

8 June 2023

(23-3930)

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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

<p><b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b></p>
<p><b>2. Agency responsible:</b> European Commission  <b>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:</b>  European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: <a href="mailto:grow-eu-tbt@ec.europa.eu">grow-eu-tbt@ec.europa.eu</a> Website: <a href="http://ec.europa.eu/growth/tools-databases/tbt/en/">http://ec.europa.eu/growth/tools-databases/tbt/en/</a></p>
<p><b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b></p>
<p><b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Cosmetics</p>
<p><b>5. Title, number of pages and language(s) of the notified document:</b> Draft Commission Regulation amending Regulation (EC) No 1223/2009 of the European Parliament and of the Council as regards the use of Vitamin A, Alpha-Arbutin and Arbutin and certain substances with potential endocrine disrupting properties in cosmetic products; (7 page(s), in English), (6 page(s), in English)</p>
<p><b>6. Description of content:</b> The measures proposed by the draft Commission Regulation are part of the on-going and regular adaptations of the Annexes to Regulation (EC) No 1223/2009 (Cosmetics Regulation - CPR). Based on the latest scientific opinions by the Scientific Committee on Consumer Safety (SCCS) the proposed measures aim at:</p> <ul style="list-style-type: none"> <li>- prohibiting the use of 4-MBC (i.e., delisting this UV-filter from Annex VI and introducing it in Annex II to the CPR);</li> <li>- establishing restrictions in Annex III for the substance 'Genistein', used as skin conditioning/protecting and antioxidant in cosmetic products;</li> <li>- establishing restrictions in Annex III for the substance 'Daidzein', used as skin conditioning/protecting and antioxidant in cosmetic products;</li> <li>- establishing restrictions in Annex III for the substance 'Kojic Acid', used as skin lightening/whitening or depigmenting agent in cosmetic products;</li> <li>- further restricting the use of the preservative 'Triclosan' in cosmetic products by amending the existing restrictions in Annex V;</li> </ul>

- further restricting the use of the preservative 'Triclocarban' in cosmetic products by amending the existing restrictions in Annex V;
- establishing restrictions in Annex III for the Vitamin A compounds 'Retinol', 'Retinyl Acetate' and 'Retinyl Palmitate' used as skin conditioning agent in cosmetic products;
- establishing restrictions in Annex III for the substance 'Alpha-Arbutin' used as skin bleaching and skin conditioning agents in cosmetic products;
- establishing restrictions in Annex III for the substance 'Arbutin' used as skin bleaching and skin conditioning agents in cosmetic products.

**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:** 4th quarter 2023

**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](mailto: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/2023/TBT/EEC/23\\_10130\\_00\\_e.pdf](https://members.wto.org/crnattachments/2023/TBT/EEC/23_10130_00_e.pdf)

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