Commission Regulation (EU) No 658/2013 of 10 July 2013 amending Annexes II and III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (Text with EEA relevance)

COMMISSION REGULATION (EU) No 658/2013

of 10 July 2013

amending Annexes II and III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products[(1)], and in particular Article 31(1) thereof,

Whereas:

(1) Regulation (EC) No 1223/2009 replacing Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products[(2)] will apply from 11 July 2013.

(2) Annexes II and III to Directive 76/768/EEC were amended by Commission Implementing Directive 2012/21/EU[(3)] after the adoption of the Regulation, by including one hair dye substance into Annex II, 26 hair dye substances into Part 1 of Annex III and by changing the maximum authorised concentrations in the finished cosmetic product for two hair dye substances in Part 1 of Annex III. Those amendments should now be reflected in Regulation (EC) No 1223/2009.

(3) In accordance with Implementing Directive 2012/21/EU, Member States are to apply the laws, regulations and administrative provisions adopted in order to comply with that Directive from 1 September 2013. Therefore, this Regulation should apply from that date.

(4) Regulation (EC) No 1223/2009 should therefore be amended accordingly.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Cosmetic Products,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes II and III to Regulation (EC) No 1223/2009 are amended in accordance with the Annex to this Regulation.

Changes to legislation: *There are currently no known outstanding effects for the Commission Regulation (EU) No 658/2013. (See end of Document for details)*

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 September 2013.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 July 2013.

For the Commission

The President

José Manuel BARROSO

ANNEX

Annexes II and III to Regulation (EC) No 1223/2009 are amended as follows:

(1) In Annex II, the following entry is added:

Reference number	Substance identification		
	Chemical name/ INN	CAS number	EC number
‘1373	N-(2-Nitro-4-aminophenyl)-allylamine (HC Red No 16) and its salts	160219-76-1’	

(2) Annex III is amended as follows:

(a) The following entries concerning reference numbers 198 to 200 are added:

Reference number	Substance identification				Restrictions			Wording of conditions of use and warnings
	Chemical name/ INN	Name of Common Ingredients Glossary	CAS number	EC number	Product type, body parts	Maximum concentration in ready use preparation	Other	
‘198	2,2'-[(4-Aminophenyl)imino]bis(ethanol) sulphate	N,N-bis(2-Hydroxyethyl)-p-Phenylenediamine Sulfate	54381-16-7	259-134-5	Hair dye substance in oxidative hair dye products	After mixing under oxidative conditions the maximum concentration applied to hair must not exceed 2,5 % (calculated as sulphate)	—	To be printed on the label: ‘The mixing ratio.  Read and follow instructions. This product is not intended for use on persons under the age of 16.
							—	Do not use with nitrosating agents. Maximum nitrosamine content:

							—	Temporary ‘black henna’ tattoos may increase your risk of allergy. Do not colour your hair if: — you have a rash on your face or sensitive, irritated and damaged scalp, — you have ever experienced any reaction after colouring your hair, — you have experienced a reaction to a temporary ‘black henna’ tattoo in the past. Hair colorants can

									cause severe allergic reactions.
199	1,3-Benzenediol, 4-chloro-	4-Chlororesorcinol	95-88-5	202-462-0	Hair dye substance in oxidative hair dye products		After mixing under oxidative conditions the maximum concentration applied to hair must not exceed 2,5 %	To be printed on the label: ‘The mixing ratio.  Read and follow instructions. This product is not intended for use on persons under the age of 16. Temporary ‘black henna’ tattoos may increase your risk of allergy. Do not colour your hair if: —	you have a rash on your face or sensitive,