

Are you making or selling soap?

October 2018

If you're planning to sell soap that you import or make, you will probably need to register with us and check that your ingredients are on the Inventory. This is because most soap ingredients are regulated as industrial chemicals in Australia.

Who needs to register?

You need to **register with us** if you:

- make soaps in Australia by a process involving a chemical reaction — for example saponification using lye
- import soaps from overseas — this applies to packaged products ready for sale and soap that will be packaged locally
- import chemical ingredients into Australia for soap making.

Who doesn't need to register?

You don't need to register with us if you only do one or both of the following:

- re-sell soap that you bought from an Australian supplier or manufacturer
- make soap from ingredients that you bought in Australia and the process you use doesn't involve a chemical reaction.



You register your business with us, not your products or ingredients.

The process you use to make your soap is important

If you're making soap, the way you make it determines if you need to register with us.

Soap making processes	Description of process	Do I need to register?
Cold-process	Chemical reaction – saponification	Yes
Hot-process	Chemical reaction – saponification	Yes
Mixing and blending (also known as melt and pour)	If you are using soap bases, glycerine blocks and melt and pour premade bases that you bought from an Australian supplier, the chemical process has already occurred.	No – this process does not involve a chemical reaction. The person who originally imported or manufactured the bases need to be registered with us.

Your step by step guide

If you need to register, follow these steps:

1 Register your business

Register and renew your registration online at NICNAS Business Services. You'll need to calculate your registration level and pay a fee. Read more about [how to register](#).

2 Check if your ingredients are on the Inventory

You must search for every ingredient in your soap on the [Australian Inventory of Chemical Substances \(Inventory\)](#).

3 Other legal obligations

You must ensure that you follow all relevant Australian Government and State/Territory laws including:

- [cosmetics labelling](#)
- [product safety](#)
- use of [prohibited and restricted chemicals](#)
- requirements for soaps intended for [therapeutic uses](#).



Did you know...

Chemicals from 'organic' and 'natural' sources aren't automatically considered naturally-occurring chemicals.

How to check our chemical Inventory

Chemicals on the Inventory

If **all** your soap ingredients are on the Inventory you can import or make your soap without telling us. We refer to importing or manufacturing industrial chemicals in Australia as 'introducing' a chemical or 'introduction'.

You must comply with any obligations that may be associated with a chemical. These may be conditions of use listed on the Inventory or secondary notification obligations, if the chemical has been assessed by us.

...NOT on the Inventory

If an ingredient in your soap is **not** on the Inventory, check if it meets our definition of a '[naturally-occurring chemical](#)'. If it does then you can import or manufacture it (or the soap containing it) without telling us.

If an ingredient is not a naturally-occurring chemical and is not on the Inventory, **you will need to inform us** before importing or manufacturing the chemical or the soap containing the chemical.

[Search the Inventory](#)



Examples of common ingredients used in soap

*Below are examples of common soap ingredients. Remember to search the Inventory for each ingredient in your soap. Ingredients and chemicals often have many names. The best way to search the Inventory is to ask your supplier for a **CAS number**.*

Examples of ingredients/chemicals	CAS number	Is this on the Inventory?
Sodium hydroxide; caustic soda; sodium hydrate; soda lye; NaOH; lye	1310-73-2	Yes
Potassium hydroxide; potassium hydrate; caustic potash; lye	1310-58-3	Yes
Water; aqua	7732-18-5	Yes
Olive oil	8001-25-0	Yes
Cocoa butter	8002-31-1	Yes
Essential oils	Each oil has a unique CAS number and name	Search the Inventory for the oils you will use
Coconut oil	8001-31-8	Yes
Fragrance — usually composed of many chemicals	Each chemical has a unique CAS number and name	Search for each fragrance chemical on the Inventory



Australian Government

What we do

NICNAS helps protect the Australian people and the environment by assessing the risks of industrial chemicals and regulating the importation and manufacture of industrial chemicals. Industrial chemicals include ingredients in products such as inks, plastics, adhesives, paints, glues, solvents, cosmetics and soaps.

NICNAS does not regulate products or the use and disposal of chemicals. We provide risk management recommendations to our regulatory partners and publish information on the safe use of chemicals.



Your questions

I'm making hot/cold process soap, so do I need to register?

Yes, you need to register your business and check that each ingredient is on the chemical Inventory. These methods for making soap rely on a chemical reaction called saponification.

What about melt and pour soap? Do I need to register?

No, you don't have to register if you bought the ingredients from an Australian supplier. For most soap bases, the chemical reaction already happened. If you're just melting a soap base and adding ingredients bought from an Australian supplier, then you don't need to register.

However, if you are importing or manufacturing **any** ingredients used in the process you need to register – even if they are being used in a mixing or blending process. You also need to check that all the ingredients are on the Inventory.

Examples:

- If you are making essential oils using steam distillation, you need to register.
- If you are importing essential oils you need to register.
- If you are importing the soap bases, you need to register because soap base includes chemicals.
- If you are importing glycerine, you need to register because it is considered an industrial chemical. It is listed in our Inventory, so you can import it (within the conditions) and you must be registered.

I'm a very small business or I'm only selling soap as a hobby. Do I still have to pay anything or register?

Yes, but we apply a sliding scale to our **fees**. Businesses importing and manufacturing less than \$100,000 in total annual value of industrial chemicals pay the lowest amount.

How do I label my products?

You need to label your soap according to the Australian labelling requirements for cosmetics. Visit the [ACCC website](#) or read more on our [labelling cosmetic ingredients page](#).

Visit our website for more information

Do I have to register if my soap only has 'natural' ingredients? What if it's vegan?

Yes, if you've imported or made the soap using a chemical process, then you need to register and check the Inventory for your ingredients, even if you buy the ingredients from an Australian supplier.

All soaps will have at least 1 ingredient that does not meet our definition of a '**naturally-occurring chemical**'. Most 'natural' ingredients are extracted using chemical processes, so you must register if you import or manufacture these ingredients.

Our definition of an 'industrial chemical' covers most cosmetic ingredients, even those sourced from nature.

There is an exception — you don't have to register if you only buy your ingredients from an Australian supplier and you make soap using a melt and pour process with a soap base.

I didn't make the soap, I just plan to sell it. Do I need to register?

It depends where you purchased the soap:

- If you're importing the soap, then you need to register and check that all the ingredients are on the Inventory. This is because you're bringing the chemicals into Australia.
- If you purchased the soap in Australia, you do not have to register. The person who made or imported the soap will be registered with us.

I'm making soap to give to friends or family. Do I have to register?

No. You don't need to register if you gift or sell your soap to others for the cost of the materials.

But you do need to register if you give out free soap for business purposes to market your product. Examples include handing out free samples of branded soap on the street and in stores.

Registration applies even if you are a hobbyist, small or start-up business. It is a legal obligation and fines can apply for non-compliance.