

One notification procedure for dangerous products and cosmetic products in the EU Member States

Introduction

In 2009 a new Cosmetics Regulation will replace the Cosmetics Directive (76/768/EC) and all its amendments. (1) Interesting for Poisons Information Centres (PIC) is that the new Cosmetics Regulation will directly implement in all EU Member States:

- a new notification procedure and
- the use of frame formulations for the notification of cosmetic product information

A new notification procedure

The European Commission (EC) will collect electronically (from suppliers) as well as make available to PIC and governmental authorities (GA) all relevant cosmetic product information. The EC intends to set up a Cosmetics Products Notifications Portal (CPNP) as depicted in figure 1. The supplier will submit the cosmetic product information through the secured CPNP website. After registration, the information should be available to the PIC in two ways:

- the CPNP can be used as a database to access the notifications and
- the notifications can also be sent electronically to the PICs either in PDF format (for archiving)
- or in XML format (for upload in a database).

To be able to process the XML format, PICs probably will have to adapt their databases. This will also have financial consequences for PICs.

Use of frame formulations

The information made available to PICs is summarized in figure 2. The EC will 'provide guidelines on the frame formulations and adapt them regularly to technical and scientific progress'.

Frame formulations will probably be used as developed by Colipa (the European Cosmetics Association) in collaboration with the EAPCCT. (2) These have been in use since the year 2000.

Essentially, these frame formulations only provide the type of ingredients and their maximum concentration. However, there are situations where more detailed information is required. First of all, there is always the obligation to provide additional information on specific ingredients (ethanol, hydrogen peroxide a.o.). Furthermore, if a product does not comply with a frame formulation or if a frame formulation is not available the formulation details, both qualitative and quantitative, need to be provided. Finally, a detailed formulation is always necessary for certain types of products (nail varnish removers a.o.).

Dangerous products notification

Notification procedures for dangerous products to GA/PIC will also change by the forthcoming CLP Regulation No. 1272/2008 ('EU-GHS'). It has been decided for dangerous products that the EC has three years (as from 20 January 2009) to review the possibility of harmonisation of the notification procedures in the EU Member States. (3)

One notification procedure

These separate initiatives for cosmetic products and dangerous products will most probably result in different notification procedures for both product groups to GA/PIC if nothing is done to harmonise these procedures. The consequence will be that GA/PIC need to develop two arrangements for each product group. From a cost/benefit perspective this is undesirable. Thus, one notification procedure for dangerous products and cosmetic products should be considered.

First of all, one XML format should be developed that is suitable for both cosmetic products as well as dangerous products. For dangerous products it is important that such a format can contain detailed information on the composition of these products. This is also necessary for cosmetic products that do not or only partially fit the frame formulations and so also require the formulation details to be notified.

Secondly, the same or a similar notification portal could be used to collect product information of dangerous products from suppliers and to make the information available to GA/PIC as will be used for cosmetic products (see figure 1).

Conclusion

For GA/PIC and industry it will be most cost effective to have only one notification procedure for both dangerous products and cosmetic products.

One XML format should be developed that is suitable for both product groups and the use of one notification portal can be considered.

It is important that PICs get involved in these new developments. The Dutch PIC will participate in a working group concerning the new cosmetics notification procedure.

References

- (1) Draft Cosmetics regulation, February 5, 2008
http://ec.europa.eu/enterprise/cosmetics/html/cosm_simpl_dir_en.htm
- (2) Cosmetic Frame Formulations for EU Poison Centres, EAPCCT/Colipa. <http://www.colipa.com/site/index.cfm?SID=15588&OBJ=28453&back=1>
- (3) CLP Regulation No. 1272/2008:
http://ec.europa.eu/enterprise/reach/ghs/legislation/index_en.htm

