II

(Acts whose publication is not obligatory)

COMMISSION

SIXTEENTH COMMISSION DIRECTIVE 93/47/EEC

of 22 June 1993

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 Economic 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 Directive 92/86/EEC [2], and in particular Article 8 (2) thereof,

Whereas, on the basis of the available information, on the one hand an ultraviolet filter may be definitively permitted and on the other hand certain provisionally permitted substances, preservatives and ultraviolet filters must be definitively prohibited or permitted for a further specified period;

Whereas, in order to protect public health, it is necessary to prohibit the use of 4-amino-2-nitrophenol;

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

Whereas, on the basis of the latest scientific and technical research, 3-midazol-4-ylacrylic acid and its ethyl ester, may be used as an ultraviolet filter up to 30 July 1994 in cosmetic products 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 number is added:

   '412. 4-Amino-2-nitrophenol';

2. in Annex III, Part 1:

   (a) to reference numbers 8, 9 and 10 in paragraph (b) of column (f) the sentence: 'Wear suitable gloves' should be added;

   (b) to reference number 12 in column (f) the sentence: '(a) Wear suitable gloves' should be added;

3. in Annex III, Part 2, the following reference numbers are added:

[1] OJ No L 262, 27. 9. 1976, p. 169.
[2] OJ No L 325, 11. 11. 1992, p. 18.