Public consultation for the targeted revision of the Cosmetic Products Regulation

Fields marked with * are mandatory.

Introduction

The Cosmetic Products Regulation is the main regulatory framework for finished cosmetic products placed on the EU market. It lays down the rules applicable to all cosmetic products to ensure a well-functioning internal market and to provide a high level of public health protection.

The Chemicals Strategy for Sustainability (hereinafter the Strategy) outlines the European Commission's strategy to better protect the public and the environment against hazardous chemicals and encourage innovation to develop safe and sustainable alternatives in the framework of the EU Green Deal.

The Strategy fully recognises the fundamental role of chemicals for human wellbeing and for the green and digital transition of European economy and society. At the same time, it acknowledges the urgent need to address the health and environmental challenges caused by the most harmful chemicals. In this spirit, the Strategy sets out specific measures to make chemicals safe and sustainable by design and to ensure that chemicals can deliver all their benefits without harming the planet and current and future generations.

The Strategy recognises the need for a targeted revision of the Cosmetic Products Regulation to achieve its objectives by overcoming a number of identified problems. To address these problems, the Commission is considering a range of potential measures:

- an automatic ban of the most harmful chemicals (the 'generic approach to risk management'), allowing their use only where it is proven to be essential for society;
- a new measure to take into account the combination effects from simultaneous or subsequent exposure to chemicals from different sources;
- a review of the definition of nanomaterial;
- improving labelling information on cosmetic products, and;
- streamlining scientific assessments of cosmetic products by reassigning the work of the Scientific Committee on Consumer Safety (SCCS) to the European Chemicals Agency (ECHA).

The overall objective of the targeted revision is to ensure that the Cosmetic Products Regulation reflects the Commission's ambitions on innovation for safe and sustainable chemicals and a high level of protection of health and the environment, while preserving the internal market, as provided for in the Chemicals Strategy for Sustainability.

In this questionnaire, we ask a series of general questions and we welcome your views and feedback. We

also include a set of additional 'expert' questions to cover more technical points of the Cosmetic Products Regulation that require prior knowledge and expertise. The questionnaire will ask you questions based on your answer to question 0.

The Commission will run a number of separate 'targeted' stakeholder consultations in parallel with this public consultation to seek more detailed, technical information on the potential changes to the Cosmetic Products Regulation.

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

Beata

* Surname

KOWALCZYK

* Email (this won't be published)

beata.kowalczyk@kosmetyki-detergenty.pl

* Country of origin

Please add your country of origin, or that of your organisation.

- Afghanistan
- Åland Islands
- Albania
- Algeria
- American Samoa
- Andorra
- Angola
- Anguilla
- Djibouti
- Dominica
- Dominican Republic
- Ecuador
- Egypt
- El Salvador
- Equatorial Guinea
- Eritrea
- Libya
- Liechtenstein
- Lithuania
- Luxembourg
- Macau
- Madagascar
- Malawi
- Malaysia
- Saint Martin
- Saint Pierre and Miquelon
- Saint Vincent and the Grenadines
- Samoa
- San Marino
- São Tomé and Príncipe
- Saudi Arabia
- Senegal

- Antarctica
- Antigua and Barbuda
- Argentina
- Armenia
- Aruba
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- Estonia
- Eswatini
- Ethiopia
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Maldives
- Mali
- Malta
- Marshall Islands
- Martinique
- Mauritania
- Mauritius
- Mayotte
- Mexico
- Micronesia
- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar/Burma
- Namibia
- Nauru
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Serbia
- Seychelles
- Sierra Leone
- Singapore
- Sint Maarten
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand

- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d’Ivoire
- Croatia
- Cuba
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Niger
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Russia
- The Gambia
- Timor-Leste
- Togo
- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Vietnam
- Wallis and Futuna

- Curaçao
- Cyprus
- Czechia
- Democratic Republic of the Congo
- Denmark
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Rwanda
- Saint Barthélemy
- Saint Helena Ascension and Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **Fo r the purpose of transparency, the type of respondent (for example, 'business association, 'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published.** Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

- [ ] I agree with the personal data protection provisions

Question 0 - What is your level of knowledge of the Cosmetic Products Regulation?

For this consultation, there are a set of 'general' questions for respondents with no or little knowledge of the Cosmetic Products Regulation, and an additional set of 'expert' questions for respondents with good or excellent knowledge of this Regulation. 'Expert' questions will only appear if the corresponding reply has been selected.

