wakes you up / energizes you (unqualified) |
| C. Skin iv) <i>Contour creams</i> | <ul style="list-style-type: none"> • Improves tone and texture of skin • Firms skin (from an appearance perspective) • Reduces the look of cellulite by moisturizing skin • Improves the look of cellulite by moisturizing skin • Reduces the look of cellulite • Improves elasticity/resiliency | <ul style="list-style-type: none"> • Lifts • Any reference to action on tissue • Any reference to treatment/reduction of cellulite/orange peel skin • Enhances/smoothes/contours silhouette • Lose inches • Reduces/controls puffiness/swelling/edema • Removes fat • Reshapes • Restructures skin • Slims/slimming • Firms (unqualified) • Tightens/firms sagging skin/eyelids/chin/muscles • Cellulite (unqualified) • Provides effect of medical/surgical procedure • Restores elasticity/resiliency |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

1. Substrate Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|---|--|--|
| C. Skin v) <i>Acne-Prone Skin</i> | <ul style="list-style-type: none"> • Cleaner for acne-prone skin • Hides acne • Covers blemishes • Removes oil | <ul style="list-style-type: none"> • Prevents acne* • Heals acne • Treats acne • Stops acne • Germ killing action • Antibacterial action <p>* Acne = blemishes, zits, spots, blackheads, comedones, pimples, breakouts, etc.</p> |

| | Acceptable Claims | Unacceptable Claims |
|---|--|--|
| C. Skin vi) <i>Oil Management</i> | <ul style="list-style-type: none"> • Oil control (from an appearance perspective) • Absorbs oil • Removes oil | <ul style="list-style-type: none"> • Controls/ regulates/ prevents oil production |

2. Product Type

| | Acceptable Claims | Unacceptable Claims |
|---|---|---|
| A. Oral Care Products i) <i>Dentifrice/ Cosmetic Chewing Gum*</i> | <ul style="list-style-type: none"> • Cleans teeth • Whitens teeth • Brightens teeth • Polishes teeth • Removes stains/stain build-up • Prevents stain build-up • Removes/reduces plaque (by brushing only) • Prevents/reduces tartar build-up/deposit (by brushing only) • Gets teeth their whitest • White teeth (as white as they can be) • Reduces stain recurrence | <ul style="list-style-type: none"> • Anti-cavity • Anti-gingivitis • Anti-plaque • Fights cavities • Fights plaque/tartar • Treats plaque • Prevents plaque/tartar formation • Prevents plaque/tartar buildup/deposit by chemical or antimicrobial action • Any implication of effect below the gum line • Any reference to fluoride • White teeth (absolutely white) • Whitens tetracycline-induced stains • Bleaches teeth • Desensitizes teeth/gums • Removes tartar build-up/deposit by brushing |

Note: *Chewing gum is a food. Therefore, advertising for cosmetic chewing gum also requires food clearance.*

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

2. Product Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|--|---|--|
| A. Oral Care Products | | |
| ii) <i>Mouthwash/Breath Fresheners</i> | <ul style="list-style-type: none"> • Fights bad breath • Ends bad breath • Reduces mouth odours • Helps eliminate odour-causing bacteria • Helps kill bacteria that can cause bad breath • Antibacterial (must be qualified in a cosmetic sense) • Antimicrobial (must be qualified in a cosmetic sense) | <ul style="list-style-type: none"> • Antiseptic • Antiviral • Germicide • Kills pathogens • Kills germs • Kills odour-causing germs • Any reference to plaque or tartar • Any impression or reference to disease prevention • Any effect produced by swallowing product (even if qualified in a cosmetic sense) |
| | Acceptable Claims | Unacceptable Claims |
| A. Oral Care Products | | |
| iii) <i>Teeth Whiteners (e.g. Strips, solutions)</i> | <ul style="list-style-type: none"> • Whitens teeth • Gets teeth their whitest • Removes stains (must be qualified in a cosmetic sense) • Brightens teeth | <ul style="list-style-type: none"> • Any therapeutic claim • Bleaches teeth • Whitens teeth absolutely white • Removes/whitens tetracycline induced stains • Any fluoride claim • Prevents stain recurrence (unqualified) |
| | Acceptable Claims | Unacceptable Claims |
| B. Deodorant | | |
| | <ul style="list-style-type: none"> • Absorbent that helps keep you dry • Anti-odourant • Fights bad odour • Kills odour-causing bacteria • Deodorant | <ul style="list-style-type: none"> • Antiperspirant • Controls perspiration • Controls sweat |
| | Acceptable Claims | Unacceptable Claims |
| C. Perfumes/Fragrances/Colognes/Body Sprays | | |
| | <ul style="list-style-type: none"> • Pleasant smells • Soothes | <ul style="list-style-type: none"> • Hormonal attraction • Improving health by reducing stress |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

