



28 April 2023

(23-3011)

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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 Group Department for Business and Trade Old Admiralty Building London SW1A 2DY TBTEnquiriesUK@trade.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 as defined by Article 2(1)(a) of Regulation (EC) No 1223/2009 . HS code: HS 33 http://tariffdata.wto.org/ReportersAndProducts.aspx for cosmetics CS codes: ICS 71.100.70 https://www.iso.org/ics/71.100.70/x/ for cosmetics
5. Title, number of pages and language(s) of the notified document: The Cosmetic Products (Restriction of Chemical Substances) Regulations 2023; (4 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 of methyl-N-Methylantranilate for use up to 0.1% for leave-on and 0.2% for rinse-off cosmetic products, and the use of HAA299 and HAA299 (nano) up to a level of 10%, excluding use in spray and/or aerosol products.

7. Objective and rationale, including the nature of urgent problems where applicable:

The objective of this measure is the protection of human health or safety, by ensuring only cosmetic products that are considered safe on sold in our market

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 if 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 amend the permitted level of use of a specific chemical in terms of the rationale, this decision has been informed by the expert advice of the science 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 decisions to amend the Cosmetics Regulations to permit the use of methyl-N-Methylantranilate for use up to 0.1% for leave-on and 0.2% for rinse-off cosmetic products, and the use of HAA299 and HAA299 (nano) up to a level of 10%, excluding use in spray and/or aerosol products. The changes to HAA229 and HAA299 (nano) will enter into force on adoption, in order to ensure human health and safety

Protection of human health or safety

8. Relevant documents:

SAG-CS opinions can be found [using this link](#)

Draft Cosmetic Products (Restriction of Chemical Substances) Regulations 2023 (Attached)

[Regulation \(EC\) No 1223/2009 of the European Parliament and of the Council](#)

9. Proposed date of adoption: 6 July 2023

Proposed date of entry into force: 1. methyl-N-Methylantranilate – Placing on the market 06 July 2024 (12 months after adoption). Making available 06 July 2026 (36 months after adoption)

2. HAA299 and HAA299 (nano)- 06 July 2023

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 Group
Department for International Trade
Old Admiralty Building
London
SW1A 2DY

TBTEnquiriesUK@trade.gov.uk

https://members.wto.org/crnattachments/2023/TBT/GBR/23_9344_00_e.pdf