NO END-OF-YEAR HOLIDAY FOR CONSUMER PRODUCTS SAFETY

COLOURS, CONTAMINANTS AND TOYS IN CHILDREN’S CONFECTIONERY
TOY SALES PEAK AT FESTIVE SEASON
WILL YOUR FOOTWEAR SURVIVE THE HOLIDAY SHOPPING RUN?
DEAR READER,

With three quarters of 2012 now behind us, manufacturers and retailers are in full swing, readying their stocks for the highly anticipated end-of-year holiday sales season. This is the crucial time of the year that helps companies reach their sales and growth targets, and it also shows whether the decisions taken on strategies, designs and logistics were right or not.

Consumer products are now being scrutinized more than at any other time of the year, both by market surveillance authorities and by consumers themselves, in an effort to ensure that everyone enjoys the safest gifts possible. To help you make this upcoming holiday sales season a success, our newest Consumer Compact issue brings you a new insight into a series of measures that can help increase your product’s levels of safety and quality. Some of the topics in this issue cover the regulations which govern the use of toys in children’s confectionery, the latest EU toys safety campaigns and the importance of ‘fit for use’ tests for consumer electronics.

At any time of the year, SGS can support you with product quality and safety solutions to help you achieve compliance with market access requirements around the world. For the entire range of SGS services visit: www.sgs.com/cgnr.

The SGS Consumer Goods and Retail Marketing Team

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SUSTAINABLE INITIATIVES IN THE SECTOR

This has brought the industry and many of the brands in this sector into the spotlight and generated concern among interested stakeholders including legislators. But individual groups and the industries concerned have responded with a number of initiatives to respond to the challenges and to show how responsibility can be assured. These include schemes giving assurance over the traceability and origins of the raw materials as well as the responsible production of the final products and incorporate existing initiatives and best practices in the process.

For jewellery including diamonds, gold, silver and platinum the Responsible Jewellery Council (RJC) Code of Practice encompasses a wide range of environmental, social, human rights and business ethics standards in the diamonds and precious metals supply chain. RJC members are required to commit to upholding this Code and to be certified within 2 years of joining with certification achieved through independent, third-party audits by auditors formally accredited by RJC.

The Code takes into account many aspects of legislation and best practices in areas such as Anti-Corruption, Anti-Money laundering and the like as well as initiatives such as the Kimberley Process and World Diamond Council System of Warranties and OECD Guidance for Multinational Enterprises.

More recently, the US Dodd-Frank Wall Street Reform and Consumer Protection Act has come into force, incorporating requirements for companies to report annually on whether any Conflict Minerals (defined as “3 Ts” - tin, tantalum and tungsten plus gold originating in the Democratic Republic of Congo or an adjoining country) are necessary to the functionality or production of a product manufactured or contracted to be manufactured by the company. The final rules for this have just been published and require companies to have due diligence systems in place to support their annual reporting.

STEPS TO ENSURE DUE DILIGENCE

Many of these minerals are used in the electronics sector as well as in jewellery and the Electronics Industry Citizenship Coalition (EICC) has developed a Certified Smelter programme to provide assurance at the smelters/refineries which are the key point of due diligence in the supply chains. By sourcing raw materials from such certified smelters companies will be able to report reliably as required.

The RJC has also published a Chain of Custody certification to provide assurance on the origins of gold and members’ due diligence systems. This is directed at all stages in the supply chain so that in addition to sourcing from certified refiners members can also have their own systems certified providing traceability from finished product to raw materials. Meanwhile the London Bullion Market Association (LBMA) has launched its LBMA Responsible Gold system aimed at ensuring assurance in the systems implemented by gold refiners. While this may sound like another case of Code Inflation, these organisations are working together on harmonisation of industry initiatives so as to reduce the burden of multiple audits and give a more seamless approach to assurance.

SGS is accredited by both RJC and EICC for their programmes and is actively involved in these initiatives. With more than 400 auditors with social accountability expertise and an extensive knowledge of all major codes of conduct, SGS is a partner of choice for social audits and training. We are also committed to supporting new initiatives and developing services to assist companies on their sustainability journey.

For more information on how SGS can help, please visit: www.sgs.com/socialresponsibility or contact: socialresponsibility@sgs.com.

