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RESEARCH ARTICLE

Regulatory compliance of skincare product advertisements on Instagram

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Abstract

Introduction: Significant progress has been shown in the selling of cosmetic products. The number of companies working in this industry increased from 153 in 2017 to 760 in 2018. The National Agency of Drug and Food Control (NA-DFC) of Indonesia (BPOM) is authorised to supervise circulating cosmetic products, including cosmetic advertisements. BPOM issues regulations on Technical Guidelines for Supervision of Cosmetic Ads which are updated regularly. Skincare products are the type of cosmetics that are advertised on social media. Instagram is one of the most widely used social media platforms for the advertisement of skincare products in Indonesia. **Objectives:** To determine the regulatory compliance of skincare product advertisements on Instagram. **Method:** The study was conducted by collecting data online via Instagram from 30 November to 6 December 2020. All advertisements of skincare products that were found in the most popular search menus and that were uploaded in 2020 were used. A checklist of regulatory compliance based on recent regulation was made as an instrument of study. **Result:** There were 135 samples of skincare product advertisements. They consisted of cleansing (58 products), moisturiser (66 products), sun protector (five products), and peeling (five products). The average regulatory compliance was 91.44%. **Conclusion:** The regulatory compliance of skincare product advertisements is close to 100%. However, some points of assessment need improvement.

Introduction

Significant progress has been shown in the selling of cosmetic products. The number of companies working in this industry increased from 153 in 2017 to 760 in 2018 (Ministry of Industry, 2018). As of August 2021, there were 201,123 cosmetic products obtaining distribution permits (NA-DFC, 2021). The National Agency of Drug and Food Control (NA-DFC/BPOM) is authorised to supervise cosmetic products. There are two types of supervision: pre-market and post-market evaluation. At the post-market evaluation, BPOM issues some regulations on cosmetics advertisement, which are updated regularly. The recent issue is the Regulation of the Head of the NA-DFC no 18/2016 on Technical Guidelines for Supervision of Cosmetic Advertising (NA-DFC, 2016).

Advertising is one strategy to expand the market for cosmetic products. The dynamic development of advertising requires the existence of rules that can be used as a reference in a healthy, objective, honest, correct, and responsible manner. Thus, it should be evaluated in its compliance to a better and safer use of products. Social media is often used for advertising products, including cosmetics. Skincare products are a type of cosmetic that is widely advertised. Some of the social media platforms used by companies to serve their advertisements are Facebook, Twitter, or Instagram. Social media marketing analyst, NapoleonCat revealed that up to January 2021, there were 82,320,000 Instagram users in Indonesia (29.8% of the whole population). Indonesia contains the fourth-highest number of Instagram users in the world (Statista, 2021). This study aims to determine the regulatory

compliance of skincare product advertisements on Instagram.

Methods

This study used a checklist based on the Regulation of the Head of the NA-DFC no 18/2016 on Technical Guidelines for Supervision of Cosmetic Ads (Supplementary material). The checklist is required to determine regulatory compliance of skincare product advertisements. There are six components of evaluation compliances: (1) Language; (2) Norms; (3) Advertising actor; (4) Research data and statistics; (5) Testimonials and recommendations; and (6) Statements related to cosmetic claims.

Data collection

The study was conducted by collecting data online via Instagram from 30 November to 6 December 2020. A checklist of regulatory compliance based on recent regulation was made as an instrument of study. Skincare products consist of cleansing products, moisturisers, sun protectors and peels. The inclusion criteria were advertisements found in the most popular search menus, uploaded in 2020, and that contained textual information. The advertisements that contained only product images were excluded. Five hashtags were used to gain data. They were: #sellcosmetics (#jualkosmetik), #sellskincare (#jualskincare), #sellmask

(#jualmasker), #sellfaceserum (#jualserummuka), and #sellcreamface (#jualcreamface). This research has received approval from the Research Ethics Committee of the Faculty of Dentistry, University of Jember No.1081/UN25.8/KEPK/DL/2020.

Data analysis

Data were obtained from the checklist evaluation, consisting of six components with yes and no statements. The six components were language, norms, advertising actors, research and statistical data, testimonials and recommendations, and statements related to cosmetic claims. Each component consisted of several statements. The data were analysed descriptively. The percentage of regulatory compliance was counted based on the instrument. A narrative description would complete the analysis.

Results

There were 135 advertising products (Table I). Skincare products were divided into four types, cleansing (58 products), moisturiser (66 products), sun protector (5 products), and peels (six products). There were 38 products (28.15%) of unregistered products by the NA-DFC. Masks were the most commonly found as unregistered products. Serum was the most advertised skincare product (42 of 135).

