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STATUTORY INSTRUMENTS

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**2006 No. 2231**

**CONSUMER PROTECTION**

**The Cosmetic Products (Safety)  
(Amendment) (No. 2) Regulations 2006**

<i>Made</i>	- - - -	<i>15th August 2006</i>
<i>Laid before Parliament</i>		<i>17th August 2006</i>
<i>Coming into force</i>	- -	<i>1st September 2006</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred upon him by section 11 of the Consumer Protection Act 1987<sup>(1)</sup>.

In accordance with section 11(5) of that Act he has consulted such organisations as appear to him to be representative of interests substantially affected by the following Regulations, such other persons as he considered appropriate and the Health and Safety Commission.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Cosmetic Products (Safety) (Amendment) (No. 2) Regulations 2006 and shall come into force on 1st September 2006.

(2) In these Regulations “the Principal Regulations” means the Cosmetic Products (Safety) Regulations 2004<sup>(2)</sup>.

**Amendment to the Principal Regulations**

2.—(1) The Principal Regulations are amended as follows.

(2) After regulation 5(15)(c) insert—

“(d) under entry numbers 1212 to 1233 (inserted by Directive [2006/65/EC](#)) shall be placed on the market or supplied after 31st November 2006;

provided that no account shall be taken of any substance which is present only as a trace which could not reasonably have been removed during or after manufacture.”.

(3) In Schedule 2 (List of Directives amending Directive [76/867/EEC](#)) insert at the end—

“(46) Commission Directive [2006/65/EC](#) (O.J. No. L198, 20.07.2006, p.11).”.

(4) In Part 2 of Schedule 4 delete the entries numbered 17, 23, 40 and 42.

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(1) 1987 c.43.

(2) S.I. 2004/2152 as amended by S.I. 2004/2361, 2004/2988, 2005/1815, 2005/3346 and 2006/1198.

(5) In Part 2 of Schedule 4—

- (a) in the entries numbered 1, 2, 8, 13, 15, 30, 34, 41, 43, 45, 46, 51, 52, 53, 54, 57, 59 and 60 for the date “31.8.2006” in the seventh column wherever it occurs substitute “31.12.2007”;
- (b) in the entries numbered 3, 4, 5, 6, 7, 9, 10, 11, 12, 14, 16, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 31, 32, 33, 35, 36, 37, 38, 39, 44, 47, 48, 49, 50, 55, 56 and 58 for the date “31.12.2006” in the seventh column wherever it occurs substitute “31.12.2007”.

15th August 2006

*Malcolm Wicks*  
Minister of State for Energy  
Department of Trade and Industry

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Cosmetic Products (Safety) Regulations 2004 ([S.I. 2004/2152](#)) (“the Principal Regulations”) to give effect to Commission Directive [2006/65/EC](#) (O.J. No. L198, 20.07.2006, p.11) (“the Directive”). The Directive is the 46th directive to amend Council Directive [76/768/EEC](#) (O.J. L262, 27.9.1976, p.169) on the approximation of the laws of the Member States on cosmetic products. Council Directive [76/768/EEC](#) (as previously amended) has been implemented by the Principal Regulations.

Regulation 2(2) amends the list of substances which cosmetic products may not contain by adding further substances which are banned from use in hair dyes. Regulation 2(5) amends Part 2 of Schedule 4 by extending the date up to which the substances there listed can be used until 31st December 2007. Regulation 2(4) removes four substances from that list.

A regulatory impact assessment of the effect that these Regulations will have on costs to businesses is available from the Consumer and Competition Policy Directorate of the Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET and on the DTI website ([www.dti.gov.uk](http://www.dti.gov.uk)).