

REQUIREMENTS FOR HALAL COSMETICS

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FOREWORD

This standard was developed by UAE Technical Committee for Halal Cosmetic Issues and adopted by the ESMA. This standard is based on sources of Islamic Shariah.

INTRODUCTION

The main objectives of issuing this standard is to stimulate a sustainable process(es) for production and consumption of halal cosmetics by employing the following rules:

- promoting the use of ingredients from halal source.
- using halal processing and manufacturing practises that are hygiene and suitable to human health and safety.

This standard is not a substitute for any quality management or environmental or technical or production related or any other standsard(s).

The cosmetic product shall in other aspects comply with the legislation including any relevant requirements currently in force in the United Arab Emirates other than the requirements of this standard.

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REQUIREMENTS FOR HALAL COSMETIC PRODUCTS

1 SCOPE

This standard defines the basic requirements, based on Islamic Shariah, that shall be fulfilled by the halal cosmetic industry during every stage of cosmetic supply chain including, receiving, preparation, processing, storage, packaging, labelling, controlling, handling, transportation, and distribution.

This standard is applicable to all the categories of cosmetics, mentioned in UAE.GSO 1943, and to all types of organizations irrespective of their size and complexity.

2 NORMATIVE REFERENCES

UAE.S /GSO 1931. Halal Food Part (1): General Requirement

3 TERMS AND DEFINITIONS

For the purposes of this standard, the following terms and definitions shall apply. For terms and definitions not used herein, those found in the references sighted in this document shall apply.

- 3.1 Agro-ingredient:** Agro-ingredient refers to any plant, animal or microbial product derived from agriculture, aquaculture or wild collection/harvest. These may be further classified into physically processed agro-ingredients and chemically processed agro-ingredients depending on the nature of processing or extracting method.
- 3.2 Contaminant :** A substance that either not naturally present in the material, or present in quantities greater than those that exist naturally which could lead to pollution (persistence, residues) and toxicity risks.
- 3.3 Cosmetic:** Any substance or mixture intended to be placed in contact with the external parts of the human body (epidermis, hair system, nails, lips and external genital organs) or with the teeth and the mucous membranes of the oral cavity with a view exclusively or mainly to cleaning them, perfuming them, changing their appearance, protecting them, keeping them in good condition or correcting the body odours.
- 3.4 Ethanol:** It is a type of alcohol bearing the chemical formula $C_2H_5(OH)$.
- 3.5 Gene:** In general a gene refers to a segment of DNA that is responsible to synthesize a polypeptide chain, i.e., polymer of amino acids that provides structural basis of subunit or a complete protein. A gene may also contain the regulatory part of the DNA that are required for protein synthesis yet not coded for any amino acids.

- 3.6 Genetically Modified Organisms (GMO):** An organism whose genetic material has been altered using genetic engineering techniques. Organisms that have been genetically modified include micro-organisms such as bacteria and yeast, insects, plants, fish, and mammals.
- 3.7 Halal Cosmetic:** A cosmetic (3.3) which complies with all the requirements of this standard (see 5 and 6). *This standard envisages halal as an absolute aspect which cannot be expressed either in qualitative or quantitative terms.*
- 3.8 Ingredient:** An ingredient is any substance or preparation of synthetic or natural origin used in the composition of a cosmetic product. The definition includes the impurities in the raw materials used, subsidiary technical materials used in the preparation but not present in the final product, and the materials used in strictly necessary quantities as solvents or as carriers for perfume and aromatic compositions.
The ingredients of a halal cosmetic product are classified into: (1) Water, (2) Agro-ingredient (3.1), (3) Minerals (3.11) and ingredients of mineral origin and (4) Other ingredients. The same classification will apply for the origin and composition of a single cosmetic ingredient or a mixture of cosmetic ingredients.
- 3.9 Islamic Shariah:** Islamic Rules and Law based on Al Quran, Al Sunnah, Al Ijma, and Al Qiyas.
- 3.10 Label:** Any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, embossed or impressed on, or attached to the container of Cosmetic Products.
- 3.11 Mineral:** A mineral is a naturally-occurring, homogeneous solid with a definite, but generally not fixed, chemical composition and an ordered atomic arrangement. It is usually formed by inorganic processes.
- 3.12 Nanomaterials:** The material is a nanomaterial if more than 50% of particles have at least one dimension between 1nm and 100nm. Alternatively, it is also a nanomaterial if it has a specific surface per unit volume of greater than $60 \text{ m}^2/\text{cm}^3$.
- 3.13 Organization:** Any commercial cosmetic or personal care manufacturing establishment that produces cosmetic products.
- 3.14 Procedure:** Specified way to carry out an activity or a process.
- 3.15 Process:** Set of interrelated or interacting activities which transforms inputs into outputs.
- 3.16 Product:** Result of a process.
- 3.17 Requirement:** Expression in the content of a document conveying criteria to be fulfilled if compliance with the document is to be claimed and from which no deviation is permitted.

