



27 October 2023

(23-7257)

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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>UNITED KINGDOM</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Department for Business and Trade: Office for Product Safety and Standards 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: UK TBT Enquiry Point Trade Policy, Implementation and Negotiations Department for Business and Trade Old Admiralty Building London SW1A 2DY tbtenquiriesuk@businessandtrade.gov.uk
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Cosmetics products are defined by Article 2(1)(a) of Regulation (EC) No 1223/2009. ESSENTIAL OILS AND RESINOIDS; PERFUMERY, COSMETIC OR TOILET PREPARATIONS (HS code(s): 33); Cosmetics. Toiletries (ICS code(s): 71.100.70)
5. Title, number of pages and language(s) of the notified document: The Cosmetic Products (Restriction of Chemical Substances) Regulations 2024; (3 page(s), in English)
6. Description of content: These measures will amend the Cosmetics Regulation 1223/2009 as applicable in GB ("the Cosmetics Regulations") as they apply in [England, Wales and Scotland]. They will amend permitted levels of certain chemicals in the Cosmetics Regulations. We will be amending the Cosmetics Regulations to permit the use butylated hydroxytoluene (BHT) up to a maximum concentration of 0.1% in toothpastes, 0.001% in mouthwashes and other leave-on oral care products, and 0.8% in all other cosmetic products.
7. Objective and rationale, including the nature of urgent problems where applicable: The Cosmetics Regulations contain technical annexes that establish limits and prohibitions on the use of specified chemicals. The Government has powers to amend the various annexes when certain conditions are met. The objective of the measure is to

amend the permitted use of specific chemicals in order to ensure that only cosmetics products that are considered safe can be placed on the GB market.

The measure requires amending the technical annexes of the cosmetics regulations to change the permitted level of use of a specific chemical. This decision has been informed by the expert advice of the Scientific Advisory Group on Chemical Safety (SAG-CS). The SAG-CS' primary purpose is providing the UK Government with independent scientific advice on chemical risk.

Government has considered the recent advice from SAG-CS and made the decision to amend the Cosmetics Regulations on the use of butylated hydroxytoluene (BHT), allowing BHT to be used up to a maximum concentration of 0.1% in toothpastes, 0.001% in mouthwashes and other leave-on oral care products, and 0.8% in all other cosmetic products. ; Protection of human health or safety

8. Relevant documents:

SAG-CS opinions can be found using this link

Draft The Cosmetic Products (Restriction of Chemical Substances) Regulations 2024

9. Proposed date of adoption: 16 January 2024

Proposed date of entry into force: Butylated hydroxytoluene (BHT) - Placing on the market 6 October 2024 (9 months after adoption). Making available 6 February 2025 (13 months after adoption)

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:

UK TBT Enquiry Point
Trade Policy, Implementation and Negotiations
Department for Business and Trade
Old Admiralty Building
London
SW1A 2DY

tbtenquiriesuk@businessandtrade.gov.uk

https://members.wto.org/crnattachments/2023/TBT/GBR/23_13185_00_e.pdf