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COLOURS, CONTAMINANTS AND TOYS IN CHILDREN’S CONFECTIONERY

Festivities and holidays around the world are celebrated by the giving of gifts, especially confectionery. Seasonal peaks in sales as people indulge themselves and their children, means increased production and pressure to meet market demands. Doing so safely requires close attention and adherence to regulatory standards and their worldwide variations.

International and national regulations exist to protect consumers, especially children. Key among these are regulations surrounding confectionery products, toys and other non-nutritive products, as well as contaminants and colouring agents.

NON-NUTRITIVE PRODUCTS

Regulators worldwide are naturally cautious when it comes to the inclusion of non-nutritive products and toys in confectionery and food products.

BANNED FROM SALE IN THE US

In the US, the inclusion of toys and non-nutritive products in food is not allowed. For example, it is illegal to sell chocolate eggs that contain packaging with a toy inside in the US. This is because the toy and plastic inner are embedded inside it. The US Consumer Product Safety Commission (CPSC) has agreed with the US Food and Drug Administration (FDA) that these types of product pose a choking hazard. They are therefore banned from sale.

The US Food, Drug and Cosmetic Act of 1938 Section 342 (d) states: “A food shall be deemed to be adulterated – if it is confectionery, and – (1) has partially or completely imbedded therein any non-nutritive object, except that this subparagraph shall not apply in the case of any non-nutritive object if, in the judgment of the Secretary as provided by regulations, such object is of practical functional value to the confectionery product and would not render the product injurious or hazardous to health.”

Exceptions, in the US, if the non-nutritive material or toy is attached to the confectionery and serves a functional purpose, such as a stick to hold and will not cause injury or hazard to the consumer, then it is legal to be sold. The most common example of this product type is the ring pop. Provided a product of this type is appropriately labelled and complies with both FDA and CPSC regulations there are no issues with its marketing and sale. The FDA defers to the CPSC to assure that the toys meet their requirements for small part compliance and age related labelling.

EU ACCEPTABILITY

The question of small toys in food items is viewed slightly differently within the EU. Toy Safety Directive 2009/48/EC requires that toys contained in, and co-mingled with, food must have their own packaging. Additionally, any SEPARABLE toy packaging which is spherical, egg-shaped or cylindrical with rounded ends.

1 Food, Drug Cosmetic Act of 1938 Section 342 Adulterated Food
2 Directive 2009/48/EC
must be large enough to prevent it from blocking the airways when wedged in the mouth.

Packaging that is NOT SEPARABLE although is allowed.

**Image 2**: example of complying cylindrical shaped packaging with rounded ends, because the parts are not separable.

Items similar to chocolate eggs that contain packaging with a toy inside can be legally marketed in Canada, Brazil, India, Indonesia, Israel, Taiwan, Hong Kong, Colombia, South Africa, Singapore, Malaysia, Argentina, Cameroon, Venezuela, Australia, New Zealand and some Middle Eastern countries, but not in the US.

**CONFECTIONERY CONTAMINANTS**

All regulators are concerned about the contamination of confectionery and other foodstuffs with potentially harmful substances but here also, the US and EU have divergent standards.

**LOW LEAD LEVELS IN THE US**

Confectionery imported from Mexico containing high levels of lead has brought about a change in US market requirements. The state of California has a lead in candy requirement that prohibits the sale of candy with lead content of more than 1 ppm. In 2005 the US FDA also revised their guidance for lead in candy likely to be consumed by small children reducing it from ≤ 0.5 ppm to ≤ 0.1 ppm.

In the EU there is concern about contaminants in foodstuffs, as established in EC 1881/2006. This sets maximum levels for certain contaminants in foodstuffs, but there is no specific maximum standard for lead in confectionery. Not that candy with high levels of lead can be legally sold in the EU but the tolerance of lead in products is based on the provisional tolerable weekly intake (PTWI) of 25 µg/kg body weight (bw) as proposed by the World Health Organisation (WHO) in 1986. These lead standards may change based on the European Food Safety Authority’s (EFSA) 2010 scientific opinion on lead in food, which states that this PTWI is no longer appropriate as a threshold for critical lead-induced effects particularly for children from the ages of 1 to 7.

