

STATUTORY INSTRUMENTS

2022 No. 659

The Toys and Cosmetic Products (Restriction of Chemical Substances) Regulations 2022

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Toys and Cosmetic Products (Restriction of Chemical Substances) Regulations 2022.

(2) These Regulations, except for regulations 2(3)(c), 2(4), 3(2) and 3(6) come into force on 15th October 2022.

(3) Regulations 2(3)(c), 2(4), 3(2) and 3(6) come into force on 15th December 2022.

(4) These Regulations extend to England and Wales and Scotland.

Amendment to the Toys (Safety) Regulations 2011

2.—(1) The Toys (Safety) Regulations 2011 are amended as follows.

(2) In regulation 3, for the definition of “the Directive” substitute—

““the Directive” means [Directive 2009/48/EC](#) of the European Parliament and of the Council of 18th June 2009 on the safety of toys⁽¹⁾”.

(3) In Part 3 (chemical properties) of Schedule 2 (particular safety requirements)—

(a) in the first table at point 11 (prohibited allergenic fragrances) after row 55 (treemoss extracts), insert—

“(56) Atranol (2,6-Dihydroxy-4-methyl-benzaldehyde)	526-37-4
(57) Chloroatranol (3-Chloro-2,6-Dihydroxy-4-methyl-benzaldehyde)	57074-21-2
(58) Methyl heptine carbonate	111-12-6”.

(b) in the second table at point 11 (permitted allergenic fragrances), omit entry 10 (Methyl heptine carbonate);

(c) in the table at point 13, for the element in the first row (aluminium), substitute—

“Aluminium	2 250	560	28 130”.
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(4) At the end of the table in Appendix C to Schedule 2 (limit values for chemicals used in toys intended for use by children under 36 months or in other toys intended to be placed in the mouth) insert the following entries—

(1) OJ No. L 170, 30.6.2009, p. 1, relevant amendments to which were made by Commission Directive (EU) No. 2019/1922, Commission Directive (EU) No. 2019/1929, Commission Directive (EU) No. 2020/2089, Commission Directive (EU) No. 2021/903.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“Aniline	62-53-3	30 mg/kg after reductive cleavage in textile and leather materials 30 mg/kg after reductive cleavage in finger paints 10 mg/kg as free aniline in finger paints
Formaldehyde	50-00-0	Polymeric 1.5 mg/l (migration limit) Resin-bonded wood 0.1 ml/m ³ (emission limit) Textile 30 mg/kg Leather 30 mg/kg Paper 30 mg/kg Water-based 10 mg/kg”.

Amendment to Regulation (EC) No 1223/2009

3.—(1) Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products is amended as follows.

(2) At the end of the table in Annex 2 (list of substances prohibited in cosmetic products), before the entries to be added by virtue of paragraph (3) insert—

“1645	4-[(tetrahydro-2H-pyran-2-yl)oxy]phenol	53936-56-4	800-360-6”.
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(3) At the end of the table in Annex 2, insert the entries set out in the Schedule to these regulations.

(4) In the table in Annex 3 (list of substances which cosmetic products must not contain except subject to the restrictions laid down), omit the following entries—

- (a) entry 83 (2-(4-tert-Butylbenzyl)propionaldehyde);
- (b) entry 101 (Pyrrithione zinc).

(5) In the table in Annex 3 at entry 24, for the text in column b (name of common ingredients glossary) substitute—

“Water-soluble zinc salts with the exception of zinc 4- hydroxy-benzenesulphonate (entry 25) and Pyrrithione zinc (Annex 2, entry 1669)”.

(6) In the table in Annex 3, at entry 98 (Benzoic acid, 2-hydroxy (salicylic acid))—

- (a) for the text in column f (product type, body parts), after “(b) Other products except body lotion, eye shadow, mascara, eyeliner, lipstick, roll-on deodorant” insert—
 - “(c) Body lotion, eye shadow, mascara, eyeliner, lipstick, roll-on deodorant”;
- (b) for the text in column g (maximum concentration in ready for use preparation), after “(b) 2.0 %” insert—
 - “(c) 0.5%”.

(7) In the table in Annex 5 (list of preservatives allowed in cosmetic products) omit entry 8 (Pyrrithione zinc).

(8) In the table in Annex 5 at entry 51 (Sodium hydroxymethylamino acetate), in column h (other) insert—

“Not to be used if the maximum theoretical concentration of releasable formaldehyde, irrespective of the source, in the mixture as placed on the market is $\geq 0,1$ % w/w”.

Transitional Provisions

4.—(1) Regulation 2(3)(a) and (b) do not apply to toys that are placed on the market on the market prior to 15th October 2022.

(2) Regulation 2(3)(c) and (4) do not apply to toys that are placed on the market prior to 15th December 2022.

(3) Notwithstanding the amendments in regulation 3(3), (4), (5), (7) and (8) cosmetic products that are placed on the market prior to 15th October 2022 can be made available on the market until 15th December 2022.

(4) Notwithstanding the amendments in regulation 3(2) and (6) cosmetic products that are placed on the market prior to 15th December 2022 can be made available on the market until 15th March 2023.

Paul Scully
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Strategy

14th June 2022