Table I: Overview of skincare products

Type of preparation	N	Category	N	Unregistered product (%) [†]
Cleansing	58	Freshener	21	5 (3.70%)
		Facial wash	12	4 (2.96%)
		Milk cleanser	1	0 (0%)
		Mask	24	15 (11.11%)
Moisturiser	66	Day cream	6	0 (0%)
		Night cream	10	2 (1.48%)
		Moisturiser cream	7	0 (0%)
		Serum	42	8 (5.93%)
		Acne cream	1	1 (0.74%)
Sun protector	5	Sunscreen cream	5	1 (0.74%)
Peels	6	Peeling gel	1	0 (0%)
		Scrub cream	2	1 (0.74%)
		Exfoliating toner	1	0 (0%)
		Peeling spray	2	1 (0.74%)
Total	135		135	38 (28.15%)

[†]number of unregistered products: total products (N) x 100%

The Regulatory Compliance evaluation was based on the checklist (Table II). It referred to the Head of the NA-DFC no 18/2016 on Technical Guidelines for Supervision of Cosmetic Ads regulation. There were six

components of the evaluation: language, norms, advertising actor, research data and statistics, testimonials and recommendations, and statements related to cosmetic claims (NA-DFC, 2016). The average

compliance of all components was 91.44%. Three components had a value below the average. These were language (88.51%), testimonials and recommendations (88.31%), and statements related to cosmetic claims (76.88%).

The advertisement did not fit with the language components because they used the word 'cure', 'medicate' or 'potent'. In testimonials and

recommendations, some advertisements did not fulfil the checklist because they used before-after testimonials or used the agency logo. For statements related to the cosmetic claims component, advertisements would be non-compliant if they claimed the product to be a medical treatment. None of the advertisements broke the norm, advertising actor, and research data and statistics rule.

Table II: Regulatory compliance of skincare products

Type	Compliance (%)						Total (%)
	1	2	3	4	5	6	
Cleansing	89.25%	100%	100%	100%	94.99%	87.3%	93.79%
Moisturiser	84.81%	100%	100%	100%	82.70%	69.38%	89.55%
Sun protector	96.66%	100%	100%	100%	86.67%	80%	91.94%
Peels	83.31%	100%	100%	100%	88.89%	70.83%	90.50%
Average	88.51%	100%	100%	100%	88.31%	76.88%	91.44%

1-Language; 2-Norms; 3-Advertising actor; 4- Research data and statistics; 5 -Testimonials and recommendations; and 6- Statements related to cosmetic claims

Discussion

Natural cosmetics are on-trend, one of them being the organic homemade mask. Unfortunately, this product is not registered. Every cosmetic can only be circulated after obtaining marketing authorisation from the NA-DFC. Customers need to be careful in buying cosmetics online. Registered cosmetics guarantee the quality, safety, and usability of products (Ministry of Health, 2010). On the other hand, unregistered cosmetics can have safety risks or could cause serious undesirable effects. A study in Europe stated that skincare products rank first regarding serious undesirable effects (34% of all cases) (Butschke, 2016).

The serum is the most advertised skincare product (42 of 135). It is popularly used as an anti-ageing product. A study showed that serum might repair the visible signs of photodamaged skin. It can also improve the appearance of fine lines and wrinkles, skin tone, and firmness (McCall-Perez, 2011; Sonti, 2013). Skin lightener has become a popular skincare product around the world, including in countries in Southeast Asia. Around 50% of Filipino women use skin lightener products (Mendoza, 2014). The pursuit of lighter skin is linked with modernity, economic opportunities, and social mobility (Glenn, 2008).

Cosmetics should differ from medicine. The use of the words 'cure', 'medicate', or 'potent' give bias to the consumer. BPOM has issued a five-step process for identifying if a product is cosmetic: 1) Composition of the cosmetic (must not contain prohibited ingredients or exceed the limit level); 2)Area that the cosmetic is used on (only for the external part of the human body);

3) The cosmetic's main function (to cleanse, perfume, change appearance, improve body odour and or protect or maintain a good condition of the body); 4) Product presentation (not used to treat or prevent disease); 5) Physiological effect of the product (has non-permanent physiological effects) (NA-DFC, 2015).

