

ROUND-UP 2024

EUROPEAN

COSMETICS REGULATION

✓ **03.06**

The European Commission amends Directive 2005/29 on unfair commercial practices to extend it to **environmental claims**.

The following are **prohibited**:
generic environmental claims, claims about the whole product or company when they concern only one aspect of the product or company activity, claims claiming a neutral/positive impact on the environment based solely on the offsetting of greenhouse gas emissions, the display of a sustainable development label not based on a certification system or set up by public authorities, claims referring to future environmental performance without clear, objective, publicly accessible and verifiable commitments.

Entry into force: **09.27.2026**.

✓ **03.15**

Regulation 2024/858 amends Annexes II and III of European Cosmetics Regulation 1223/2009.

12 nanos prohibited,

Hydroxyapatite subject to restrictions.

Entry into force: **02.01.2025** (placing on the market) and **11.01.2025** (making available on the market).

✓ **04.04**

Regulation 2024/996 amends Annexes II, III, V and VI of European Cosmetics Regulation 1223/2009.

Restrictions are added for **retinol** and its derivatives, as well as for **Arbutin** and **alpha-Arbutin** and 5 substances identified as **endocrine disruptors**.

It also **bans** the UV filter **4-Methylbenzylidene camphor**.
Entry into force: **12.31.2024**.

✓ **04.22**

The European Commission publishes the criteria and guiding principles for defining the **“essential uses”** of the most harmful chemical substances.

The most harmful substances must be eliminated from products, unless their use is considered **“essential”**.

A hazardous chemical substance is considered **“essential”** when :

it is necessary for health or safety or essential to the functioning of society AND there are no acceptable alternatives.

Scope of the **“essential use”** concept.

✓ **05.17**

Regulation 2024/1328: new restrictions for D4, D5 and D6.

D4, D5 and D6 are banned (as substances, as constituents of other substances or in mixtures) at concentrations **≥0.1%** by weight from **06.06.2026**. (restriction already applicable for D4 and D5 in rinse-off cosmetics since 31.01.2020).

By way of derogation, for leave-on products, this restriction applies from 06.06.2027.

✓ **05.27**

The European Commission publishes its **model recall notice**.

Implementing Regulation 2024/1435 provides a **single, standardized template** for product recall notices issued by companies to consumers.

It is valid for in-store **and** website displays.

Entry into force: **13.12.2024**.

🌞 **06.24**

Update on the revision of the Cosmetics Regulation.

The European Commission explains how the lack of consensus on several critical points prevented the presentation of its proposal.

It suggests that certain points (a ban on endocrine disruptors, possibly other potentially harmful substances such as STOTs, the generic risk approach or the reorganization of the Scientific Committees) could be implemented, even without revising the Regulation.

But, after the European elections she won't venture to give a timeframe....

06.24 📌

The European Commission notifies its 7th **“CMR” Regulation**.

It aims to **ban** from cosmetic use **substances classified as CMR under Regulation 2024/197 (21st ATP to CLP)**.
Entry into force: **09.01.2025**.

06.28 ✓

European **“Ecodesign” Regulation** published!

Regulation 2024/1781 **“establishing a framework for the setting of **ecodesign requirements for sustainable products**”** is part of the European Green Pact.

Objectives: to move from a linear economy to a **“non-toxic” circular economy**, to ensure greater energy efficiency and decarbonization, and to guarantee the sustainability of products with **uniform **ecodesign requirements throughout the EU market****.

It creates a framework for waste reduction, reuse and recycling.

It establishes a **digital product passport** and a **“Unique Product Identifier”**, to prevent unsold consumer products from being destroyed.

It applies to **“the widest possible range of products” (including cosmetics and packaging)**.

Commission delegated acts will set the requirements according to product type.

Entry into force: **18.07.2024**.

Transition periods planned until 31.12.2026.

07.08 ⚖️

Regulation 2022/1181 now in force!

It amends the preamble to Annex V (authorized preservatives) of Cosmetics Regulation 1223/2009 to define the **new limit for labelling** on the packaging the **presence of formaldehyde releasers**.

The label must carry the warning:

“Releases formaldehyde”, when the total concentration of formaldehyde released in the finished product **>0.001% (10 ppm)**, regardless of whether the finished product contains one or more formaldehyde-releasing substances.

Entry into force: **31.07.2024** (placing on the market) and **31.07.2026** (making available on the market).

07.15 🌞

Revision of the European Commission's **“Sunscreen Products” Recommendation**

In view of their impact on the prevention of skin cancers, sunscreen products have benefited from a special framework since 2006.

Principles of the Recommendation:

1. Definition of sun protection products. 2. Guaranteed minimum efficacy against UVA and UVB rays. 3. Standardized and uniform information on the level of protection for consumers. 4. Prohibited claims and mandatory precautionary messages.

Strengths:

the Recommendation is successfully implemented, widely adopted around the world, has raised consumer awareness of the precautions to be taken in the sun, and is still valid, even 20 years later.

Weaknesses:

no legal force, therefore imperfect application, dated references and incomplete information on UVA protection.

Avenues for revision (for optimum product efficacy):

update and complete the text on **test methods**, on the **“primary” sunscreen - “secondary” sunscreen distinction**, on **consumer information** and on **references**.

Coming soon:

the experts of the new sub-group of the Cosmetics Working Group will submit their comments by **15.09.2024** at the latest, with their next meeting scheduled for **21.11.2024**. The **revision proposal** will then be prepared.

In parallel, 2 new ISO in vitro standards are expected to be published in early 2025.

Objective:

To publish the revision of the 2006 Recommendation in **2025** (or **early 2026**).

07.25 ✓

Model recall notice: a corrigendum to European Regulation 2024/1435.

The European Commission has published a corrigendum, **adding** an additional **“recital”** to specify the content of the **precautions and safety measures that the consumers must take**, and adapting the recall model accordingly.