

NOTE

From Royal Decree 1599/1997 of October 17 on cosmetic products. Article 16. Advertising.

<https://www.boe.es/buscar/act.php?id=BOE-A-1997-23067&tn=1&p=20180227>

1. Without prejudice to what is established in the regulations governing advertising, the text, names, trademarks, images and other signs, graphics or otherwise, that appear on the labelling, the leaflets and the advertising of cosmetic products shall not attribute characteristics, properties or roles that they do not possess, or that exceed the cosmetic functions indicated in article 2, as healing properties, or as false or misleading statement
2. The person responsible for placing the cosmetic product on the market may only mention on the product packaging, or on any document, label, notice, ring or collar that accompanies or refers to said product, that it has not been tested on animals when neither the manufacturer nor its suppliers have carried out or ordered experiments of the final product on animals, its prototype or any of the ingredients that make it up, nor have they used any ingredient that has been tested by third parties on animals in order to develop new cosmetic products. For these purposes, the Ministry of Health and Consumer Affairs will publish the guidelines adopted in the community framework.
3. The names of cosmetic products may not be the same, similar or cause confusion with drugs, pharmaceutical specialties, medical devices, biocides or food products, or refer to the names of diseases.
4. The shape, appearance, colour, smell, presentation or labelling of cosmetic products or their packaging, as well as the images and references made in advertising, shall be such that they cannot lead to confusion with food or other consumer products, in order to avoid risks to the health or safety of consumers.
5. The presentation of articles intended for use in the bathroom, and normally with wet hands, should not be made in glass containers or any other material that breaks easily when struck and can cause cuts or injuries.
6. The public authorities, in the context of their role, will review commercial advertising and publicity/ PR so that it complies with truthfulness criteria in matters that affect health, and deter anything that may be detrimental to that, as well as issues related to testing on animals, and will monitor compliance with this article's contents

The Spanish Agency of Medicines and Health Products will monitor compliance with the provisions of this article, and for this purpose it may adopt the measures provided for in article 11.

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