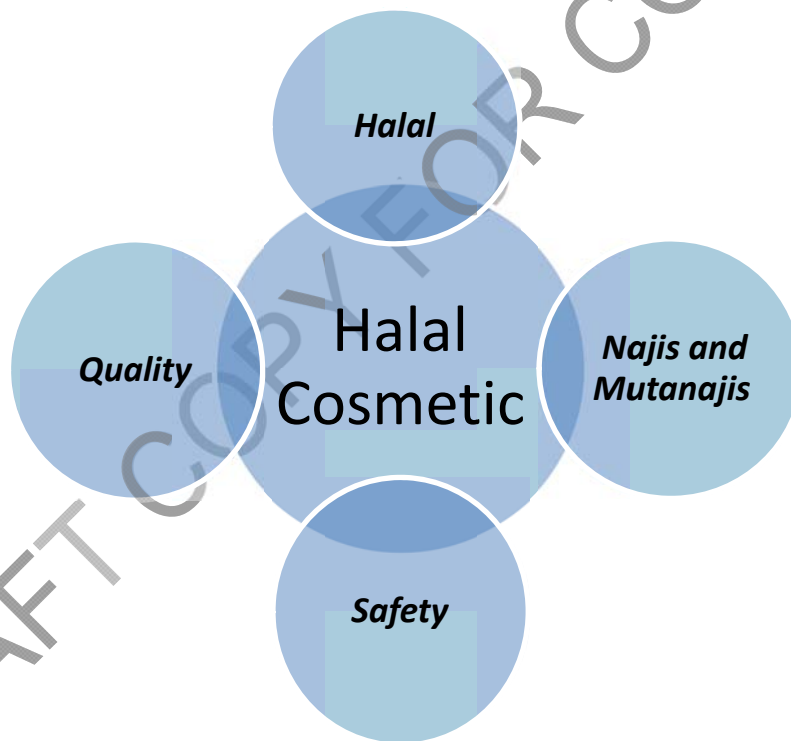
3.18 Soil: It is defined as a product of rock weathering or as the physical disintegration and chemical decomposition of the earth's crust combined with small amounts of organic life. The constituents of soils are air, water, minerals and organic matter and they occur in varying proportions.

3.19 Substance: Means a chemical element and its compounds in the natural state or obtained by any manufacturing process, including any additive necessary to preserve its stability and any impurity deriving from the process used but excluding any solvent which may be separated without affecting the stability of the substance or changing its composition;

4.0 PRINCIPLES OF HALAL COSMETICS

The halal cosmetics are based on the concepts of

1. Halal and Non-Halal,
2. Najis and Mutanajis,
3. Safety and
4. Quality.



4.1 Halal:

Halal is the most fundamental aspect of the Halal Cosmetics. It is an Arabic term meaning 'permissible' or 'lawful'. It can be defined as actions or things that are permitted by the Islamic Shariah. In contrast to this the term non-halal is designated to indicate those actions or substances or materials that are unlawful and hence not permitted by the Islamic Shariah.

UAE.S /GSO 1931 provides the necessary requirements.

It is important to note that before accepting any thing as halal it shall be fully ensured that that action taken and /or things used to produce it is also Halal.

4.2 Najis and Mutanajis:

Najis is the second most important aspect of the Halal Cosmetics. Najis is an Arabic term which means “filth”. Substances considered as filthy cannot be consumed by Muslims. There are various substances that are najis. However they all are not of the same degree of filthiness and hence najis is classified into three categories.

Category of Najis	Najis
Heavy / Severe Najis (<i>Mughallazah</i>)	Animals such as dogs, pig and their descendants, including the liquids and solids emitted from their orifices.
Medium Najis (<i>Mutawassitah</i>)	Carrions and halal animals that are not slaughtered according to Islamic Shariah; Blood of all other animals except the blood of severe najis animals and that of the insects (light najis); Vomits; Vaginal discharges, including urine; Penile discharges, such as urine and semen; Anal discharges, such as faeces; Abnormal discharges from other parts of the body, such as puss; Najis ethanol (a chemical that is derived from the intentional fermentation of carbohydrates).
Light / Tolerable Najis (<i>Mukhaffafah</i>)	The only najis in this category is urine from a baby boy at the age of 2 years and below who has not consumed any other food except his mother’s milk.

