

January 27th, 2026

Canada-India Trade Negotiations
Global Affairs Canada
Ottawa, ON
Via email: TCE-Consultations@international.gc.ca

Dear Sir/Madame,

We are making this submission on behalf of Cosmetics Alliance Canada regarding the four consultations now underway on negotiations for trade agreements as follows:

1. Potential Canada-Thailand Free Trade Agreement
2. Potential Comprehensive Economic Partnership Agreement with India
3. Potential Free Trade Agreement with the United Arab Emirates
4. Potential Free Trade Agreement with Mercosur

As you will note, we are providing the same submission for each of these consultations as our views and recommendations apply to all four.

Who Are We

Cosmetics Alliance Canada is the trade association for the cosmetics and personal care products industry in Canada. Our ~ 160 member companies manufacture, distribute, or retail cosmetics and other personal care products in Canada, or provide goods and services to the industry. Included in our membership are over 20 custom or contract manufacturers who manufacture products for the domestic market as well as for a significant export market.

Our Industry is International in Scope

The cosmetics and personal care products industry is international in scope with highly integrated supply, manufacturing, and distribution channels across the globe. Canadian based manufacturing is very much a part of this integration, and Canadian based manufacturers are known for their quality, efficiency, and cost effectiveness. In fact, Canadian manufactured cosmetic products are sold throughout the world by leading international companies.

Free Trade Agreements Provide a Competitive Edge to Canadian Based Cosmetic Manufacturing

Cosmetics Alliance Canada is supportive of the Government of Canada's efforts to expand Canada's trading relationships and opportunities through additional free trade agreements with willing and engaged partners. These agreements are beneficial in providing access to new markets for Canadian manufactured goods as well as new sources for competitive manufacturing inputs, both of which can increase Canadian competitiveness and trade.

In our sector specifically, the ability to access global markets with limited or no tariffs on both manufacturing inputs and high value finished products provides Canadian based cosmetic manufacturing with a competitive edge – for international companies who operate manufacturing facilities in Canada as well as our custom/contract manufacturers who compete for business internationally.

This edge is becoming more evident as U.S. tariff policies add costs to U.S. manufactured products compared to their Canadian or other international counterparts. Additionally, the certainty of manufacturing in, and exporting products from Canada, can provide stability and predictability for international brands in the face of chaotic tariff policies and erratic policy making. Canada as a manufacturing base, with its growing network of mutually beneficial trade agreements and high-quality cosmetic manufacturing sector is well situated to benefit from these developments.

Trade Agreements Should Include Tariff & Non-Tariff Barriers Where Possible

From our experience with Canada's trade agreements, those that have been most impactful – such as CUSMA and the Consolidated and Progressive Trans-Pacific Partnership (CPTPP) – have lowered or eliminated tariffs as well as provided direction on addressing non-tariff barriers such as product regulation. Such non-tariff barriers can easily represent unnecessary red tape and costs that discourage or even prohibit increased trade despite reduced tariffs.

We would therefore suggest that the inclusion of sector specific annexes be considered in each of these negotiations. We would further suggest that Cosmetics Annex 8-D of the Trans-Pacific Partnership Agreement (now the CPTPP) be used as a template or starting point for discussion of an annex for the cosmetic sector as this annex has already had significant consultation with industry and has been promoted by our sector globally to provide guidance in trade negotiations. In fact, the Cosmetics Annex in CUSMA was modelled on this approach and its' absence in the Canada-European Trade Agreement (CETA) is considered by industry as a shortcoming of this agreement.

A copy of the Consolidated TPP Text – Chapter 8 – Technical Barriers to Trade: Annex 8-D Cosmetics is attached for your reference.

And finally on the point of trade agreements being impactful, we have also noted that trade agreements that go beyond just tariff reduction garner much greater attention from industry and so are more likely to be considered and used by manufacturers and exporters.

Conclusion & Recommendations

Cosmetics Alliance Canada supports the Government of Canada in its' efforts to negotiate possible free trade or comprehensive economic partnership agreements with the jurisdictions or trading blocs listed above. Expanding opportunities in these challenging times is important for our sector and can add to a growing competitive advantage for Canadian-based cosmetic manufacturers. It is also consistent with our association's long-held mandate to promote trade including regulatory alignment in support of trade.

In addition to recommending that Canada proceed with these four negotiations, we would also suggest that the inclusion of sectoral annexes be pursued to address regulatory coordination and where possible, alignment. We would further suggest that the TPP Cosmetics Annex be used as a template or starting point for such discussions.

Cosmetics Alliance stands ready to provide any information or assistance which the Government of Canada may require during any negotiations. We are also actively engaged with our industry colleagues internationally as well as regulatory authorities, and we can be of assistance in identifying various regulatory standards and areas for alignment. We would also request the opportunity to meet

with the appropriate negotiators from time to time as part of the negotiating process – which has been done in past negotiations such as in the last CUSMA round.

Thank you for the opportunity to submit these comments and we look forward to Canada entering negotiations for trade agreements with these potential partners.

