



3 February 2022

(22-0832)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Cosmetics
5. Title, number of pages and language(s) of the notified document: Draft Commission Regulation amending Regulation (EC) No 1223/2009 of the European Parliament and of the Council as regards the use in cosmetic products of certain substances classified as carcinogenic, mutagenic or toxic for reproduction and correcting that Regulation. (5 page(s), in English; 8 page(s), in English)
6. Description of content: The draft measure is required to enact the prohibition to use as cosmetic ingredients substances classified as carcinogenic, mutagenic or toxic for reproduction (CMR) by Commission Regulation (EU) No 2020/1182, which has been adopted based on the CLP Regulation and will apply from 17 December 2022. The adoption of this draft Regulation is, therefore, needed to reflect in the Cosmetics Regulation the new CMRs classification provided by Commission Regulation (EU) No 2020/1182. In addition, in order to ensure legal certainty and a high level of protection of human health, entry 1669 of Annex II to Regulation (EC) No 1223/2009 has been deleted and entry 51 of Annex V has been corrected to reflect the wording used in notes 8 and 9 to the CMR classification and the correct chemical name of the substance 'Sodium N-(hydroxymethyl)glycinate.
7. Objective and rationale, including the nature of urgent problems where applicable: Protection of human health or safety

8. Relevant documents:

Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on Cosmetic Products (*OJ L 342, 22.12.2009, p. 59-209*)

<http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1415977955828&uri=CELEX:32009R1223>

9. Proposed date of adoption: 3rd quarter 2022

Proposed date of entry into force: 20 days from publication in the Official Journal of the EU.

10. Final date for comments: 60 days from notification**11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:**

European Commission,
EU-TBT Enquiry Point,
Fax: + (32) 2 299 80 43,
E-mail: grow-eu-tbt@ec.europa.eu

The text is available on the EU-TBT Website : <http://ec.europa.eu/growth/tools-databases/tbt/en/>

https://members.wto.org/crnattachments/2022/TBT/EEC/22_1326_00_e.pdf

https://members.wto.org/crnattachments/2022/TBT/EEC/22_1326_01_e.pdf