Figure 1. Adapted from an EC presentation

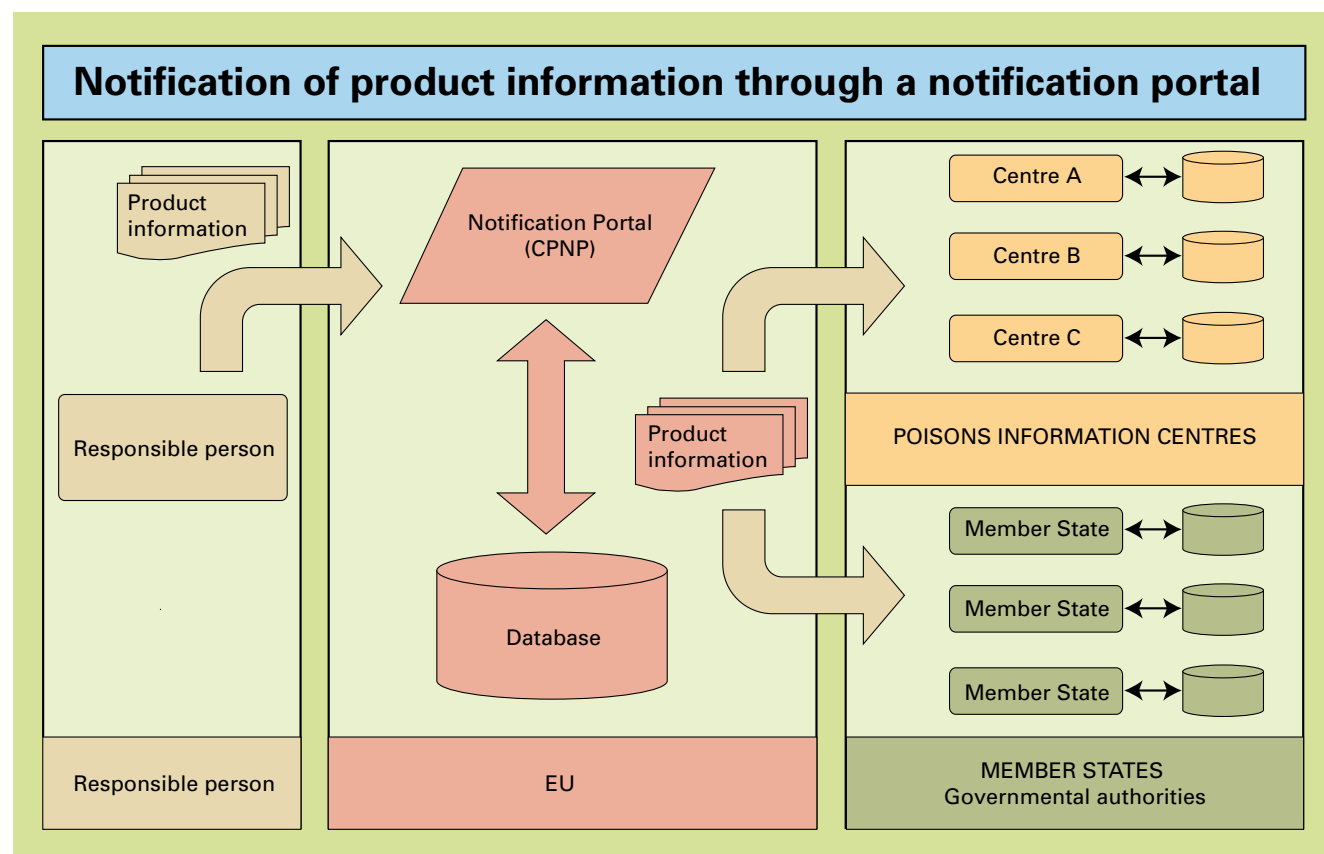


Figure 2. Information on cosmetic products

Information on cosmetic products made available to PICs

- Category of cosmetic product and its name or names
- Name and address of responsible person where product information file is accessible
- Country of origin in case of import
- Member State where the cosmetic product is placed on the market
- Contact details of a physical person in case of necessity
- Presence of substances in the form of nanomaterials
- Name and CAS or EC number of substances classified as carcinogenic, mutagenic or toxic for reproduction (category 1A or 1B under the CLP Regulation)
- The frame formulation allowing for prompt and appropriate medical treatment in the event of difficulties