Research on compliance with pharmaceutical product regulations has been carried out in various countries. A survey on labelling information of ayurvedic drugs marketed in India showed that they did not comply with almost all the requirements in the regulations (Bhalerao *et al.*, 2010). Another study about the compliance of regulatory requirements of drug labelling in India stated that nine of 16 criteria did not fulfil the act (Shah & Singh, 2020). A study about direct-to-consumer (DTC) broadcast advertisements for pharmaceuticals in the USA concluded poor compliance with FDA guidelines. Furthermore, the quality of the information provided in advertisements was generally low (Klara *et al.*, 2018). Knowing the compliance rate of the guideline is useful for follow-up monitoring. In this study, three criteria (language, testimonials and recommendations, and statements related to cosmetic claims) should be addressed more strictly by authority. It aims to protect the public from the risk of using unsafe, inappropriate, and irrational cosmetics due to the influence of advertisements.

Conclusion

There are 135 samples of skin care product advertisements. The serum is the most advertised

product. This is probably because of the demand for anti-ageing and skin-lightening products. 28.15% of products are unregistered. This creates concerns regarding product safety. The compliance with regulations for skincare product advertisements is close to 100%. However, some points of assessment need improvement, including language, testimonials and recommendations, and statements related to cosmetic claims.

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Supplementary material

Checklist: regulatory compliance of skincare products advertisements

1. Language

Question	Yes	No [†]
Are there the words "cure", "treat", and/or words or sentences that have the same meaning as if to treat a disease?		
Is there the word "halal" when cosmetics have not obtained an official certificate from the competent authority?		
Does the advertisement use the words "safe", "free", "harmless", "no side effects" and/or words/sentences that have the same meaning?		
Does the advertisement use the word "potent" and/or words that have the same meaning?		
Does the advertisement use the words "only", "number one", "famous", "top", "most", and/or which have the same meaning when associated with product benefits?		
Does the advertisement use the word "much more" and/or words/sentences that have the same meaning, which are associated with the benefits of the product unless it is compared to the product itself and has a clear statement?		

[†] Answer indicates that the advertisement has the regulatory compliance

2. Norms

Question	Yes	No [†]
Does the advertisement contain an intention that is contrary to the norms of decency and public order?		
Does the advertisement use flags, national symbols and national anthems?		
Does the advertisement contain an inappropriate display (with the intention of demeaning) a national hero or a state monument?		
Does the advertisement contain discrimination, for example discrimination against ethnicity, nationality, religion, gender, age, disability, profession or occupation, disease, or sexual orientation?		
Does the advertisement contain the intent to demean a company, organisation, industry, commercial activity, or other product?		
Does the advertisement contain the intent to exploit eroticism or sexuality?		
Does the advertisement contain support for acts of violence, justify or condone the violence?		
Does the advertisement contain an exploitation of misfortune, suffering or concern stemming from society?		
Is there anything in the advertisement that will create or play with fear, or induce a person's belief in superstition?		

[†] Answer indicates that the advertisement has the regulatory compliance

3. Advertising actor

Question	Yes	No [†]
Does the advertising actor identify, use attributes or locations that are related to the profession or health authority?		
Is the advertising role played by a state official in product commercials or corporate ads?		
Are the advertisements played by babies, except for cosmetics which are baby products?		

[†] Answer indicates that the advertisement has the regulatory compliance

4. Research data and statistics

Question	Yes	No [†]
Does the advertisement perform research data processing that can mislead the public or manipulate data?		
Does the ad contain misuse of scientific, statistical and graphic terms?		
Does the ad use an asterisk (*) or other sign with the same meaning when used to mislead, or confuse the public?		

[†] Answer indicates that the advertisement has the regulatory compliance

5. Testimonials and recommendations

Question	Yes	No [†]
Does the advertisement provide testimonials that represent other people, institutions, groups, groups or the wider community?		
Does the advertisement use recommendations from a laboratory, research institute, government agency, health or beauty professional organisation and health workers?		
Does the advertisement contain the name, logo or symbol and identity of the Ministry/Agency and Laboratory/Agency that conducts analysis and issues certificates for Cosmetics? (except for halal certificates from the Indonesian Ulema Council)?		

[†]Answer indicates that the advertisement has the regulatory compliance

6. Statements related to cosmetic claims

Question	Yes	No [†]
Does the advertisement include statements regarding functions outside of cosmetics such as prevention and/or treatment of disease or related to pathological conditions?		
Does the advertisement include a statement that does not contain the name of the ingredients (ingredients) that are allowed in cosmetics, except for materials related to culture and/or religion?		
Does the advertisement include a statement that does not contain ingredients that are prohibited in cosmetics?		
Does the advertisement promise absolute instant results if it turns out to be used regularly and continuously?		

[†]Answer indicates that the advertisement has the regulatory compliance