

### **Governing Council**

### **Decision number on /9/1437 AH.**

Having regard to the Saudi Food and Drug Authority Law promulgated by the Royal Decree No. M/6 on 25/1/1428 AH. and its Implementing Regulation issued by the decision of the Board of Directors of the Authority No. (7/7/1428) on 25/7/1429 AH.

Having regard to the Cosmetic Products Law promulgated by the Royal Decree No. M/49 on 18/6/1429 AH. and its Implementing Regulation issued by the decision of the Board of Directors of the Authority No. (11/13/1436) on 25/7/1429 AH.

Having regard to the paragraph (Third) by the decision of the Board of Directors of the Authority No. (11/13/1436) on 16/1/1437 AH. Authorizing the Chairman of the Board of Directors of the Authority to approve the classification of violation and penalties established in accordance with article Thirty-Five, paragraph 1, of the Cosmetic Products Law and as required by the Labour Service

Decide the followings:

Firstly: Approve the Violations Schedule of the Cosmetic Products Law, its Implementing Regulation and the penalties prescribed for it as attached to this decision.

Secondly: This decision shall be effective from the date of its approval.

Thirdly: This decision shall be communicated to those required to enforce and act upon it.

God Bless...

**Chairman of the Board of Directors of the Authority**

**Dr. Tawfiq Al Rabiah**

## Violations Schedule of Cosmetic Products Law and Its Implementing Regulation and Penalties

Disclaimer: The English version is a translation of the original in Arabic for information purposes only. In case of a discrepancy, the Arabic original will prevail.

## Table of Content

<b>First Chapter: Trading Violations.....</b>	<b>3</b>
<b>Second Chapter: Listing Violations.....</b>	<b>4</b>
<b>Third Chapter: Establishments Licensing Violations (Factories and Warehouses).....</b>	<b>5</b>

## First Chapter: Trading Violations

Trading violations include stages that cosmetic product goes through until it reaches the consumer, including import, export, manufacture, preparation, installation, processing, packaging, processing, storage, transport, possession, marketing, distribution, supply for sale, sale and distribution free of charge. Therefore, a penalty is included for each establishment, depending on its role in the supply chain of the cosmetic product:

N	Violation	Penalty				Notes
		Lister*/Imported	Manufacture	Warehouse Distribution**	Retail Outlet***	
1	Trading Unlisted Product	30,000 riyals	30,000 riyals	15,000 riyals	1000 riyals	
2	Trading of an unsafe product for containing a prohibited substance	50,000 riyals	50,000 riyals	-	-	
3	Trading of an unsafe product for containing a prohibited substance in contravention of its conditions of restriction	50,000 riyals	50,000 riyals	-	-	
4	Trading an unsafe product for not containing the necessary warnings	20,000 riyals	20,000 riyals	-	-	

<b>5</b>	Trading an unsafe product for not writing the entire data on the packaging in accordance with the requirements of the label	5,000 riyals	5,000 riyals	-	-	
<b>6</b>	Trading of an unsafe product for other reasons	50,000 riyals (minimum)	50,000 riyals (minimum)	25,000 riyals (minimum)	1000 riyals (minimum)	
<b>7</b>	Non-documentation of wholesale sale of cosmetic product	30,000 riyals	30,000 riyals	15,000 riyals	-	
<b>8</b>	Trading of a cosmetic product, which the Authority has declared cancelled, banned, withdrawn, recalled or suspended its circulation	50,000 riyals	50,000 riyals	25,000 riyals	1000 riyals	
<b>9</b>	Change product content	20,000 riyals (minimum)	20,000 riyals (minimum)	10,000 riyals (minimum)	2,000 riyals (minimum)	
<b>10</b>	Change product identity	20,000 riyals (minimum)	20,000 riyals (minimum)	10,000 riyals (minimum)	2000 riyals (minimum)	
<b>11</b>	Change Product Source	20,000 riyals (minimum)	20,000 riyals (minimum)	10,000 riyals (minimum)	2000 riyals (minimum)	