2. Product Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|-------------------------------------|---|---|
| D. Cosmetic Suncare Products | <ul style="list-style-type: none"> • Suntanned colour • Bronze appearance • The appearance of a tan • Enhances tan • Sunscreen for hair care only • Protects against drying effects of the sun • Soothes skin (when qualified in a cosmetic sense without reference to sun burn or sun damage) • Cools skin (without reference to sun burn or sun damage) | <ul style="list-style-type: none"> • SPF • Accelerate suntan • Sunscreen • Pre-tan accelerator • Relieves/calms sunburns • Protects sun damaged skin • Repairs sun damage • Any reference to UVA/UVB • Reduces redness (due to sunburns) |

| | Acceptable Claims | Unacceptable Claims |
|--|--|--|
| E. Vitamins/Minerals/Antioxidants | <ul style="list-style-type: none"> • Contains vitamins which act as antioxidant(s) to preserve product integrity or to keep product fresh • Product contains ingredient/vitamin/mineral X/antioxidants. The formula produces cosmetic benefit (e.g. reduces appearance of wrinkles, moisturizes, adds shine, etc.) <i>No attestation required</i> • Ingredient/vitamin/mineral X/antioxidants produces cosmetic benefit (e.g. reduces appearance of wrinkles, moisturizes, adds shine, etc.) <i>Written attestation required for broadcast preclearance--Advertiser must possess supporting data that cosmetic benefit is directly attributable to named ingredient/vitamin/mineral/antioxidant</i> | <ul style="list-style-type: none"> • Any reference to therapeutic effect of vitamins/antioxidants (e.g. free radical scavenging) • Improves growth • Contains vitamin(s) which act as antioxidants (unqualified) • Any reference to repairing damage (free radical or otherwise) • Any reference to action at a cellular level (living) • Medicinal/therapeutic ingredient |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

2. Product Type (continued)

| Acceptable Claims | Unacceptable Claims |
|--|--|
| F. Aromatherapy <ul style="list-style-type: none"> • Soothing aromatherapy for the soul • Sense of well being • Improvement in feeling via sensory perception • Helps to relax • Feeling of sensory improvement • Creates a sense of harmony of body and mind • Wakes you up/energizes you (through scent) | <ul style="list-style-type: none"> • Any reference to therapeutic effect • Well being (unqualified) • Relieves stress / Anti-stress (unqualified) • Eliminates all stress • Physiological action • Creates a harmony of body and mind • Relaxes muscles |

| Acceptable Claims | Unacceptable Claims |
|--|---|
| G. Intimate Products i) <i>Personal Lubricants</i> <ul style="list-style-type: none"> • Replenishes/restores/replaces vaginal/personal moisture • Enhances vaginal moisture • Moisturizes to relieve vaginal/personal dryness • Provides feeling of natural vaginal moisture • Feels like natural moisture • Relieves dryness • Lubricates • Effective lubrication • Product is pH-balanced • Can be used with a condom (must possess supporting data) | <ul style="list-style-type: none"> • Replenishes/restores/replaces natural vaginal/personal moisture • Enhances natural vaginal moisture • Replenishes/restores/replaces natural moisture from vaginal tissue • pH-balanced to prevent infection • Helps maintain normal pH level • Estrogen-free • Hormone-free • Vaginal tightening/contracting |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

