

INCI FAQs

1. Q: What is an INCI name?

A: An INCI name is a systematic name coined by the International Nomenclature Committee to describe a cosmetic ingredient.

2. Q: Why do I need an INCI name?

A: INCI names are recognized around the world to identify cosmetic ingredients, and are referenced by regulation for product labeling in many countries.

3. Q: How do I apply for an INCI name?

A: File an electronic INCI application. Click here for details: INCI Application.

4. Q: Can the application be mailed or faxed?

A: No. The application is only available electronically.

5. Q: Is the INCI process confidential?

A: Persons filing an INCI application occasionally request that information being submitted be considered "confidential" or a "trade secret." Neither the Council nor the INC has procedures that are capable of guarding such information from public disclosure. Persons making such requests must be advised that the information provided on the application and attachments cannot be accepted in confidence. To the extent that the Council does receive a request for confidentiality of information, the sender will be informed about the policy on confidentiality and offered an opportunity to withdraw the application. Until the confidentiality issue has been resolved, and the sender has agreed to proceed, the INC will not consider the application.

While neither the Council nor the INC has the capability to ensure confidentiality, all activities conducted by the Council and the INC must adhere to the Council's Antitrust Policy. As such, INC members should avoid discussing current or future product prices charged by an individual applicant. This includes the price of a specific transaction, or price levels in the market generally, past, present, or future. Discussing individual company or industry sales levels, capacities, inventories, or market shares is also to be avoided or specific cost structures.

6. Q: Can a company obtain intellectual property rights in a given INCI name?

A: Persons filing an INCI application must acknowledge that the goal of the INCI Program is to promote the widespread use and international recognition of common, uniform, science-based ingredient names (INCI names) for use in cosmetics, and they must agree not to seek intellectual property protection for, or rights in, any existing or applied for INCI name.

7. Q: If my product has an INCI name, does that mean it has been approved?

A: No. INCI names do not imply that an ingredient has been approved for use, or that an ingredient is safe. INCI names provide the systematic name for the identification of a cosmetic ingredient. For further information, see Regulatory Information.

8. Q: How do I find out if my product already has an INCI name?

A: INCI names and complete ingredient monographs are published in the <u>International Cosmetic Ingredient Dictionary and Handbook</u>. The Dictionary, and on-line versions of the Dictionary, is available from the Personal Care Products Council's e-bookstore: <u>www.personalcarecouncil.org</u>.

9. Q: Where can I get a list of INCI names?

A: Click here for a pdf of INCI names and monograph ID numbers.

10. Q: If an INCI name exists for my product, do I need to still apply?

A: Established INCI names are publicly available; the suitability of an existing INCI name to describe a raw material is a business decision that ultimately must be made by the finished product manufacturer.

11. Q: If there is no INCI name for an ingredient, can I create my own INCI name if it is nearly the same as an existing INCI name?

A: INCI names can only be assigned by the International Cosmetic Ingredient Nomenclature Committee.

12. Q: How much does it cost to get an INCI name?

A: The fee is \$250.00 per application.

13. Q: When should I apply for an INCI name?

A: It is advisable to apply at least 6 months before product launch.

14. Q: How long does it take to get an INCI name?

The approximate time frame is 3-6 months. Click here for details: <u>INCI Application – Name</u> Assignment Timetable.

15. Q: Can I submit more than one trade name for an INCI name?

A: There is no limit to the number of trade names that may be submitted. However, only one trade name may be submitted per application.

16. Q: What do I do if I don't have a trade name?

A: You may indicate N/A on the application if you do not have a trade name.

17. Q: What do I do if I don't want my trade name published?

A: There is a field on the application that asks for this information. Select "no" if you do not want to have your trade name or company name published.

18. Q: Can I save my application and return to it before submitting?

A: Yes. Select the "save" icon on the application. Remember your credentials and application number to re-enter the site and access your application.

19. Q: Can I make changes to my application?

A: Yes, but once the application has been submitted, it cannot be changed. If additional information is requested to support the application, an email notification will be sent to the applicant, and the application will be re-opened so that the requested information can be provided in the Comments Box.

20. Q: How do I change a trade name?

A: Trade name changes do not require an application or a fee. Trade name changes may be

sent to inci@personalcarecouncil.org.

21. Q: How do I revise my address listing?

A: Changes to address listings may be sent to inci@personalcarecouncil.org.