Mutanajis is a halal thing that has come into direct contact or contaminated with things that are najis. Hence mutanajis is as important as najis.

There are some methods to clean the mutanajis (see Annex A). However these methods are not applicable to all the things used in the production of halal cosmetics. These may be used when found to be relevant.

4.3 Safety

Safety is the most important health concern of the halal cosmetics. Not only the final product but also the raw materials, the ingredients, equipment, apparatus, utensils, labels, packaging material, technology, process etc employed in the production halal cosmetics shall be safe to use and should not pose any health risk. It is extremely important that in order to ensure safety of the cosmetic products should be produced according to good manufacturing practice.

Cosmetic safety requirements as mentioned in clause 4.3 of UAE.S / GSO 1943, and further requirements, if any (as available on the website of ESMA), shall be complied.

4.4 Quality

Quality of the halal cosmetics is of vital importance. A halal cosmetic can not be considered as halal until it meets the stated quality requirements.

5. COMMON REQUIREMENTS:

The following are the common requirements that shall be complied.

- 5.1 Materials or things used in the production of cosmetics shall not be non-halal (4.1) or najis or mutanajis (4.2). Contaminants shall be strictly avoided.
- 5.2 The organization shall ensure that the (a) ingredients, raw materials, labels, packaging material, equipment, apparatus, utensils, etc. used in the production of halal cosmetics do not become mutanajis during any stage of the production of halal cosmetic, and (b) the final product does not become mutanajis at any stage after production (such as the storage, transportation, distribution, display etc.) until it is delivered to the customer. In order to accomplish this the organization shall take the required measures to prevent mutanajis. Examples of such actions are effective separation, maintain cleanliness etc.
- 5.3 The evidence for safety (see 4.3) shall be provided by either test reports or relevant documents. Test reports shall be provided whenever there is a relevant test method. Such test methods include, in the order of preference, those published in the standards (UAE Standards¹, regional standards such as GSO, SMIIC etc, international standards, other national standards), test methods of reputable technical organizations, test methods mentioned in relevant scientific texts or journals, or as specified by the manufacturer of the equipment or laboratory developed methods provided they are appropriate for the intended use and if they are validated.

If there are no appropriate test methods then evidence from other documents is accepted provided such documents are fit for the intended purpose and authentic.
- 5.4 The halal cosmetics shall have the quality characteristics and / or the desired results as it claims.
- 5.5 The halal cosmetics are produced as per the GMP guidelines of GSO ISO 22716 and evidence in favor of this is required.
- 5.6 It is not allowed to share the non-halal manufacturing facilities at any stage of production of halal cosmetics.
- 5.7 The halal cosmetic shall be distinctly traceable to the requirements of this standard at any stage of production and afterwards. The traceability can be based on a published standard or an appropriate approved procedure.

¹ List of test methods are available on ESMA website

5.8 Whenever there is doubt regarding the halalness, safety, quality, traceability of the halal cosmetic product or the ingredients, raw materials, labels, packaging material, equipment, apparatus, utensils, technology, process etc used in the production of halal cosmetics then they should not be used and the product already in the market should be recalled.

6. SPECIFIC REQUIREMENTS

In addition to the requirements stated in Clause 5 the organisation shall follow the below requirements for raw materials and ingredients, other items used in processing, labels and packaging.

6.1 Raw Materials and Ingredients

The preparation of cosmetic products involve a variety of raw materials and ingredients. The following are some additional requirements that shall be complied.

6.1.1 All types of waters are allowed with the exceptions of (1) recycled (sewage) water, and (2) mutanajis water.

6.1.2 All types of soils are allowed with the exceptions of those soils which are taken from grave yards, animal farms and dumping areas.

6.1.3 Animals and plants that meet the requirements of the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES) shall not be used.

6.1.4 The use of physically or chemically processed agro-ingredients is a subject of compliance to the following conditions: (1) the source of agro ingredients and the instruments or apparatus or machinery used are halal and (2) nothing has become mutanajis during the stage(s) of processing.

6.1.5 Alcohols such as Ethanol and other alcohols and their derivatives are allowed to use as long as they are not alcoholic drinks (khamar).

6.1.6 GMOs or substances containing GMOs are allowed to use provided they do not contain human gene(s) or gene(s) obtained from prohibited animal(s) source(s), and / or prohibited animal(s) have not been used as a host.

6.1.7 The use of microbial products is dependent on the growth media. If the growth media is halal or owes its origin to halal source then the microbes growing in this media are halal.

