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Amendments to Health Canada's *Guidelines for Cosmetic Advertising and Labelling Claims*

**Advertising Standards Canada Interim Summary Document
June 2010**

Introduction

Health Canada's *Guidelines for Cosmetic Advertising and Labelling Claims (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. First published in 1998, and last updated in 2006, the *Guidelines* are regularly reviewed and updated to reflect changes in Canada's dynamic marketplace.

In 2007, Advertising Standards Canada (ASC) struck the Cosmetic Advertising Advisory Group (CAAG). CAAG meets annually to develop and propose to Health Canada revisions to the *Guidelines* that meet current and emergent industry needs and are consistent with the regulatory framework. CAAG includes representation from key stakeholder associations, the public, ASC, and the Cosmetics Division, the Therapeutic Products Directorate and the Natural Health Products Directorate of Health Canada.

As a result of CAAG's efforts, Health Canada recently approved a number of amendments to the 2006 *Guidelines*.

In advance of the posting of the 2010 *Guidelines* on the Health Canada website, ASC has prepared this Interim Summary Document outlining the changes. Only those sections of the *Guidelines* where claims have been amended are included. The changes/additions appear in blue italics.

**Amendments to the
Guidelines for Cosmetic Advertising and Labelling Claims (Guidelines)**

1. B. Nails

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Hardens • Repairs nails • Reference to growth resulting from protection of fingernail from physical damage (abrasion, chipping, breaking) • Strengthens 	<ul style="list-style-type: none"> • <i>Antifungal*</i> • Reference to growth resulting from nourishment of fingernail

*Guidelines amendments are shown in blue italics

1. C. Skin i) Exfoliants (Alphahydroxy acids/Scrubs/Peels)

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Exposes new skin • Facial scrub • Fresher looking • <i>Improves the look of acne scars (via microdermabrasion)</i> • Improves the texture of skin/retextures • Pores look smaller • Reveals next layer of skin • Revitalizes • <i>Reduces ingrown hair / razor bumps (via exfoliation)</i> • Reduces signs(the visibility) of aging • <i>Reduces the appearance of ingrown hair / razor bumps (via exfoliation)</i> • Sloughs off dead skin cells • Younger looking 	<ul style="list-style-type: none"> • Any reference to action at cellular level (living) • Clears skin (acne) • Keratolytic • Makes pores smaller • Makes skin younger • Prevents aging • Reduces aging • <i>Reduces ingrown hair / razor bumps (unqualified)</i> • Reduces scars/sun damage • <i>Reduces the appearance of ingrown hair / razor bumps (unqualified)</i> • Regenerates skin • Removes scars/sun damage • Reverses aging • Slows aging

1. C. Skin ii) Moisturizers

Acceptable	Unacceptable
<ul style="list-style-type: none"> • <i>Dry skin treatment</i> • <i>Firms skin (when qualified in a cosmetic sense, e.g. via moisturization)</i> • <i>Heals dry skin</i> • Moisturizes/hydrates/lubricates • Moisturizes the skin so that complexion looks revitalized (radiant) • Prevents damage caused by drying/dryness • Promotes elasticity • Protects skin against the abuse of the elements • Protects against and alleviates chapping, cracking and roughness due to dryness • <i>Protects from environmental stressors (if qualified as causing dry skin)</i> • <i>Reduces redness due to dry, cracked/chapped skin</i> • <i>Reinforces/strengthens skin (via moisturization)</i> • Relieves/alleviates dry skin • Relieves itching due to dry skin • <i>Repairs dry skin</i> • Replenishes/protects the skin's moisture barrier • <i>Restores moisture</i> • Skin brightening/radiance • <i>Skin feels/appears firm</i> • <i>Skin feels/appears lifted</i> • Smooths wrinkles (from an appearance perspective) • <i>Soothes skin after shaving (dryness)</i> • Soothes (when qualified in a cosmetic sense) • Softens skin • Tones skin by moisturizing 	<ul style="list-style-type: none"> • <i>Calms irritated skin</i> • De-pigmentation • <i>Firms (unqualified)</i> • Heals • <i>Lifts (unqualified)</i> • Numbing effect • Protects/relieves or soothes abrasions/bites/insect bites/cuts/nicks/irritated skin/inflamed skin/rashes • <i>Protects against environmental damage (unqualified)</i> • Reduces the appearance of veins, capillaries, etc. (unless concealer/pigmented product) • Reduces the appearance of hair (unless by bleaching) • <i>Reduces redness due to rosacea (or other circulatory-related causes)</i> • Repairs the skin's moisture barrier • Removes/reduces scars • Skin lightening/whitening (unless concealer/pigmented product) • Thins hair/hair is finer • Therapeutic effect • Works on/from the inside