2. Product Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|--|--|--|
| G. Intimate Products ii) <i>Sex-related Topical Products</i> | <ul style="list-style-type: none"> • Lubricates • Enhances/increases sex experience/sexual pleasure by lubricating • Tingling/warm/cool sensation • Intimacy enhancement • Can be used with a condom (must possess supporting data) | <ul style="list-style-type: none"> • For sexual enhancement • Increases/enhances sexual pleasure (unqualified) • Produces/prolongs erection • Any direct or indirect reference to therapeutic effect • Increases libido/desire/sexual-responsiveness/sensitivity • Stimulates genital tissue • Produces/enhances orgasm • Vaginal tightening/contracting |
| | Acceptable Claims | Unacceptable Claims |
| H. Massage Oils | <ul style="list-style-type: none"> • Pleasant smell • Lubricates skin so that massage feels better • Promotes a sense of well-being through massage • For use with relaxing massage • Helps to relax with massage | <ul style="list-style-type: none"> • Any direct or indirect reference to therapeutic effect • Stimulates circulation/blood flow to muscles • Relaxes muscles • Eases muscle pain/stiffness • Increases massage effectiveness • Relaxes you (unqualified) • Relieves stress |
| | Acceptable Claims | Unacceptable Claims |
| I. Makeup | <ul style="list-style-type: none"> • Covers/conceals • Skin looks smoother/firmer/younger • Makes lips look fuller / plumps lips • Conditions lips • Thickens/lifts/curles lashes • Reduces the look of wrinkles/lines | <ul style="list-style-type: none"> • Fewer lines (unqualified) • Increases lip volume / lip size • Stimulates lash growth |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

3. Claim Type

| | Acceptable Claims | Unacceptable Claims |
|--|---|---|
| A. Anti-Aging/ Anti-Wrinkle | <ul style="list-style-type: none"> • Covers up age spots • Hides age spots • Feel younger • Look younger • Moisturizes aging skin • Smooths wrinkles (from an appearance perspective) • Reduces the appearance of aging • Helps prevent signs/the look of aging (visibility) • Reduces the appearance of age spots • Reduces the appearance of skin blotches • Covers/conceals • Anti-wrinkle cream/anti-wrinkle moisturizer (when qualified in a cosmetic sense) • Anti-wrinkle/anti-aging (when qualified in a cosmetic sense) • Slows appearance/the look of aging (visibility) • Slows signs/the look of aging (visibility) • Reverses the signs/look of aging (visibility) • Face rejuvenator (when qualified in a cosmetic sense – rejuvenates look) • Wrinkles appear/look reduced • Fight the look of wrinkles • Skin appears/looks visibly younger • Reduces the look of puffiness/dark circles | <ul style="list-style-type: none"> • Bleaches skin • De-pigments • Prevents aging • Eliminates aging • Stops aging • Reduces aging • Slows aging • Reverses aging • Prevents new spots from appearing/ Eliminates age spots • Anti-wrinkle (unqualified) • Anti-aging (unqualified) • Slows appearance/onset of aging (i.e. development of aging) • Any reference to action at cellular level (living) • Stimulates circulation • Collagen, elastin, skin enzyme synthesis/replenishment/stimulation • Prevents the onset/emergence of wrinkles / the return of wrinkles • Wrinkles are reduced • Rejuvenates skin (unqualified) • Provides the effect of a medical/surgical procedure • Reduces puffiness/dark circles |
| B. Healthy | <ul style="list-style-type: none"> • Healthy (from an appearance perspective) | <ul style="list-style-type: none"> • Promotes health • Healthy tan (from the sun) |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

