SEVENTH COMMISSION DIRECTIVE

of 28 February 1986

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

(86/179/EEC)

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 85/391/EEC (2), and in particular Articles 5 and 8 (2) thereof,

Whereas, in order to protect public health, it is necessary to prohibit chloroform, 2,3,7,8-tetrachlorodibenzo-*p*-dioxin, 2,6-dimethyl-1,3-dioxan-4-yl acetate (Dimethoxane) and pyrithione sodium (INNM) in cosmetic products;

Whereas on the basis of the latest findings of scientific and technical research the use of 1,3-bis(hydroxymethyl)imidazolidine-2-thione may be authorized for nail care under certain conditions;

Whereas, on the basis of the available information, certain provisionally permitted colouring agents and substances may be definitively permitted, while others must be definitively prohibited or be permitted for a further specified period;

Whereas the measures laid down 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 numbers are added:

'366. Chloroform

367. 2,3,7,8-Tetrachlorodibenzo-*p*-dioxin except as an impurity of hexachlorophene, subject to the conditions laid down in Annex VI — Part 1, under No 6

368. 2,6-Dimethyl-1,3-dioxan-4-yl acetate (Dimethoxane)

369. Pyrithione sodium (INNM)'.

2. Annex III, Part 1 is amended as follows:

(1) OJ No L 262, 27. 9. 1976, p. 169.
(2) OJ No L 224, 22. 8. 1985, p. 40.

'a	b	c	d	e	f
44	1,3-Bis (hydroxy-methyl)imidazolid-ine-2-thione	(a) Hair-care preparations	(a) Up to 2 %	(a) Prohibited in aerosol dispensers (sprays)	Contains 1,3-bis (hydroxymethyl) imidazolidine-2-thione
		(b) Nail-care preparations	(b) Up to 2 %	(b) The pH of the product as applied must be less than 4	
51	Quinolin-8-ol and bis (8-hydroxyqui-nolinium) sulphate	Stabilizer for hydrogen peroxide in rinse-off hair-care preparations	0,3 % calculated as base'		

3. Annex III, Part 2, Annex IV, Parts 2 and 3, are replaced by Annexes 1 and 2 to this Directive.

4. Annex V is amended as follows:

— No 10 — Chloroform is deleted,

— In Nos 5 and 6, the footnote reference (5) is replaced by (3).

Article 2

1. Member States shall take the necessary measures to ensure that from 1 January 1988 neither manufactures nor importers established in the Community place on the market products which do not satisfy the requirements of this Directive.

2. Member States shall take the necessary measures to ensure that the products referred to in paragraph 1 can no longer be sold or disposed of to the final consumer after 31 December 1989.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the provisions of this Directive not later than 31 December 1986. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 28 February 1986.

For the Commission
Grigoris VARFIS
Member of the Commission

ANNEX 1

'ANNEX III

PART 2

LIST OF COLOURING AGENTS ALLOWED FOR USE IN COSMETIC PRODUCTS (1)

Field of application

Column 1 = Colouring agents allowed in all cosmetic products.

Column 2 = Colouring agents allowed in all cosmetic products except those intended to be applied in the vicinity of the eyes, in particular eye make-up and eye-make-up remover.

Column 3 = Colouring agents allowed exclusively in cosmetic products intended not to come into contact with the mucous membranes.

Column 4 = Colouring agents allowed exclusively in cosmetic products intended to come into contact only briefly with the skin.

Colour index number or denomination	Colour	Field of application				Other limitations and requirements (2)
		1	2	3	4	
10006	Green				X	
10020	Green			X		
10316 (3)	Yellow		X			
11680	Yellow			X		
11710	Yellow			X		
11725	Orange				X	
11920	Orange	X				
12010	Red			X		
12075 (3)	Orange	X				
12085 (3)	Red	X				3 % maximum concentration in the finished product
12120	Red				X	
12150	Red	X				
12370	Red				X	
12420	Red				X	
12480	Brown				X	
12490	Red	X				
12700	Yellow				X	see Annex IV, Part 2
13015	Yellow	X				E 105
13065	Yellow				X	see Annex IV, Part 2
14270	Orange	X				E 103
14700	Red	X				
14720	Red	X				E 122

Colour index number or denomination	Colour	Field of application				Other limitations and requirements (2)
		1	2	3	4	
14815	Red	X				E 125
15510 (3)	Orange		X			
15525	Red	X				
15580	Red	X				
15585 (3)	Red		X			
15620	Red				X	
15630 (3)	Red	X				3 % maximum concentration in the finished product
15800	Red			X		see Annex IV, Part 2
15850 (3)	Red	X				
15865 (3)	Red	X				
15880	Red	X				
15980	Orange	X				E 111
15985 (3)	Yellow	X				E 110
16035	Red	X				
16185	Red	X				E 123
16230	Orange			X		
16255 (3)	Red	X				E 124
16290	Red	X				E 126
17200	Red	X				
18050	Red			X		
18130	Red				X	
18690	Yellow				X	
18736	Red				X	
18820	Yellow				X	
18965	Yellow	X				
19140 (3)	Yellow	X				E 102
20040	Yellow				X	maximum 3,3′-dimethylbenzidine concentration in the colouring agent: 5 ppm
20170	Orange			X		
20470	Black				X	see Annex IV, Part 2
21100	Yellow				X	maximum 3,3′-dimethylbenzidine concentration in the colouring agent: 5 ppm
21108	Yellow				X	ditto
21230	Yellow			X		
24790	Red				X	
27290 (3)	Red				X	
27755	Black	X				E 152
28440	Black	X				E 151
40215	Orange				X	
40800	Orange	X				
40820	Orange	X				E 160 e
40825	Orange	X				E 160 f
40850	Orange	X				E 161 g
42045	Blue				X	see Annex IV, Part 2
42051 (3)	Blue	X				E 131
42053	Green	X				
42080	Blue				X	