



ក្រុមហ៊ុនមេដាវី អេសប៊ីអេស

Legal Update

Prakas No. 0064 on Requirements for Cosmetic Distribution Issued on 24 February 2022

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On 24 February 2022, the Ministry of Commerce issued Prakas No. 0064 on Requirements for Cosmetics Distribution (the “Prakas”). The Prakas sets out the requirements for any cosmetic traders (being an individual/legal entity that supplies cosmetic products by wholesaling, retailing, and offering as gift or for testing) aims to ensure that cosmetic products that are legally distributed in Cambodia market are of good quality, safe and harmless to consumers and have proper labels.

The key points featured in this Prakas are summarized below:

1. Requirements for operating a cosmetic business

A. Approval from relevant ministries (Article 5)

Cosmetic products shall not be supplied in Cambodia market, without first:

- Obtaining a product notification number or approval letter which has been issued by the Ministry of Health, and
- Having a proper label in accordance with information standard requirements.

If cosmetic distribution is performed online, then a cosmetic trader shall:

- Obtain an approval letter (for physical persons) or an e-commerce license (for legal entities) from the Ministry of Commerce, and
- Obtain an online service certificate from the Ministry of Posts and Telecommunications.

Cosmetic products which have been traditionally produced for non-commercial purposes (i.e. for private use) are exempted from the above conditions.

B. Labelling Requirements (Article 6)

The label for each cosmetic product shall accurately describe the product and shall not be in a manner that is intended to mislead or to deceive the consumers. A cosmetic trader must provide or display the minimum required information of his/her product or attach that description to the packaging for that product. The information standard requirements are as follows:

- a. Name of product;
- b. Function of product;
- c. An instruction manual for usage;

- d. List of ingredients;
- e. Country of origin;
- f. Quantity;
- g. Batch No.;
- h. Date of manufacture and expiration (the expiration date is required if the product is usable for less than 30 months);
- i. Company's name and address or responsible person for the distribution in Cambodia; and
- j. Warning message related to the product (if necessary).

The use of a label or signage for Halal products is strictly prohibited. Suppliers of Halal products must first obtain a Certificate of Technical Certification of Cambodian Halal Products, even where the certification for a Halal product is approved by a foreign governing authority (**Article 7**).

2. Obligations of the cosmetic trader

A. Prohibition of unfair acts and practices under the Law on Consumer Protection

Cosmetic traders must comply with provisions related to unfair acts and unfair practices under the Law on Consumer Protection (**Article 8 and 9**). The violation of provisions relating to unfair acts and practices and non-compliance with information standard requirements as mentioned above shall be subject to the penalties stipulated in the Law on Consumer Protection (**Article 15**).

B. Record keeping and recalling of the non-compliant products

A cosmetic trader shall clearly and properly record the source and quantity of cosmetic products to facilitate inspection and product recall. Such records must be provided at the request of the competent authority (**Article 12**).

If cosmetic products are of poor-quality, unsafe, or the labelling does not comply with information standards then a cosmetic trader must recall such products, in cooperation with the Consumer Protection Competition and Fraud Repression Directorate-General (CCF) (**Article 13**).

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