N	Violation	Penalty				Notes
		/Imported*Lister	Manufacture	Warehouse Distribution**	Retail Outlet***	
12	Trading a corrupt product	50,000 riyals (minimum)	50,000 riyals (minimum)	10,000 riyals (minimum)	1000 riyals (minimum)	
13	Trading a cheated product	50,000 riyals (minimum)	50,000 riyals (minimum)	10,000 riyals (minimum)	1000 riyals (minimum)	
14	Import, manufacture, print, acquire, sell or display packages or packaging for a particular cosmetic product for the purpose of cheating	50,000 riyals (minimum)	50,000 riyals (minimum)	10,000 riyals (minimum)	5000 riyals (minimum)	
15	Submitting incorrect information relating to the cosmetic product	30,000 riyals	30,000 riyals	-	-	
16	Trading an expired product	50,000 riyals	50,000 riyals	25,000 riyals	1000 riyals	
17	Advertising and promoting an unlisted cosmetic product	50,000 riyals (minimum)	50,000 riyals (minimum)	25,000 riyals (minimum)	3000 riyals (minimum)	
18	Advertising and promoting a cosmetic product contrary to the controls and requirements of advertising and promoting	25,000 riyals (minimum)	25,000 riyals (minimum)	12,500 riyals (minimum)	1000 riyals (minimum)	
19	Obstructing the work of the inspector	25,000 riyals (minimum)	50,000 riyals (minimum)	25,000 riyals (minimum)	10,000 riyals (minimum)	

\* The penalty for trading violations shall be imposed on the lister of the product, whether the importer or the company producing the product, has a legal entity in the Saudi Arabia and it proved that the product was supplied through the lister of the product

\*\*The above penalties are imposed on distribution warehouses that provide proof of supply of the product from an importer, producer or other distributor. If no proof is provided, they shall be punished as an importer, producer or other distributor according to the penalties of the importer\lister that are listed in the table above.

\*\*\* Penalties are imposed on retail outlets if they have proof of product supply from a distributor, importer, producer or other retailer. If no proof is provided, the retailer shall be punished as an importer or producer according to the penalties of the importer\lister that are listed in the table above.

## Second Chapter: Listing Violations

N	Violation	Penalty*	Notes
1	Not submitting a cosmetic product information file upon request within the by the Authority prescribed period	20,000 riyals	Suspending product listing
2	The cosmetic product information file does not contain the required information	10,000 riyals	Suspending product listing
3	Not reporting the Authority any modification to the cosmetic product	10,000 riyals	
4	Failure of the lister to withdraw or recall the product within the period specified by the Authority decision	35,000 riyals	
5	Failure of the lister to destroy the product within the period specified by the Authority	30,000 riyals	
6	Not submitting the lister a statement containing the quantities and data of recovered and non-recovered products	15,000 riyals	
7	Submitting incorrect documents or incorrect information in the listing of the product	10,000 riyals (minimum)	
8	Not informing the Authority of damage caused by the cosmetic product as soon as it is known	10,000 riyals (minimum)	
9	Not informing the Authority of an error in the manufacture of the cosmetic product as soon as it is known	10,000 riyals (minimum)	
10	Not informing the Authority when recall a cosmetic product in any country as soon as it is known	10,000 riyals (minimum)	



\*The penalty is inflicted on the listing violations on the lister of the product, whether it is the importer or the producing company if it has a legal entity in Saudi Arabia.

### Third Chapter: Establishments Licensing Violations (Factories and Warehouses)

N	Violation	Penalty		Notes
		Factories	Warehouses	
1	Obstructing the work of the inspector or refusal of entering into the manufacturer	50,0000 riyals	25,0000 riyals	
2	Failure to commit to the application of principles of good manufacturing practice/ principles of good storage and distribution	Close the manufacturer until the penalty is corrected	Close the warehouse until the penalty is corrected	
3	Submitting incorrect statements or documents for the purpose of obtaining a license	30,000 riyals	15,000 riyals	
4	Operating the manufacturer in an unlicensed manner	10,000 riyals (minimum)	-	
5	Destruction of product in a manner contrary to the Authority destruction controls	30,000 riyals	15,000 riyals	
6	Failure to commit to the licensing requirements of the establishment	1000 riyals (minimum)	1000 riyals (minimum)	
7	Operating the establishment without appointing a technical director without the approval by the Authority	5,000 riyals	-	
8	Not reporting the Authority of changing the technical director of the manufacturer	1000 riyals	-	Closing the establishment until authorization is obtained
9	Not reporting the Authority to the change of data submitted on the license application	1000 riyals	500 riyals	