

Commission Directive 2006/78/EC of 29 September 2006 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purposes of adapting Annex II thereto to technical progress (Text with EEA relevance)

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(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products⁽¹⁾, and in particular Article 8(2) thereof,

After consulting the Scientific Committee of Cosmetic Products and Non-Food Products intended for Consumers,

Whereas:

- (1) Animal by-products falling within Category 1 material or Category 2 material pursuant to Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption⁽²⁾ are prohibited from entering the production chain for a technical product, such as a cosmetic product. The sourcing restrictions thus imposed on cosmetic products produced within the Community should be extended to cover imported products.
- (2) Since the specified risk material defined in Annex V to Regulation (EC) No 999/2001 of the European Parliament and of the Council of 22 May 2001 laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies⁽³⁾ is included in the Category 1 material provided for in Regulation (EC) No 1774/2002, the reference to that Annex in entry No 419 of Annex II to Directive 76/768/EEC is no longer necessary.
- (3) In accordance with Article 22(1) of Regulation (EC) No 999/2001, the provisions of Part A of Annex XI to that Regulation apply until the date of the adoption of a decision in accordance with Article 5(2) or (4) thereof, after which Article 8 of that Regulation and Annex V thereto become applicable.
- (4) Directive 76/768/EEC should therefore be amended accordingly.
- (5) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Cosmetic Products,

HAS ADOPTED THIS DIRECTIVE:

- (1) [OJ L 262, 27.9.1976, p. 169](#). Directive as last amended by Commission Directive 2006/65/EC ([OJ L 198, 20.7.2006, p. 11](#)).
- (2) [OJ L 273, 10.10.2002, p. 1](#). Regulation as last amended by Commission Regulation (EC) No 208/2006 ([OJ L 36, 8.2.2006, p. 25](#)).
- (3) [OJ L 147, 31.5.2001, p. 1](#). Regulation as last amended by Commission Regulation (EC) No 1041/2006 ([OJ L 187, 8.7.2006, p. 10](#)).