22. Q: What do I do if I have a technical problem with the INCI application site?

A: Contact Daniel Kim, <u>kimd@personalcarecouncil.org</u>, or Patrick Cherestal, <u>cherestalp@personalcarecouncil.org</u>.

23. Q: How do I find out about my INCI name assignment?

A: After the application has been reviewed by the INC, an email notification will be sent to the address on the application via the application site.

24. Q: Can I request a change in an INCI name?

A: Yes. There is no application for a name change. Requests may be sent via email. Please be aware when new information is submitted through the petition process, it is possible that the INC may identify a name that is different from the requested name and different from the original assigned name. Also, petitions may not be withdrawn once a decision is rendered. Click here for INCI Name Change Procedures.

25. Q: Is there a fee for an INCI name change?

A: There is no fee to request a revision in an INCI name. Click here for more details: <u>INCI Name</u> <u>Change Procedures</u>.

26. Q: When do INCI name changes appear online?

A: The data base is updated nightly.

27. Q: If an INCI name has been changed, how much time is allowed for updating product labels?

A: There is no specific required timeframe associated with label changes. Generally, the rule of thumb is to update labels and product literature when it is economically feasible, i.e., when current stock is depleted.

28. Q: My INCI name was recently revised, but the former INCI name still appears in the archive area of the INCI application system. Is this correct?

A: The archive area of the INCI application system does not get updated with changes to trade names or INCI name assignments. Once the name is assigned and the application is closed, changes to trade names or INCI names are made in the Council's internal data base for managing INCI data, and reflected in the online data bases, <u>wINCI</u> and the <u>InfoBase</u>.

29. Q: What is the difference between a name change and a Retired INCI Name?

A: Name changes result from a petition from a supplier or other stakeholder. Name changes can also arise when the INC identifies important errors in nomenclature that need to be revised. The retirement of an INCI name occurs when a name that has a long history of usage is replaced by an updated name. The name being replaced is called "retired" and is considered to be "grandfathered". When an INCI name is retired, it is maintained in publication for a transition period to allow for transition to the newer name. For further information about Retired INCI Names and Name Changes, consult the Introduction to the INCI Dictionary.

30. Q: What if I have two products with identical compositions, but different trade names, can

they be listed on the same application?

A: No, only one trade name may be listed on an application. Only those trade names that go through the application process will be published in the Dictionary.

31. Q: If I have a product that is similar to another product that has an INCI name but is a different grade, will it be assigned the same INCI name?

A: In general, INCI names do not imply standards or grades of purity. In some cases, various grades or types of a material can have the same INCI name.

32. Q: If several different products are assigned the same INCI name, are they interchangeable?

A: Although INCI names are based on chemical composition, they can encompass products that have differing attributes, or physical characteristics, and for this reason interchangeability should not be assumed. As an example, the INCI name Polyethylene can be applied to ethylene polymers of varying molecular weights, and yet products named as polyethylene could have very different physical characteristics ranging from a soft wax to a semi-solid.

33. Q: Can I substitute feedstock of similar characteristics but different origin without a change in the INCI name?

A: INCI names are based on composition, and in many cases are described by source. Therefore, a different feedstock would constitute a different INCI name. For example, the monoisopropanolamide derived from peanut oil would be named Peanutamide MIPA. An alkanolamide derived from a different source oil would be named accordingly, e.g., Oliveamide MEA. Substitutions in feedstock without a corresponding change to the INCI name could result in a misbranded product.

34. Q: What is the INCI number?

A: The INCI number refers to the monograph ID number that is associated with the INCI name. The monograph ID number is a place holder in the data base and is not intended to be included with the INCI name for product labeling. This number is not the same as a CAS number.

35. Q: How do I get a CAS number?

A: CAS numbers are provided by the Chemical Abstracts Service, http://www.cas.org/content/chemicalsubstances/fags.

36. Q: How do I request to have a CAS number added to the INCI data base?

A: Send an email request and attach the CAS printout for verification.

37. Q: How do I request to have a function added to an ingredient in the INCI data base?

A: Send an email request describing the additional ingredient function.

38. Q: How do I add a product category?

A: Reported product categories are derived from FDA's data base for the Voluntary Cosmetic Registration Program (VCRP) on an annual basis. If the ingredient is reported in a cosmetic product through the VCRP, it will automatically be updated in our data base. For further about the VCRP, go to the tab for Cosmetics at www.FDA.gov.