**COLOURFUL CAUSES FOR CONCERN**

Confectionery is often brightly coloured to make it more attractive to children. Ensuring the safety of these colour additives is a priority for regulators over the world. However, there is no consolidated approach, which can make compliance more complex for manufacturers.

Many colourants have issues in various countries, but yellow colourants such as E102 Tartrazine (also known as FD&C Yellow 5 or Food Yellow No. 4), E104 Quinoline Yellow and E110 Sunset Yellow FCF (otherwise known as Orange Yellow S, otherwise known as FD&C Yellow 6 or Food Yellow No. 5) have a wide assortment of restrictions, labelling requirements and are even prohibited from use in some countries. The issue is further complicated by a lack of consistent naming across international boundaries. Tartrazine, known as FD&C Yellow 5 in the US and Food Yellow No. 4 in Japan, is suspected to cause allergic and asthmatic reactions in a small amount of the population. Now controlled by EU directive 1881/2006 its use was once banned in Austria, Germany and Norway. Quinoline Yellow is not approved for food in Japan and the US, but is approved in over 37 countries for food use. In the US, Quinoline Yellow is approved for use in drugs. Its non approval for food use in the US is because at high levels of consumption there is a potential risk of carcinogenicity.

Sunset Yellow FCF, or Orange Yellow S, otherwise known as FD&C Yellow 6 in the US and as Food Yellow No. 5 in Japan, is controlled in the EU with directive 1881/2006. At one time its use was banned in Finland and Norway. As with Tartrazine, Sunset Yellow FCF is suspected of causing allergic and asthmatic reactions in a very small segment of the population. In most countries as yellow this colourant is actually more orange in appearance than yellow.

Some countries such as the United Kingdom (UK) have asked the food industry to phase out the use of these colourants, especially for products that are marketed to children. These countries require labelling to state that the product “may have an adverse effect on activity and attention in children”. EC 1333/2008 also requires this wording for all food products containing these colourants.

**PROTECT CONSUMERS AND YOUR BUSINESS**

Compliance is not optional, or accidental. It requires planning, industry and regulatory knowledge, as well as investment in safety and quality systems. Regulatory standards exist to protect both your business and your consumers.

For more details on SGS Food services visit: [www.sgs.com/foodsafety](http://www.sgs.com/foodsafety)

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* california department of public health
* us fda lead in candy likely to be consumed by small children
* us commission regulation (ec) no. 1881/2006
* efsa scientific opinion on lead in food
* efsa scientific opinion on the re-evaluation of tartrazine
* efsa scientific opinion on the re-evaluation of quinoline yellow
* efsa scientific opinion on the re-evaluation of sunset yellow fcf
* ministers agree food colour ban
* ec 1333/2008
TOY SALES PEAK AT FESTIVE SEASON

Get set for seasonal sales. More than 60% of Europe’s toys are sold during the festive period (November-December). Are you prepared?

To meet consumer demand for innovative new toys and timeless favourites alike at the most demanding time of year, your focus must not only be on quantity, but also quality. Increased demand can exert commercial pressure to stock shelves and fulfil consumer aspirations, but parents are more aware than ever about toy safety and better informed about what to look for on a toy to guarantee its safety. Toy actors must ensure that their toys have appropriate labelling/warnings (CE mark, 0-3 years symbol), appropriate age grading, instructions, etc.

TOY SAFETY CAMPAIGN

Educating industry and consumers alike, the European Commission, together with Toy Industries of Europe (TIE), has launched the European Toy Safety Information Campaign including a new video that offers consumers advice on how to buy safe toys and use them safely.

Animated robot ‘CE-e’ draws attention to key safety tips: Watch CE-e go!

A leaflet outlining toy safety tips is also available (download English leaflet)

Within the industry, this campaign aims to increase knowledge about the new Toy Safety Directive among toy manufacturers and other toy sector players (importers, distributors). Eight seminars to explain the changes the new Directive entails have already been held in 2012 and further seminars are planned for Malmö (covering Sweden, Denmark, Finland, Estonia, Latvia and Lithuania) and Madrid (for Spanish and Portuguese toy sector players).

Toy Industries of Europe calendar of events.

