
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 [2009/36/EC](#), (O.J. L98/31, 17.4.2009), as amended by corrigendum, (O.J. L103/30, 23.4.2009), and, in part, to Commission Directive [2008/88/EC](#) (O.J. L256/12, 24.9.2008), as amended by corrigendum, (O.J. L263/26, 2.10.2008) (“the Directives”). Directive 2008/88 was partly implemented by [S.I. 2009/796](#). The Directives amend 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.

Regulation 2(a) adds Directive [2009/36/EC](#) to Schedule 2 to the Principal Regulations, namely, the list of Directives implemented by the Principal Regulations. It also corrects the paragraph numbering of the Directives listed in Schedule 2.

Regulation 2(b)(i) amends Part 1 of Schedule 4 to the Principal Regulations (list of substances which cosmetic products must not contain except subject to restrictions and conditions) and Regulation 2(b)(ii) amends Part 2 of Schedule 4 to the Principal Regulations (substances listed in Part 2 of Annex III to the Directive which are provisionally allowed). Regulation 2 shall come into force on 15 May 2010 except for the deletion of the entry relating to reference number 57 in Part 2 of Schedule 4 (Regulation 2(b)(ii)(bb)) which comes into force on 14 October 2009. The deletion of the entry relating to reference number 57 implements part of Directive [2008/88/EC](#).

An impact assessment has not been produced for this instrument as it has no significant impact on the costs of business.

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, Innovation and Skills, 1 Victoria Street, London SW1H 0ET.