With best regards,



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Consolidated TPP Text – Chapter 8 – Technical Barriers to Trade

Annex 8-D Cosmetics

1. This Annex shall apply to the preparation, adoption and application of technical regulations, standards, conformity assessment procedures, marketing authorisation and notification procedures of central government bodies that may affect trade in cosmetic products between the Parties. This Annex shall not apply to a technical specification prepared by a governmental entity for its production or consumption requirements or a sanitary or phytosanitary measure.
2. A Party's obligations under this Annex shall apply to any product that the Party defines as a cosmetic product pursuant to paragraph 3. For the purposes of this Annex, preparation of a technical regulation, standard, conformity assessment procedure or marketing authorisation includes, as appropriate, the evaluation of the risks involved, the need to adopt a measure to address those risks, the review of relevant scientific or technical information, and the consideration of the characteristics or design of alternative approaches.
3. Each Party shall define the scope of the products subject to its laws and regulations for cosmetic products in its territory and make that information publicly available.
4. Recognising that each Party is required to define the scope of products covered by this Annex pursuant to paragraph 3, for the purposes of this Annex, a cosmetic product may include a product that is intended to be rubbed, poured, sprinkled, sprayed on or otherwise applied to the human body including the mucous membrane of the oral cavity and teeth, to cleanse, beautify, protect, promote attractiveness or alter the appearance.
5. Each Party shall identify the agency or agencies that are authorised to regulate cosmetic products in its territory and make that information publicly available.

6. If more than one agency is authorised to regulate cosmetic products within the territory of a Party, that Party shall examine whether there is overlap or duplication in the scope of those authorities and eliminate unnecessary duplication of any regulatory requirements resulting for cosmetic products.
7. The Parties shall seek to collaborate through relevant international initiatives, such as those aimed at harmonisation, as well as regional initiatives that support of those international initiatives, as appropriate, to improve the alignment of their respective regulations and regulatory activities for cosmetic products.
8. When developing or implementing regulations for cosmetic products, each Party shall consider relevant scientific or technical guidance documents developed through international collaborative efforts. Each Party is encouraged to consider regionally-developed scientific or technical guidance documents that are aligned with international efforts.
9. Each Party shall observe the obligations set out in Articles 2.1 and 5.1.1 of the TBT Agreement with respect to a marketing authorisation, notification procedure or elements of either that the Party prepares, adopts or applies for cosmetic products and that do not fall within the definition of a technical regulation or conformity assessment procedure.
10. Each Party shall ensure that it applies a risk-based approach to the regulation of cosmetic products.
11. In applying a risk-based approach in regulating cosmetic products, each Party shall take into account that cosmetic products are generally expected to pose less potential risk to human health or safety than medical devices or pharmaceutical products.
12. No Party shall conduct separate marketing authorisation processes or sub-processes for cosmetic products that differ only with respect to shade extensions or fragrance variants, unless a Party identifies a significant human health or safety concern
13. Each Party shall administer any marketing authorisation process that it maintains for cosmetics products in a timely, reasonable, objective, transparent and impartial manner, and identify and manage any conflicts of interest in order to mitigate any associated risks.
 - (a) If a Party requires marketing authorisation for a cosmetic product, that Party shall provide an applicant with its determination within a reasonable period of time.
 - (b) If a Party requires marketing authorisation for a cosmetic product and it determines that a marketing authorisation application for a cosmetic product under review in its jurisdiction has deficiencies that have led or will lead to a decision not to authorise its marketing, that Party shall inform the applicant that requests marketing authorisation and provide reasons why the application is deficient.
 - (c) If a Party requires a marketing authorisation for a cosmetic product, the Party shall ensure that any marketing authorisation determination is subject to an appeal or review process that may be invoked at the request of the applicant. For greater certainty, the Party may maintain an appeal or review process that is either internal to the regulatory body responsible for the marketing authorisation determination, such as a dispute resolution or review process, or external to the regulatory body.

(d) If a Party has granted marketing authorisation for a cosmetic product in its territory, the Party shall not subject the product to periodic re-assessment procedures as a condition of retaining its marketing authorisation.

14. If a Party maintains a marketing authorisation process for cosmetic products, that Party shall consider replacing this process with other mechanisms such as voluntary or mandatory notification and post-market surveillance.

15. When developing regulatory requirements for cosmetic products, a Party shall consider its available resources and technical capacity in order to minimise the implementation of requirements that could:

- (a) inhibit the effectiveness of procedures for ensuring the safety or manufacturing quality of cosmetic products; or
- (b) lead to substantial delays in marketing authorisation regarding cosmetic products for sale on that Party's market.

16. No Party shall require the submission of marketing information, including with respect to prices or cost, as a condition for the product receiving marketing authorisation.

17. No Party shall require a cosmetic product to be labelled with a marketing authorisation or notification number.

18. No Party shall require that a cosmetic product receive marketing authorisation from a regulatory authority in the country of manufacture, as a condition for the product receiving marketing authorisation from the Party. For greater certainty, this provision does not prohibit a Party from accepting a prior marketing authorisation issued by another regulatory authority as evidence that a product may meet its own requirements..

19. No Party shall require that a cosmetic product be accompanied by a certificate of free sale as a condition of marketing, distribution or sale in the Party's territory.

20. If a Party requires a manufacturer or supplier of a cosmetic product to indicate information on the product's label, the Party shall permit the manufacturer or supplier to indicate the required information by relabelling the product or by using supplementary labelling of the product in accordance with the Party's domestic requirements after importation but prior to offering the product for sale or supply in the Party's territory.

21. No Party shall require that a cosmetic product be tested on animals to determine the safety of that cosmetic product, unless there is no validated alternative method available to assess safety. A Party may, however, consider the results of animal testing to determine the safety of a cosmetic product.

22. If a Party prepares or adopts good manufacturing practice guidelines for cosmetic products, it shall use relevant international standards for cosmetic products, or the relevant parts of them, as a basis for its guidelines unless those international standards or relevant parts would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued.

23. Each Party shall endeavour to share, subject to its laws and regulations, information from post-market surveillance of cosmetic products.

24. Each Party shall endeavour to share information on its findings or the findings of its relevant institutions regarding cosmetic ingredients.

25. Each Party shall endeavour to avoid re-testing or re-evaluating cosmetic products that differ only with respect to shade extensions or fragrance variants, unless conducted for human health or safety purposes.