
Status: Point in time view as at 16/11/2008.

Changes to legislation: There are currently no known outstanding effects for the The Cosmetic Products (Safety) (Amendment) Regulations 2008 (revoked). (See end of Document for details)

STATUTORY INSTRUMENTS

2008 No. 2173

CONSUMER PROTECTION

The Cosmetic Products (Safety) (Amendment) Regulations 2008

Made - - - - 14th August 2008
Laid before Parliament 15th August 2008
Coming into force - - 16th November 2008

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 11 of the Consumer Protection Act 1987^{M1}.

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 Executive.

Marginal Citations

M1 1987 c.43. Section 11(1) has been amended by [S.I. 2005/1803](#), and section 11(5) has been amended by [S.I. 2008/960](#).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Cosmetic Products (Safety) (Amendment) Regulations 2008 and shall come into force on 16th November 2008.

(2) In these Regulations “the Principal Regulations” means the Cosmetic Products (Safety) Regulations 2008^{M2}.

Marginal Citations

M2 [S.I. 2008/1284](#).

Amendment to the Principal Regulations

2. The Principal Regulations are amended as follows—

(a) in regulation 2, after paragraph (1), insert—

“(1A) Cosmetic products which fail to comply with the restriction on the substance in entry number 102 in Part 1 of Schedule 4 may not be placed on the market by EEA

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manufacturers or by importers established within the EEA after 15 November 2008, and cosmetic products which fail to comply with this restriction may not be disposed of to the final consumer after 16 February 2009.”;

- (b) in paragraph (b) of regulation 9, delete “, (d)”;
- (c) in Schedule 2 (list of Directives implemented by the Principal Regulations) insert at the end—

“54. Commission Directive [2008/14/EC](#) (O.J. No. L42, 16.2.2008, p.43).”;

- (d) in Schedule 3—
 - (i) in entry number 167, after “free amino group,” delete “with the exception of that given in Schedule 7, Part 2”;
 - (ii) in entry number 419, for “Regulation [\(EC\) No 1774/2002](#) of the European Parliament and of the Council and ingredients derived there from animal products⁽³⁾ and⁽⁴⁾”, substitute “Regulation [\(EC\) No 1774/2002](#) of the European Parliament and of the Council⁽³⁾ and ingredients derived therefrom ”;
- (e) in Part 1 of Schedule 4 (list of substances which cosmetic products must not contain except subject to restrictions and conditions), after entry 101, insert the entry in the Schedule to these Regulations; and
- (f) in Part 1 of Schedule 6, in column (d) of entry number 18, delete “See Schedule 6, Part 2, No 8”.

Department for Business, Enterprise &
Regulatory Reform
14th August 2008

Malcolm Wicks
Minister of State for Energy

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SCHEDULE

Regulation 2(e)

Reference number	Substance	Restrictions Field of application and/or use	Maximum authorised concentration in the finished cosmetic product	Other limitations and requirements	Conditions of use and warnings which must be printed on the label
<i>a</i>	<i>b</i>	<i>c</i>	<i>d</i>	<i>e</i>	<i>f</i>
102	Glyoxal (INCI) (CAS No 107-22-2)		0.01%		

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

These Regulations amend the Cosmetic Products (Safety) Regulations 2008 (S.I. 2008/1284) (“the Principal Regulations”) to give effect to Commission Directive [2008/14/EC](#) (O.J. No. L42, 16.2.08, p.43) (“the Directive”). The Directive amends Council Directive [76/768/EEC](#) (O.J. No. L262, 27.9.76, 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.

Paragraph (e) of regulation 2 amends Schedule 4 to the Principal Regulations (substances subject to restrictions and conditions) to include an entry for glyoxal. Paragraph (a) provides that products which fail to comply with this restriction may not be placed on the market after 15 November 2008 by EEA manufacturers or importers established in the EEA, and may not be sold or otherwise disposed of to a final consumer after 16 February 2009. Paragraph (c) adds the Directive to the list of Directives implemented by the Principal Regulations. Paragraphs (b), (d) and (f) correct errors in the Principal Regulations.

An 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 for Business, Enterprise and Regulatory Reform, 1 Victoria Street, London SW1H 0ET and on the BERR website (www.berr.gov.uk). Copies of a transposition note relating to these Regulations have been placed in the libraries of both Houses of Parliament. Copies are also available to the public from the Consumer and Competition Policy Directorate of the Department for Business, Enterprise and Regulatory Reform, 1 Victoria Street, London SW1H 0ET.

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