SEVENTEENTH COMMISSION DIRECTIVE 94/32/EC

of 29 June 1994

adapting to technical progress Annexes II, III, V, VI and VII of Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products (1), as last amended by Commission Directive 93/47/EEC (2), and in particular Article 8 (2) thereof,

After consultation of the Scientific Committee on Cosmetology,

Whereas, on the basis of the latest scientific and technical research, certain provisionally permitted substances, preservatives and ultraviolet filters may be definitively permitted, whilst others must be definitively prohibited or be permitted for a further specified period;

Whereas in order to protect public health, it is necessary to prohibit the use of 2-Methyl-m-phenylenediamine;

Whereas, on the basis of the latest scientific and technical research, the use of strontium hydroxide may be permitted subject to certain restrictions and conditions and the obligatory inclusion of health warnings on the label;

Whereas, on the basis of the latest scientific and technical research, Polymer of N-{(2 and 4)-[2-oxoborn-3ylidene)methyl]benzyl}acrylamide may be used as ultraviolet filter in cosmetic products up to 30 June 1995 subject to certain restrictions and conditions;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Cosmetic Products Sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 76/768/EEC is hereby amended as follows:

1. In Annex II, the following reference number is added:

'413. 2-Methyl-m-phenylenediamine';

2. In Annex III, Part 1:

(a) reference number 59 is replaced by the following:

a	b	c	d	e	f
'59	Talc: Hydrated magnesium silicate	(a) Powdery products intended to be used for children under three years of age (b) other products			Keep powder away from children's nose and mouth'

(1) OJ No L 262, 27. 9. 1976, p. 169.
(2) OJ No L 203, 13. 8. 1993, p. 24.

(b) the following reference numbers are added:

a	b	c	d	e	f
'63	Strontium hydroxide	pH-regulator in depilatory products	3,5 % calculated as strontium, max. pH of 12,7		— Keep out of reach of children — Avoid contact with the eyes
64	Strontium peroxide	Rinse-off hair care preparations professional use	4,5 % calculated as strontium in the ready-for-use preparation	All products must meet the hydrogen peroxide release requirements	— Avoid contact with eyes — Rinse eyes immediately if product comes into contact with them — For professional use only — Wear suitable gloves'

3. In Annex III, Part 2:

(a) reference number 1 is deleted;

(b) '30. 6. 1994' in reference number 3 is replaced by '30. 6. 1995'.

4. In Annex V, reference number 5 is replaced by the following number:

'5. Strontium and its compounds, with the exception of strontium lactate, strontium nitrate and strontium polycarboxylate listed in Annex II, strontium sulphide, strontium chloride, strontium acetate, strontium hydroxide, strontium peroxide, under the conditions laid down in Annex III, Part 1 and of strontium lakes, pigments and salts of the colouring agents listed with the reference (3) in Annex IV, Part 1.'

5. In Annex VI, Part 1:

(a) reference number 14 is replaced by the following number:

a	b	c	d	e
'14	Formic acid and its sodium salt (+)	0,5 % (expressed as acid)'		

(b) the following reference numbers are added:

a	b	c	d	e
'48	Glutaraldehyde (Pentane-1,5-dial)	0,1 %	Prohibited in aerosols (sprays)	Contains glutaraldehyde (where glutaraldehyde concentration in the finished product exceeds 0,05 %)
49	5-Ethyl-3,7-dioxa-1-azabicyclo [3.3.0] octane	0,3 %	Prohibited in oral hygiene products and in products intended to come into contact with mucous membranes'	