

THE REGULATION OF COSMETIC CLAIMS

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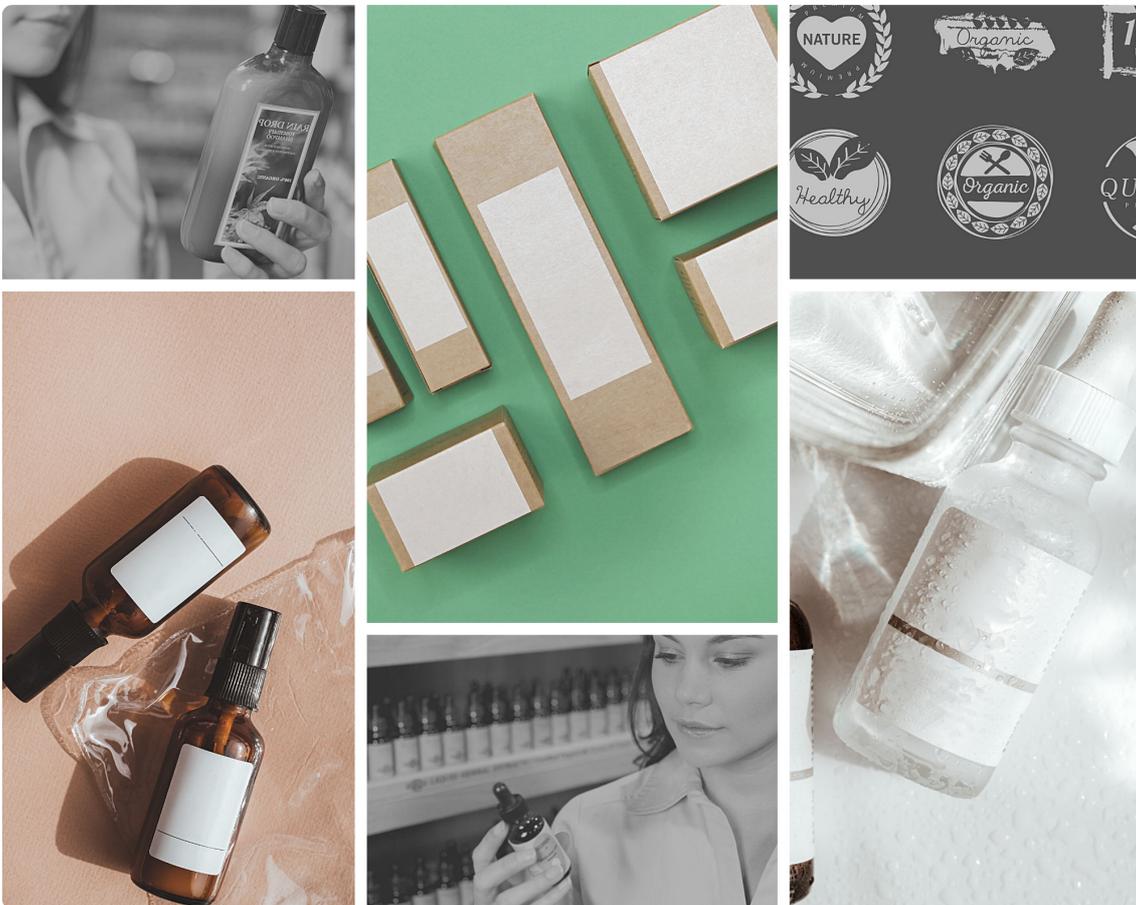
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Since the entry into force in 2013 of Cosmetics Regulation 1223/2009, cosmetic claims are under tension and are constantly being examined in the light of the Common Criteria with which they must comply in order to be used. Several of them, targeted as denigrating or even misleading, have been the subject of heated debate. The industry feared a stricter framework with a restrictive list of authorized claims, similar to what is practiced in food. The threat is still not completely excluded, even if it now seems to be contained thanks to self-regulation and its new rules, applicable from 1 July 2019.

Beyond the already known principles, they have established a very restrictive framework, in particular for “Free-from...” or “Hypoallergenic” claims, which would be almost all impossible to display on packaging and in advertisements for cosmetic products. How to do without the “Without...” claims? Which claims should be prohibited and which should be replaced them? How can the authorities sanction non-compliance in this area?

More recently, the wave of legislation in favour of the preservation of the environment, such as the AGECE law in France, has brought their share of additional prohibited claims... and even if it is the trend of the moment, it is very difficult to claim to be respectful of the planet, sometimes quite forbidden to put forward that a product is biodegradable, even if it is in reality... All the provisions applicable to claims, their elaboration and motivations, the deadlines, the debates they have generated and the advice to interpret them well are gathered in this databook.



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