MARKET SURVEILLANCE

All toys manufactured for sale within the EU since July 2011 must comply with the requirements of the EU Toy Safety Directive (2009/48/EC). New and revised chemical requirements of the EU Toy Directive will be applicable from 20 July 2013.

The seasonal peak in toy sales combined with the strengthened requirements of the EU Toy Safety Directive mean that you may see market surveillance increased and reinforced in the coming months. Unsafe toys have the potential to damage a child’s health. Counterfeit toys can damage your business. The festive season’s sales peak simply increases the risk of unsafe or counterfeit products reaching the market.

To assist responsible manufacturers, importers and retailers RAPEX, the EU’s rapid alert system for dangerous consumer products will include notifications of counterfeit toys and unlawful copies that have been identified as posing a risk to children.

ONE STOP SOLUTIONS

With the largest global network of consumer goods experts and testing facilities around the world, SGS is the partner to trust. We offer a complete range of training services to help you understand the new requirements and the broadest range of testing services to ensure that your products comply with EU Toy Safety Directive. Our testing, safety/risk assessments, technical documentation reviews, inspection and audit services can help you improve your access to markets, while also reducing product recalls and cutting the cost of achieving compliance.

For more information please contact your local SGS representative or our global team: consumer.products@sgs.com.

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SHINE A LIGHT ON CANDLE AND CANDLE ACCESSORY REGULATION

Christmas, Diwali and Hanukkah are just some of the seasonal celebrations and religious festivals that would not be the same without candles, but naked flames and domestic life do not always mix. Candles and candle accessories pose a risk to property and people. You can reduce risk by ensuring products comply with international standards.

Accounts of candle use date back to ancient times. Indeed, the candle has brought illumination and pleasure to many, but also remains one of the leading causes of household fires, damaging property and injuring people, sometimes fatally.

SAFE CELEBRATION

Candles as Christmas decorations, in holders and candelabra, such as the Menorah, or the oil in the traditional clay lamps for Diwali, all pose a risk. The most common causes of candle fires and burn injuries are:

- Excessive flame height
- Secondary wick ignition (e.g. the wick may not be centred correctly)
- Burn through of the side wall
- End of life (what happens at the end of the burning process)
- Instability of the candle, or candle accessory
- Excessive thermal heat on candle holders
- Lack of adequate consumer warnings

Protecting consumers must be a priority for manufacturers, buyers, importers and retailers of candles and their accessories. International markets have developed a range of Standards and Regulations to ensure compliance, at the same time as maintaining and improving safety, including, but not exhaustively:

- Europe: GPSD, EN 15493, EN 15494, EN 15426, EN 14059, REACH, RAL-GZ 041 Candles (Germany), French Decree 91-1175
- USA: ASTM F2058, ASTM F2179, ASTM F2417, ASTM F2601, ASTM F2326, California Proposition 65, CONEG
- China: QB/T 2119 Basic Candle, QB/T 2902 Art Candle, QB/T 2903 Jar Candle, GB/T 22256 Jelly Candle

Delivering compliant products from the beginning saves time and money and can be achieved by implementing effective and timely:

- Performance testing
- Compositional analysis
- Restricted substances testing
- Labelling and packaging review

EMISSIONS TESTING

Often overlooked by consumers, candles burn oxygen and emit soot and other potentially harmful substances. Soot testing quantifies emissions to ensure each product meets a reasonable safety level for its intended use.

ADDING VALUE

Reducing the hazards and risks associated with candles and their accessories is about more than product testing. You will also want to ensure compliance throughout the supply chain and be confident that the factory you have selected will be able to deliver products on time and to the required safety and quality standards.

ONE STOP SOLUTIONS

Covering all candles and candle accessories, our services go beyond simple product tests and include product development, inspections as well as social accountability, environmental and manufacturing audits. Our experts can help you set up a candle programme to ensure compliance with applicable standards. We have candle and candle accessories testing facilities in Asia, Europe and USA.

For more information please contact your local SGS representative or our global team: consumer.products@sgs.com.

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REGULATORY BULLETINS

Keep up-to-date with regulatory changes in Safeguards, a regulatory bulletin written by our experts.

- ASTM Approves and Publishes A Revised Standard for Candle Accessories (SafeGuards No. 075/12 MAY 2012)
- NEW European Candle Standards (SafeGuards No. 101/07)
WILL SAFE CONSUMER ELECTRONICS ACTUALLY DO A GOOD JOB?