- General
- General + expert

1. Generic approach to risk management

The Chemicals Strategy for Sustainability announced the proposal to extend the generic approach to risk management, which means that the most harmful chemicals will be banned in cosmetic products by default, while allowing limited exemptions under conditions clearly defined in law.
The proposal is to extend the general approach under the Cosmetic Products Regulation to cover chemicals that are endocrine disruptors for human health, affect the immune, neurological or respiratory systems or are toxic to a specific organ, based on their hazard and on generic exposure considerations. This differs from a specific approach to risk management requiring proof of an unacceptable risk for each use before restricting use.

Question 1. Would you buy cosmetic products that contain the following substances knowing the product itself is safe, on a scale from 1 (opposed) to 5 (strongly in favour)?

(Single answer per row)

	1 (opposed)	2	3	4	5 (strongly in favour)	Don't know
Substances that are carcinogenic, mutagenic or toxic for reproduction (CMRs)	○	○	○	○	○	○
Substances that are disruptive to the endocrine system (endocrine disruptors)	○	○	○	○	○	○
Chemicals affecting the immune system	○	○	○	○	○	○
Chemicals affecting the neurological system	○	○	○	○	○	○
Chemicals affecting the respiratory system	○	○	○	○	○	○
Chemicals toxic to a specific organ	○	○	○	○	○	○

Chemicals in cosmetics that affect the immune, neurological or respiratory systems and chemicals toxic to a specific organ

The Chemicals Strategy also announces the proposal to extend the generic approach to risk management to chemicals affecting the immune, neurological or respiratory systems and chemicals that are toxic to a specific organ.

To date, these substances can be restricted in the Cosmetic Products Regulation only when there is a potential risk to public health.

2. Granting exemptions for the use of the most harmful chemicals in cosmetics

The Chemicals Strategy for Sustainability outlines a number of commitments to tackle chemical pollution and exposure to better protect the public and the environment, and to step up innovation of safe and sustainable chemicals and products for the green transition. Extending the generic approach to risk management will ensure that consumers, vulnerable groups and the natural environment are more consistently protected, while still allowing for the use of the most harmful chemicals where this is proven to be essential for society.

The criteria for essential use must be properly defined ‘to ensure that the most harmful chemicals are only allowed if their use is necessary for health, safety or is critical for the functioning of society and if there are no alternatives that are acceptable from the standpoint of environment and health’.

This means that the essential use concept would allow the use of most harmful substances only exceptionally and under very strict conditions.

Question 2. To what extent do you agree with the following statements?

It should be possible to continue using the most harmful substances in cosmetic products provided that:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
a) their use is safe for human health (as evaluated by an independent scientific committee)	○	○	○	○	○	○
b) their use is safe for human health and no suitable alternatives are available	○	○	○	○	○	○
c) their use is safe for human health, no suitable alternatives are available and only if their use in cosmetics is necessary for health, safety or critical for the functioning of society	○	○	○	○	○	○
Should not be allowed under any circumstances	○	○	○	○	○	○

3. Combination effects from simultaneous exposure to chemicals from different sources

Over the years, a number of reports have highlighted that chemical substances may cause adverse effects to human health when they are combined, even if the individual substances are present at concentrations that are considered safe. Most pieces of chemicals legislation consider intentional/commercial mixtures and require a risk assessment of such mixtures. However, requirements to take into account consumer exposure to a number of chemical substances from multiple sources (or "unintentional mixtures") are broadly lacking from legislation.
The Chemicals Strategy for Sustainability therefore announces that, in order to adequately address the combination effects of chemicals in unintentional mixtures, legal requirements need to be laid down consistently to take effective and systematic account of the risks from simultaneous exposure to multiple chemicals across chemicals-related policy areas.

Question 3. Consumers are exposed on a daily basis to a number of chemical substances (in soaps and detergents, paints and contaminants in food, water and air).

Do you think unintentional co-exposure to chemicals from different sources should be considered when cosmetic products are being assessed for their safety?

(Single answer)

- ○ Strongly agree

- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree
- Don’t know

4 A review of the definition of nanomaterial

Nanomaterials are characterised by their tiny size, measured in nanometres (i.e. one millionth of a millimetre), which make them impossible to be observed by the naked eye. They are present in nature, such as in beach sand, but they are also manufactured and added to consumer products since they exhibit or can provide novel characteristics (such as greater strength, chemical reactivity or conductivity, etc.) compared to the same material without nanoscale features.
The Cosmetic Products Regulation defines nanomaterials as ‘an insoluble or biopersistant and intentionally manufactured material with one or more external dimensions, or an internal structure, on the scale from 1 to 100 nm’. In addition, it includes nanomaterial-specific provisions (including labelling) to ensure they are adequately assessed for safety if used as ingredients. In 2011, the Commission adopted a recommendation on the definition of nanomaterials, to be used as a horizontal definition, which was explicitly tailored to facilitate consistent and efficient regulatory application. As such, it is applied in several EU regulations including the Regulation on Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), the Biocidal Product Regulation (BPR) and the Medical Devices Regulation. This recommendation has just been reviewed.