6.1.8 Nanomaterials are as such are forbidden unless their use is demonstrated to be safe beyond any doubt.

6.2 Other Items (Machines, Equipment, Utensils, Apparatus,Etc)

They should not be made of non-halal or najis material and should not become mutanajis.

6.3 Labelling

6.3.1 The labels shall comply with the requirements stated in the 6 of UAE.S/GSO 1943 except 6.17.1 which shall be in accordance with the definition given in clause 3 of this standard.

- 6.3.2 In addition to 6.3.1 the labels shall comply with the following requirements.
- 6.3.2.1 The term “Halal” shall be used only in the case of compliance of all the requirements of this standard.
- 6.3.2.2 The contents of the labels and advertisements (text, images and illustrations) of cosmetic products must comply with ethics of Islam and of local culture.
- 6.3.2.3 Gift sets and kits that contain multiple halal cosmetics products need to list the ingredients of all the cosmetics products comprising the kit on the outer packaging such that they are available to the consumer at the time of purchase of the product. Gift baskets that have multiple products and wrapped decoratively may have a card affixed to them, since this would be considered as an ornamental container.
- 6.3.3 The material used for label in direct contact with the product shall comply with the applicable requirements stated in 5 and 6.

6.4 Packaging

- 6.4.1 Cosmetic package requirements as mentioned in clause 5 of UAE.S / GSO 1943 shall be complied.
- 6.4.2 The shape of the packaging (physical form of packaging) of cosmetic products must comply with ethics of Islam and of local culture.
- 6.4.3 The material used for packaging in direct contact with the product shall comply with the applicable requirements stated in 5 and 6.

7.0 BIBLIOGRAPHY

EC 76/768/EEC and its amendments EC 1223:2009, Cosmetics Products Regulation

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ISO 9000:2005, Quality management systems -- Fundamentals and vocabulary

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PBD 24:2007 - Brunei Darussalam Standard Halal Food.

MUIS-HC-S001 General Guidelines for the Handling and Processing of Halal Food.

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Annex A

Method of cleaning as per Islamic Shariah

The cleaning of mutanajis requires certain materials (soil and water) and the cleaning involves two steps: (1) Pre cleaning Step, and (2) Cleaning Step. Step 2 is the main step of cleaning and the method of cleaning is dependent on the type najis. Pre cleaning step is a prerequisite for Step (2) and it is not dependent on the type of najis.

The water or the najis are characterised by three characteristics viz., taste, colour and odour.

Conditions of the materials to be used for cleaning:

- The soil to be used for cleansing shall (a) be free from najis, (b) not be Musta'mal soil such as soil which has been used for tayammum (ablution performed with soil instead of water); (c) be free from liquid such as vinegar, oil etc.
- The condition of the water is that it shall be Mutlaq (natural).

Note: (a) In the case of Musta'mal water, it can be used if the quantity of water is at least two qullah. (b) In the case of mutanajis water, it can be used if the quantity of water is at least two qullah and none of the characteristic of the water has changed due to the presence of najis. (c) In the case of water which has foreign matter, as long as the characteristic of the water has not changed substantially, the water can still be used for ritual cleansing.

(Musta'mal water means water which has been used such as for the cleansing of ritual impurities due to minor ritual impurities (hadath asghar) or major ritual impurities (hadath akbar). Mutanajjis water is water contaminated with najis).

Cleaning:

Step (1): This involves permanent removal of physical najis and its characteristic(s).

Note: In the case where all the three characteristics of the najis cannot completely disappear, it is sufficient that two characteristics have completely disappeared, one of which shall be the characteristic of taste.

Step (2): The below Table provides various methods of cleaning which are sensitive to the type of najis. The cleaning shall be performed depending on the type.

Category of Najis	Method of Cleansing
Heavy / Severe Najis (<i>Mughallazhah</i>)	The article which has been in contact with Najis Mughallazhah is cleansed by washing it seven times with water, of which once shall be water mixed with soil (Note : <i>The amount of soil used is just enough to make a suspension</i>).
Medium Najis (<i>Mutawassitah</i>)	The article which has been in contact with Najis Mutawassitah is cleansed by running or pouring water over the article. Dipping of the article which has been in contact with Najis Mutawassitah is permitted if the container contains at least 2 qullah of water (approximately 216 litres or a volume of container measuring (60x60x60)cm ³)
Light / Tolerable Najis (<i>Mukhaffafah</i>)	The article which has been in contact with Najis Mukhaffafah is cleansed by sprinkling water onto the article.