

# CENTRAL AMERICA AND PANAMA: APPROVAL OF CENTRAL AMERICAN TECHNICAL REGULATION RTCA 71.03.36:21, WHICH REGULATES THE LABELING OF COSMETIC PRODUCTS.

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THE LAW FIRM OF CENTRAL AMERICA

**T**he Council of Ministers of Central American Economic Integration (COMIECO) approved RTCA 71.03.36:21 through resolution number 467-2022; completely replacing the content of RTCA 71.03.36:07, which will remain in full effect regarding the labeling of cosmetic products until December 31, 2022.

The application of **RTCA 71.03.36:21** does not exclude the type of origin of cosmetic products, meaning, it will be applicable to both industrial and artisanal cosmetic products; however, it excludes (as the previous version) cosmetic products used exclusively in the hotel industry.

This new regulation was duly approved by the health authorities of each Central American country: the Ministry of Public Health and Social Assistance of Guatemala; the National Directorate of Medicines of El Salvador; the Health Regulation Agency of Honduras; the Ministry of Health of Nicaragua; the Ministry of Health of Costa Rica; and finally the Ministry of Health of Panama, which is the new subscriber to the RTCA.

The **RTCA 71.03.36:21** will officially take effect starting of on January 1, 2023 and in the case of Nicaragua it has been published in La Gaceta, Official Gazette number 165 of September 2, 2022. Additionally, in order not to affect the supply of cosmetic products in the Central American market and Panama at the time of the entry into force of **RTCA 71.03.36:21**, COMIECO granted a term of

twelve (12) months after the new RTCA has taken effect for producers and importers to exhaust the inventory of labels they have.

Taking into account that there was a complete substitution, it is convenient to identify which changes were made. If compared, it can be seen that both regulations have many similarities; after all, both share the same purpose of guaranteeing minimum information requirements that cosmetic product labels must contain for the benefit of public health and consumers.

In contrast to the old RTCA, its replacement has some new elements added; for example, **RTCA 71.03.36:21**, completely replaces the consultation regulations for the labeling of products of this nature; now mainly using the regulations issued by the European Parliament on the regulation of labeling of cosmetic products: from substances prohibited in cosmetic products, to colorants admitted in cosmetic products, to preservatives and ultraviolet filters admitted in cosmetic products, to mention a few.

This may be due to Central America's interest in complying with European standards regarding local products to be exported to that market, and likewise, to ensure that cosmetic products imported from Europe are based on the same regulatory criteria in terms of labeling.

For more information on this topic, please do not hesitate to contact us.

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