As the festive season approaches, parents, spouses, grandparents and friends are contemplating what gifts they will give their loved ones. Presents are meant to bring fun, excitement and joy to their recipients. Nevertheless, they must be safe and free of toxic and/or hazardous materials. The safety and toxic contents of materials are controlled through a range of mandatory requirements and tests. For example, the CE mark ensures that products have been manufactured in accordance to relevant standards and regulations. But what about a product’s quality?

ENTER FITNESS FOR USE

Quality is defined through safety, functionality, ease of handling and durability. As safety is tested in accordance with applicable legal requirements, the tests for the remaining product characteristics rely on a different approach. This is where the Fitness For Use (FFU) concept comes into play. FFU was introduced for the management of quality testing of various types of electrical and electronic equipment, including household appliances and video and audio equipment. All types of equipment are manufactured in accordance to their relevant standards, which also include performance testing requirements. However, passing all applicable performance tests can’t provide a complete picture of a product’s quality.

FFU testing implies testing products to ensure their ‘fitness for purpose’. In order to certify quality as well as durability, the number of testing cycles is adjusted to the assumed life span of a product. The load applied during testing will be increased as well, to ensure the product is strong enough to handle forces of normal usage as well as foreseeable misuses without incurring any damages, malfunctions or even discontinuity. Test programs are developed in relation to available standards, performance requirements and targeted fitness for purpose. Common sense, flexibility and creativity are also used for developing adequate FFU test programs. Information gained from tests performed by various consumer protection agencies can also impact the set up of FFU test program.
**FFU IN ACTION: HEADSETS, EARPHONES**

FFU testing for headsets and earphones will cover various factors related to the intended use, such as the bending capability of cables. The flexibility of the headband is also tested and additional checks will measure whether or not the headband can be worn comfortably after a prolonged use. Drop tests are performed in order to evaluate the behavior of the headsets when accidentally dropped. Additionally, as headsets are often worn outdoors, FFU must include tests performed under different weather conditions, such as cold, hot and humid environments.

As part of the Fitness For Use measurements, instruction manuals are also being tested to ensure product promises given therein are kept, and that the instructions are easily understandable. In addition, necessary markings and labels are checked on the packaging, the item itself and in the instructions manual. The evaluation of FFU tests results is performed on a scale, and the final verdicts are: very good, good, satisfactory and poor.

Through its global network of Electrical & Electronic testing labs, SGS can offer manufacturers highly customizable FFU test packages for most types of consumer electrical & electronics, in facilities located closed to all major manufacturing regions.

Once all the FFU tests, including those stemming from mandatory requirements, are passed and the evaluation result is at least ‘satisfactory’, products tested by SGS will receive the “SGS Performance Tested” quality mark. The SGS mark provides retailers the reassurance that the consumer electronics they sourced will quickly gain access to most markets around the world and will pass any potential market surveillance checks. Moreover, the end consumer can rest assured that the products they are giving as gifts are safe to use for the product’s entire lifetime.

For more information on SGS FFU testing capabilities contact:

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WILL YOUR FOOTWEAR SURVIVE THE HOLIDAY SHOPPING RUN?

A new festive season will soon be upon us and with that comes cold wet winters in many parts of the world with many people pulling out their old winter boots, or replacing them with new ones. Festive gifts will also be exchanged, including boots, shoes, slippers and high summer footwear. But what of the technical advancements made over the past 120 years? What benefits can people now expect from their footwear, compared with the footwear on offer over a century ago? Should people be concerned about the health and safety risks of modern footwear?

MATERIALS EVOLUTION

A hundred years ago, boots were traditionally made using old heavy cowhide leather, with commonly utilized leather soles and heels nailed and/or stitched on and the very basics of comfort systems added. Additionally, with the lack of anti-bacterial systems and modern tanning techniques, bad smells were a common issue. Health and Safety advancements such as improving slip resistance, ankle and leg support and reinforcing vulnerable areas of the foot was not possible at the time due to the lack of modern technology and available materials. Although leather has good breathable, warmth and protection properties, it lacks in slip, abrasion and price when compared to modern materials.

