

Cosmetic clinics regulations get a nip and tuck: Recent updates to the licensing of cosmetic clinics in Jordan

Zeina Al Nabih - Senior Associate - Corporate / Mergers and Acquisitions / Commercial
- Doha

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In an era where picture-perfect images of flawless men and women flash before our eyes constantly, the pressure of maintaining a perfect appearance is mounting in our society. In response to that, cosmetic procedures have surged in popularity and are consequently becoming more socially acceptable. Cosmetic procedures include both surgical and non-surgical cosmetic treatments. Non-surgical cosmetic treatments are now available for corrections that were once only possible with surgery and Jordan has seen a rising demand for such non-surgical cosmetic treatments. To meet the demand for these cosmetic treatments, there has been an increase in the numbers of cosmetic clinics, beauty salons, freelance technicians and spas offering such treatments at affordable prices.

Until recently, these cosmetic clinics have not been subject to much regulatory oversight. However, in the last few months, several new regulations were issued in Jordan to regulate the licensing of these clinics and the work of its technicians. This article sheds light on these recent developments and seeks to highlight the licensing requirements applicable to such businesses.

Licensing for the Skin Care and Hair Removal Profession

The Regulation for Practicing Skin Care and Hair Removal Profession No. 99 of 2016 came into force on 16 August 2017 and was recently amended by the Regulation No. 88 of 2017 (the "Skin Care Regulation"). The Skin Care Regulation provides sets of requirements for licensing skin care technicians and skin care centres, as follows:

1. Requirements for licensing skin care technicians:

The Skin Care Regulation provides for the process of licensing skin care technicians by the Ministry of Health and provides that the technician must:

- a. be a Jordanian national;
- b. not have a criminal record;
- c. have an educational degree in skin care from an accredited and licensed training centre, and have completed a course of no less than one year;
- d. have a certificate of experience (reference letter) confirming completion of one to two years of experience (depending on the length of the academic course); and
- e. pass an exam set by the Ministry of Health.

2. Requirements for licensing skin care centres:

- a. The applicant must be licensed skin care technician pursuant to the provisions of the Skin Care Regulation;
- b. The internal area of the centre shall not be less than 80 square meters and shall comprise of a waiting area, treatment rooms and washroom including special needs facilities;
- c. Having the required equipment for evaluations and treatments; and
- d. Compliance with public safety measures

The Skin Care Regulation also sets out the required documents for applying for the license. It is also worth mentioning that the licensed skin care technician shall only be entitled to one license to open a centre.

Supervision of the Skin Care and Hair Removal Profession

The Skin Care Regulation stipulates that a committee shall be formed at the Ministry of Health to be responsible to receive applications for licensing skin care and hair removal profession and centres, form sub-committees to oversee the examinations for applicants to obtain technician licenses and make regular checks on skin care centres. The committee is entitled to close down any unlicensed business and refer those in violation to court.

Restrictions on Practicing Skin Care Treatments

- a. The Skin Care Regulation prohibits skin care technicians to perform any of the following:
 - b. Treatment of skin diseases;
 - c. Provision of medical prescriptions or any prepared substances;
 - d. Requesting any lab tests or any x-rays;
 - e. The use of any kind of laser devices, LED light therapy, sound waves devices, carboxytherapy, devices for injecting medical products such as mesotherapy, Platelet-Rich Plasma (PRP), cortisone injections, fillers and Botox;
 - f. Chemical or electrical peels (including the use of what is known as the 'Crystal device'); and
 - g. Advertising without obtaining the approval of the Ministry of Health.

The Skin Care Regulation excludes laser hair removals from the above restrictions and provides for a separate set of requirements for performing such treatments at the skin care centre.

The Minister of Health issues a price list that shall be adopted by skin care centres and be showcased clearly in the centre.

Violation of the Skin Care Regulation might result in license withdrawal or imposing stricter penalties as set out in the Public Health Law.

The Role of the Jordan Food and Drug Administration in the dealing of Cosmetic Products

The Guidelines of Dealing in Cosmetic Products and Pharmaceutical Cosmetic Products of 2016 (the “2016 Guidelines”) provide a set of rules for importing, producing and trading of cosmetic products.

The Jordan Food and Drug Administration (“JFDA”) is entrusted by virtue of the 2016 Guidelines to oversee the marketing and selling of cosmetic products. There is a committee formed at the JFDA to study cosmetic products (the “Committee”) and pharmaceutical cosmetic products and there is also a department at the JFDA responsible for registration of cosmetic products.

The 2016 Guidelines also provide requirements and restrictions for labelling cosmetic products including the prohibition of having any explicit medical statements on the label of a cosmetic product or on its leaflet or brochure.

Marketing and selling cosmetic products requires the approval of the JFDA and any change in the formula of any approved cosmetic product also requires the JFDA approval.

The General Manager of the JFDA, upon recommendation of the Committee, may issue a justified decision to prohibit the importation or ban the distribution or sale or dealing of any cosmetic product. He also may revoke an approval of dealing in cosmetic products or withdraw them from the market.

Inspection of Drugs, Medical Supplies and Cosmetic Products

Another recent development is the issuance of the Regulation of Inspection of Drugs, Medical Supplies, Sterilizers, Antiseptics and Cosmetic Products No. 89 of 2017 which grants the JFDA the discretion to decide to inspect and test any cosmetic product.

Conclusion

The aim of issuing these regulations by the Ministry of Health is to regulate and supervise cosmetic clinics in Jordan and ensure that certain treatments be exclusively provided by licensed healthcare professionals rather than skin care technicians and random freelancers. The involvement of the JFDA in the inspection of cosmetic products is a further step towards supervising this market and eliminating harmful substances being sold to the public. Overall, the regulations are a positive addition from a consumer standpoint while their impact remains to be seen.