1. C. Skin iii) Cleansers/Astringents/Toners

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Antibacterial cleanser • Antimicrobial cleanser • Cleans acne-prone skin • Cleanses oily skin • Cools skin • Deep cleans pores • Energizes skin • Facial scrub • Invigorates skin • Kills odour causing bacteria (only acceptable qualification) • Purifies skin by removing dirt • Removes oil • Refreshes skin • Skin feels energized • <i>Soothes skin after shaving (dryness)</i> • <i>Tightens pores</i> • Tightens skin • Tones skin • Warms skin 	<ul style="list-style-type: none"> • Anti-blemish cream • Antiseptic • Any impression or reference to disease prevention • Cleans cuts • Clears acne-prone skin • Decongests skin • <i>Detoxifies</i> • Disinfectant/Sanitizer • Fungicide • Kills pathogens • Kills germs • Kills bacteria (other than odour causing bacteria) • <i>Kills 99% of bacteria</i> • Reference to disease-causing organisms • Removes toxins • <i>Soothes irritated skin</i> • Stimulates circulation • Wakes you up / energizes you (unqualified)

1. C. Skin iv) Contour creams

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Firms skin (<i>when qualified in a cosmetic sense, e.g. via moisturization</i>) • Improves elasticity/resiliency • Improves the look of cellulite by moisturizing skin • Improves tone and texture of skin • Reduces the look of cellulite by moisturizing skin • Reduces the look of cellulite • <i>Sculpts</i> • <i>Skin feels/appears firm</i> • <i>Skin feels/appears lifted</i> 	<ul style="list-style-type: none"> • Any reference to action on tissue • Any reference to treatment/reduction of cellulite/orange peel skin • Cellulite (unqualified) • <i>Decongesting</i> • Enhances/smoothes/contours silhouette • Firms (unqualified) • <i>Improves the appearance/look of sagging skin</i> • <i>Lifts skin or other body parts</i> • Lifts (<i>unqualified</i>) • <i>Lipodrainage/Melts fat</i> • Lose inches • Provides effect of medical/surgical procedure • Reduces/controls puffiness/swelling/edema • Removes fat • Reshapes • Restores elasticity/resiliency • Restructures skin • Slims/slimming • Tightens/firms sagging skin/eyelids/chin/muscles

1. C. Skin v) Acne-Prone Skin

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

2. A. Oral Care Products i) Dentifrice/Cosmetic Chewing Gum

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

2. A. Oral Care Products ii) Mouthwash/Breath Fresheners

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Antibacterial (must be qualified in a cosmetic sense) • Antimicrobial (must be qualified in a cosmetic sense) • Ends bad breath • Fights bad breath • Helps eliminate odour-causing bacteria • Helps kill bacteria that can cause bad breath • Reduces mouth odours 	<ul style="list-style-type: none"> • <i>Antigingivitis</i> • Antiseptic • Antiviral • 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) • Germicide • Kills pathogens • Kills germs • Kills odour-causing germs

2. A. Oral Care Products iii) Tooth Whiteners a) Strips, solutions

Acceptable	Unacceptable
<ul style="list-style-type: none"> Brightens teeth Gets teeth their whitest Removes stains (must be qualified in a cosmetic sense) Whitens teeth 	<ul style="list-style-type: none"> Any fluoride claim Any therapeutic claim Bleaches teeth Prevents stain recurrence (unqualified) Removes/whitens <i>permanent stains (e.g., tetracycline-induced)</i> <i>Strengthens enamel/teeth</i> Whitens teeth absolutely white

2. A. Oral Care Products iii) Tooth Whiteners b) Mouthwashes (New Section)

Acceptable	Unacceptable
<ul style="list-style-type: none"> <i>Brightens teeth</i> <i>Whitens teeth</i> 	<ul style="list-style-type: none"> <i>Antigingivitis</i> <i>Any therapeutic claim</i> <i>Any fluoride claim</i> <i>Bleaches teeth</i> <i>Gets teeth their whitest</i> <i>Prevents stain recurrence (unqualified)</i> <i>Removes/whitens permanent stains (e.g., tetracycline-induced)</i> <i>Strengthens enamel/teeth</i> <i>Whitens teeth absolutely white</i>

2. B. Deodorant

Acceptable	Unacceptable
<ul style="list-style-type: none"> Absorbent that helps keep you dry Anti-odourant <i>Controls odour</i> Deodorant Fights bad odour Kills odour-causing bacteria 	<ul style="list-style-type: none"> Antiperspirant (<i>for products that do not affect perspiration</i>) Controls perspiration Controls sweat

2. C. Antiperspirant (New Section)

Acceptable	Unacceptable
<ul style="list-style-type: none"> • 24 hour antiperspirant effect (products that demonstrate 20% sweat reduction within a 24-hour period) • Antiperspirant • Body responsive • Clinical (qualified as clinical testing) • Clinical protection (must be qualified with “clinically proven extra effective wetness protection”, and must demonstrate 30% or more sweat reduction within a period of 24 hours) • Clinically tested/proven/trials • Extra effective (products that demonstrate 30% or more sweat reduction within a 24-hour period) • Helps keep you dry • Protects against wetness • Reduces (or provides protection against) underarm perspiration 	<ul style="list-style-type: none"> • Clinical (unqualified) • Clinical protection (unqualified) • Clinical strength/effect/action • Helps check, halt or stop underarm wetness, dampness or perspiration • Hyperhidrosis • Persistent protection (i.e., usually significantly greater than 24 hours, based on a mechanism of action that modifies organic function) • Problem /excessive perspiration • References to perspiration from hormonal/endocrine changes or malfunction • Stops or prevents perspiration • Therapeutic strength/effect/action