3. Claim Type (continued)

| | Acceptable Claims | Unacceptable Claims |
|--|---|---|
| C. Ingredient i) <i>Active</i> | <ul style="list-style-type: none"> • Moisturizing active ingredient <i>Written attestation required*</i> • Colourizing active ingredient <i>Written attestation required*</i> • Product contains ingredient/vitamin/mineral/antioxidant X. The formula produces cosmetic benefit (e.g., reduces appearance of wrinkles, moisturizes, adds shine, etc.) <i>No attestation required</i> • Ingredient/vitamin/mineral/antioxidant X produces cosmetic benefit. (e.g. reduces appearance of wrinkles, moisturizes, adds shine, etc.) <i>Written attestation required* - Advertiser must possess supporting data that cosmetic benefit is directly attributable to named ingredient.</i> • Effective ingredient (when qualified in a cosmetic sense) <i>Written attestation required *</i> <p><i>* Attestations required for broadcast preclearance</i></p> | <ul style="list-style-type: none"> • Active ingredient • Medicinal ingredient • Therapeutic ingredient • Effective ingredient (unqualified) • Any implication of therapeutic benefit |

| | Acceptable Claims | Unacceptable Claims |
|---|---|---|
| C. Ingredient ii) <i>Biological</i> | <ul style="list-style-type: none"> • Contains biological extract | <ul style="list-style-type: none"> • Biologically active • Biological action/effect on body |

| | Acceptable Claims | Unacceptable Claims |
|------------------------------|--|--|
| D. Nourish/ Replenish | <ul style="list-style-type: none"> • Nourishes via moisturizing/hydration • Replenishes via moisturizing • Replenishes/protects the skin's moisture barrier | <ul style="list-style-type: none"> • Nourishes via growth • Ingredient X is nourishing • Replenishes skin's collagen, elastin, enzymes etc. |

| COLUMN I Criteria for Acceptable Claims | COLUMN II Criteria for Unacceptable Claims |
|---|---|
| <ul style="list-style-type: none"> • Acceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Qualified with cosmetic term • Each claim must be true and verifiable • List is not exhaustive | <ul style="list-style-type: none"> • Unacceptable meaning or wording for a Cosmetic (as defined by the <i>Cosmetic Regulations, Food and Drugs Act</i>) • Net impression taken into account • Drug claim or impression/claims for physiological effect • List is not exhaustive |

3. Claim Type (continued)

| Acceptable Claims | Unacceptable Claims |
|---|--|
| E. Relax <ul style="list-style-type: none"> • Relaxes (moisturizes) skin (taut skin) • Relaxes the body in the sense of bath oil in a warm bath | <ul style="list-style-type: none"> • Relaxes muscles • Reference to stress |
| Acceptable Claims | Unacceptable Claims |
| F. Respiration <ul style="list-style-type: none"> • Reference to non-clogging, letting skin breathe | <ul style="list-style-type: none"> • Cellular respiratory factor • Promotes skin respiration |
| Acceptable Claims | Unacceptable Claims |
| G. Energize/ Revitalize <ul style="list-style-type: none"> • Moisturizes the skin so that complexion looks radiant /revitalized • Energizes/revitalizes hair (appearance of the hair) • Energizes/revitalizes skin (from an appearance perspective) • Energizes/Revitalizes scalp (physical surface effect) • Face rejuvenator (rejuvenates the look of the face) | <ul style="list-style-type: none"> • Energizes/revitalizes living tissue (i.e. hair follicles) • Energizes tissue/body/cells • Provides physical energy • Energizes/revitalizes you (physical energy effect) |
| Acceptable Claims | Unacceptable Claims |
| H. Therapy/ Treatment <ul style="list-style-type: none"> • Hot oil treatment (for hair) • Care • Moisturizing therapy • Dry skin therapy | <ul style="list-style-type: none"> • Reference to disease control/healing • Therapeutic • Medicated • Treatment for infections • Treatment for burns |
| Acceptable Claims | Unacceptable Claims |
| I. Lift/Lifting <ul style="list-style-type: none"> • Lift your look | <ul style="list-style-type: none"> • Provides the effect of medical/surgical procedure • Lifts skin or other body parts |