

Regulation (EC) No 1223/2009 of the European Parliament and of the Council  
of 30 November 2009 on cosmetic products (recast) (Text with EEA relevance)

CHAPTER II

**SAFETY, RESPONSIBILITY, FREE MOVEMENT**

*Article 5*

**Obligations of responsible persons**

1 Responsible persons shall ensure compliance with Articles 3, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, Article 19(1),(2) and (5), as well as Articles 20, 21, 23 and 24.

2 Responsible persons who consider or have reason to believe that a cosmetic product which they have placed on the market is not in conformity with this Regulation shall immediately take the corrective measures necessary to bring that product into conformity, withdraw it or recall it, as appropriate.

Furthermore, where the cosmetic product presents a risk to human health, responsible persons shall immediately inform the competent national authorities of the Member States in which they made the product available and of the Member State in which the product information file is readily accessible, giving details, in particular, of the non-compliance and of the corrective measures taken.

3 Responsible persons shall cooperate with these authorities, at the request of the latter, on any action to eliminate the risks posed by cosmetic products which they have made available on the market. In particular, responsible persons shall, further to a reasoned request from a competent national authority, provide it with all the information and documentation necessary to demonstrate the conformity of specific aspects of the product, in a language which can be easily understood by that authority.

**Status:**

Point in time view as at 11/07/2013. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulation (EC) No 1223/2009 of the European Parliament and of the Council, Article 5.