2. E. Cosmetic Suncare Products (re-numbered)

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

2. F. Vitamins/Minerals/Antioxidants *(re-numbered)*

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

2. G. Aromatherapy *(re-numbered)*

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

2. H. Intimate Products i) Personal Lubricants *(re-numbered)*

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

2. J. Makeup *(re-numbered)*

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Covers/conceals • Conditions lips • Makes lips look fuller / plumps lips • Reduces the look of wrinkles/lines • Skin looks smoother/firmer/younger • Thickens/lifts/curles lashes 	<ul style="list-style-type: none"> • Fewer lines (unqualified) • Increases lip volume / lip size • <i>Prevents the onset/emergence of wrinkles/the return of wrinkles</i> • Stimulates lash growth

3. A. Anti-Aging/Anti-Wrinkle

Acceptable	Unacceptable
<ul style="list-style-type: none"> • <i>Age-defying</i> • Anti-wrinkle cream/anti-wrinkle moisturizer (when qualified in a cosmetic sense) • Anti-wrinkle/anti-aging (when qualified in a cosmetic sense) • Covers/conceals • Covers up/hides age spots (<i>make-up</i>) • <i>Diminishes appearance/the look/the signs of aging (visibility)</i> • Face rejuvenator (when qualified in a cosmetic sense – rejuvenates look) • Feel younger • Fight the look of wrinkles • <i>Firms skin (when qualified in a cosmetic sense, e.g. via moisturization)</i> • Helps prevent signs/the look of aging (visibility) • Look younger • Moisturizes aging skin • Reduces the appearance of aging • Reduces the appearance of age spots • Reduces the appearance of skin blotches • Reduces the look of puffiness/dark circles • <i>Reinforces/strengthens skin (via moisturization)</i> • <i>Rejuvenates skin (qualified)</i> • <i>Restores moisture</i> • Reverses the signs/look of aging (visibility) • <i>Sculpts</i> • Skin appears/looks visibly younger • <i>Skin brightening</i> • <i>Skin feels/appears firm</i> • <i>Skin feels/appears lifted</i> • Smooths wrinkles (from an appearance perspective) • Wrinkles appear/look reduced 	<ul style="list-style-type: none"> • Anti-aging (unqualified) • Anti-wrinkle (unqualified) • Any reference to action at cellular level (living) • <i>Any reference to hormones/ phytohormones/phytoestrogens</i> • <i>Any reference to rosacea</i> • Bleaches skin • Collagen, elastin, skin enzyme synthesis/replenishment/stimulation/<i>production</i> • De-pigments • Eliminates aging • <i>Firms (unqualified)</i> • <i>Lifts (unqualified)</i> • <i>Lifts skin or other body parts</i> • Prevents aging • Prevents new spots from appearing/Eliminates age spots • Prevents the onset/emergence of wrinkles/the return of wrinkles • <i>Prevents the onset/emergence of age spots</i> • <i>Prevents puffiness/dark circles</i> • Provides the effect of a medical/surgical procedure • Reduces aging • Reduces puffiness/dark circles • Rejuvenates skin (unqualified) • <i>Repairs (damaged) skin</i> • Reverses aging • <i>Slows signs/appearance/the look of aging</i> • <i>Skin whitening/lightening</i> • Slows aging • Slows appearance/onset of aging (i.e., development of aging) • Stimulates circulation • Stops aging • Wrinkles are reduced

3. B. Healthy

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Healthy (from an appearance perspective) • <i>Skin looks and feels healthy</i> 	<ul style="list-style-type: none"> • Healthy tan (from the sun) • Promotes health

3. C. Ingredient i) Active

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

3. C. Ingredient ii) Biological

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Contains biological extract • <i>Organic (product must meet a recognized standard for organic certification)</i> 	<ul style="list-style-type: none"> • Biological action/effect on body • Biologically active

3. H. Therapy/Treatment

Acceptable	Unacceptable
<ul style="list-style-type: none"> • Care • Dry skin therapy • Hot oil treatment (for hair) • Moisturizing therapy 	<ul style="list-style-type: none"> • Medicated • <i>Prescription strength</i> • Reference to disease control/healing • <i>Rx</i> • Therapeutic • Treatment for infections • Treatment for burns

3. J. Endorsements (New Section)

Acceptable	Unacceptable
<ul style="list-style-type: none"> • <i>Dermatologist tested</i> • <i>Ophthalmologist tested</i> • <i>Recommended/developed by doctors/dermatologists/beauticians</i> • <i>Tested under dermatological control</i> 	<ul style="list-style-type: none"> • <i>Approved by doctors/dermatologists/etc.</i> • <i>Approved by Health Canada</i>