Boots are not the only footwear that has advanced technically over the years. Technical advancements have occurred with some of the oldest forms of footwear including espadrilles and flip-flops, which were previously made up of leather, twine and wood. Wood and twine are in fact still used in footwear today; however, modern advancements in rubbers and plastics have considerably increased the performance of footwear. Depending on the footwear and the environment it is being developed for, sole materials – including PVC, TR, EVA and vulcanised rubber - have now replaced the outdated leather ones.

FOOTWEAR QUALITY IMPROVEMENTS

Other materials, such as upper materials, also have progressed and now offer higher flexibility, water resistance, warmth and dryness. PPE (Personal Protection Equipment) has developed to make an increased impact within the footwear industry; this has offered technical advancements in protecting the foot, such as slip, oil, static and heat resistance. Advances also have been made in steel toecaps, metal plated insoles and ankle protection; the list goes on, depending on the specialist type of footwear involved.

Underfoot comfort has vastly improved with materials such as Poron and Memory Foam being used in footbeds, particularly in sporting products. Footbed covers and lining materials have advanced, offering greater comfort, and added moisture wicking properties which help to move moisture away from the foot. This helps to keep the foot dry, just as thermal properties keep the foot warm. Anti-bacterial agents are used in footwear of today, to help reduce the unpleasant smells found in damp footwear.

Improvements also have been made to the water resistant properties of footwear, with upper materials, seam sealants, waxed threads, water resistant linings, or even inner bag constructions, which add to the vast improvement of water resistant footwear.

Chemicals used in developing more modern materials, are now under the spotlight, with many government and private companies actively reviewing the substances used in modern footwear and replacing them with more environmentally friendly ones.

With all these advancements within the footwear industry, people around the world can feel confident over the festive season, in the knowledge that their footwear will be as technically advanced as any in today’s market and safe to wear. They also will have the added confidence to know that a company such as SGS can reassure them that the footwear is fit for their intended purpose.

Find out more information on SGS Services for the Footwear Industry.

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SGS IN THE NEWS

CONSUMER GOODS
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AUTOMOTIVE
● SGS INMETRO Certification Services for Automotive Components - read article
● SGS Provides Functional Safety Training ISO26262 in Bangalore, India in October - read article
● SGS Showcases Its Services at the Automotive Testing Expo China 2012 - read article
● SGS Battery Test House Opening in Munich on 25 October 2012 - read article
● SGS Participation in South African Automotive Week - read article

COSMETICS, PERSONAL CARE AND HOUSEHOLD
● SGS Will Exhibit at Cosmoprof Asia - read article

ELECTRICAL & ELECTRONICS
● New SGS Global Key Account Management Platform for Consumer Electrical & Electronics - read article

MEDICAL DEVICES
● SGS and Association of British Healthcare Industries Joint Participation at MEDICA 2012 - read article
● New SGS Medical Devices Newsletter Brings You the Latest on Important Regulatory Changes for the Industry - read articles
● SGS Clarification on New IEC 60601 Standard Specific to Devices for the Home Healthcare Environment - read article
● SGS Brings You Details on the Usability Requirements within IEC 62366 - read article

TOYS & JUVENILE PRODUCTS
● SGS Will Exhibit at ABC Kids Expo 2012 - read article
● SGS France Approved to Issue Type Examination Certificates in the Frame of the French Decree for Childcare Articles Safety - read article
● China takes toy safety seriously – Interview of SGS’s Toy Business Director in China - read article

SOFTLINES
● SGS Leads Expert Panel at Magic on Southeast Asian Sourcing - read article
SGS EVENTS OCTOBER - DECEMBER 2012

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<td>Tradeshow</td>
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<td>Cosmoprof Asia 2012</td>
<td>Hong Kong</td>
<td>Hong Kong</td>
<td>Nov 14 - Nov 16</td>
<td>Cosmetics</td>
<td>Tradeshow</td>
<td>Hall 5G-R3A</td>
<td><a href="mailto:tony.chan@sgs.com">tony.chan@sgs.com</a></td>
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<td>Medica 2012</td>
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<td>Düsseldorf</td>
<td>Nov 14 - Nov 17</td>
<td>E&amp;E</td>
<td>Tradeshow</td>
<td>Hall 16 / Booth G04-6</td>
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