

Commission Directive 2008/123/EC of 18 December 2008 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annexes II and VII thereto to technical progress (Text with EEA relevance)

COMMISSION DIRECTIVE 2008/123/EC

of 18 December 2008

amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annexes II and VII thereto to technical progress

(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 on Consumer Products,

Whereas:

- (1) The Scientific Committee on Consumer Products (SCCP) concluded in its opinion of 20 June 2006 that 'Although 4-aminobenzoic acid (PABA) is presently permitted and used as a sunscreen, it became apparent in the process of evaluation of the dossier that much of the information did not conform to current standards and guidelines'. In order to carry out a proper risk assessment of 4-aminobenzoic acid the SCCP required a new dossier with additional safety data conform to modern standards and SCCP guidelines to be submitted by the cosmetics industry before 1 July 2007.
- (2) The cosmetics industry did not submit any additional safety data as requested by the SCCP in its opinion of 20 June 2006.
- (3) Without a proper risk assessment 4-aminobenzoic acid can not be considered safe for use as a UV-filter in cosmetics and should therefore be deleted from Annex VII and listed in Annex II to Directive 76/768/EEC.
- (4) Regarding Diethylamino Hydroxybenzoyl Hexyl Benzoate (INCI), the SCCP concluded in its opinion of 15 April 2008 that the use of this substance at a maximum concentration of 10 % in cosmetic products, including sunscreen products, does not pose a risk to the consumer. In order to extend the scope of the allowed use of this substance column 'c' of entry 28 should be amended in Annex VII to Directive 76/768/EEC.
- (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.