Question 4. To what extent do you agree with the following statements?

(Single answer per row)

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don’t know
The definition of nanomaterial in the Cosmetic Products Regulation should be updated	○	○	○	○	○	○
The definition of nanomaterial in the Cosmetic Products Regulation should be consistent with the definition applicable to multiple sectors (i.e. a cross-sectoral definition)	○	○	○	○	○	○

5 Changes to the information provided on labels of cosmetic products

The Cosmetic Products Regulation lays down rules for information to be labelled on the container and/or the packaging of a cosmetic product. There are currently no rules laid down for digital labelling, i.e. online labelling with the information accessible through a QR code, a website, etc.

Given that labels are the primary means to communicate essential product information to users, clear communication is vital for legislation to be effective in protecting human health. The Fitness Check of the most relevant chemicals legislation (excluding REACH) found that consumer understanding of labels and consequently consumer protection can be improved by avoiding overloading labels with information and making them more easily readable. One solution could be to move information from a physical label (on-pack) to a digital label. If the information is provided in a digital label, the manufacturers would need to find a way to provide this information to consumers without mobile internet access.
There is ongoing discussion in the Commission on the scope for digital labelling under the CLP, Detergents and Fertilising products Regulations. This is detailed in an ongoing study and an open public consultation on the simplification and digitalisation of labelling requirements of chemicals.

Question 5. Which way of providing information is best in your view for the following categories of information?

(Single answer per row)

	On-pack only	Digital labelling only (e.g. through a QR code) with an alternative way of providing information to those with no internet access	Digital labelling only (e. g. through a QR code) with no alternative way of providing information to those with no mobile internet access	Both on-pack and digital labelling, (for example, for the row 'list of ingredients', all ingredients both on pack and by digital labelling)	Depending on the type of information - certain information on pack and certain by digital labelling, (for example, for the row 'list of ingredients' certain ingredients on pack and certain by digital labelling)	Don' t know
The name and the address of the responsible person (manufacturer, importer, distributer, other)	○	○	○	○	○	○
The country of origin if products are imported from outside the EU	○	○	○	○	○	○
The nominal content (weight or volume) of the product	○	○	○	○	○	○

The date of minimum durability of the products or the date of durability after opening of the product						
Safety warnings (e.g. ‘not to be used on eyelashes’, ’only for professional use’.)						
Batch number or the reference for identifying a cosmetic product						
The function of the product (e.g. anti-wrinkle cream, moisturiser, shampoo etc.)						
The full list of all ingredients						

Other comments: maximum 250 words

2000 character(s) maximum

6 Scientific and technical work on cosmetics performed by the Scientific Committee on Consumer Safety (SCCS) and the potential to improve the efficiency, effectiveness and coherence of safety assessments across legislation

Currently, different agencies and scientific committees provide scientific advice to the Commission on chemicals, including cosmetics. The efficiency of maintaining several committees assessing the same chemical is questionable, for example in terms of secretariat support, data management and the time and resources needed for coordination with other committees. To improve the effectiveness, efficiency and coherence of safety assessments across EU legislation and to make best use of expertise and resources in the EU agencies, in line with the 'one substance, one assessment' approach, the Chemicals Strategy proposed reassigning the technical and scientific work on chemicals carried out under the relevant pieces of legislation to EU agencies. This includes the work of the SCCS.

Question 6. To what extent do you agree with the following statements?

Moving the SCCS to a European agency will improve:

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
a) the efficiency of safety assessments across sectors	○	○	○	○	○	○
b) synergies amongst different sectors	○	○	○	○	○	○
c) the consistency of safety assessments across sectors	○	○	○	○	○	○
d) the transparency of procedures	○	○	○	○	○	○

Final (additional) feedback

Question 7. If you would like to share anything else in addition to the previous questions related to the targeted revision of the Cosmetic Products Regulation, please provide details here (optional):

Question 8. If you would like to share a document related to the targeted revision of the Cosmetic Products Regulation, please upload it below (optional):

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Contact

GROW-F2@ec.europa.eu