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[...](2018) **XXX** draft

**COMMISSION DECISION (EU) .../...**

**of **XXX****

**establishing a glossary of common ingredient names for use in the labelling of cosmetic products**

(Text with EEA relevance)

## COMMISSION DECISION (EU) .../...

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### **establishing a glossary of common ingredient names for use in the labelling of 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<sup>1</sup>, and in particular the first paragraph of Article 33 thereof,

Whereas:

- (1) Article 19(1)(g) of Regulation (EC) No 1223/2009 requires the labelling information on cosmetic products to include a list of ingredients. The ingredients are to be expressed using the common ingredient name set out in a glossary to be compiled and updated by the Commission pursuant to Article 33 of that Regulation. The glossary is required to take account of internationally recognised nomenclatures including the International Nomenclature of Cosmetic Ingredients (INCI).
- (2) Regulation (EC) No 1223/2009 repealed and replaced Council Directive 76/768/EEC<sup>2</sup>. The inventory of ingredients used in cosmetic products and the common ingredients nomenclature referred to in Articles 5a and 7(2) of that Directive were established by Commission Decision 96/335/EC<sup>3</sup> and updated in 2006 by Commission Decision 2006/257/EC<sup>4</sup>. The inventory and nomenclature has since become outdated as a result of the high number of new ingredients introduced onto the market every year. Moreover, the requirements set out in Article 5a of Directive 76/768/EEC for the content of the inventory go beyond the requirements set out in Article 33 of Regulation (EC) No 1223/2009 for the content of a glossary of common ingredient names. Therefore, the list of ingredients contained in Decision 96/335/EC should be replaced and adapted to cover new ingredients introduced onto the market and to confine its content to the requirements of Article 33 of Regulation (EC) No 1223/2009.
- (3) Article 19(1) of Regulation (EC) No 1223/2009 provides that, for colorants other than colorants intended to colour the hair, the CI (Colour Index) nomenclature is to be used, where applicable, for the purposes of labelling cosmetic products. The CI number

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<sup>1</sup> OJ L 342, 22.12.2009, p. 59.

<sup>2</sup> Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products (OJ L 262, 27.9.1976, p. 169).

<sup>3</sup> Commission Decision 96/335/EC of 8 May 1996 establishing an inventory and a common nomenclature of ingredients employed in cosmetic products (OJ L 132, 1.6.1996, p. 1).

Commission Decision 2006/257/EC of 9 February 2006 amending Decision 96/335/EC establishing an inventory and a common nomenclature of ingredients employed in cosmetic products (OJ L 97, 5.4.2006, p. 1).

should therefore be listed as the common ingredient name for colorants other than colorants intended to colour the hair.

- (4) Some ingredients used in perfume and aromatic compositions do not have an INCI name. So-called “perfuming names” have been used in the Union for the labelling of cosmetic products containing these ingredients. Therefore, for these ingredients, the glossary should list the perfuming names that have previously been used for them in the Union.
- (5) The second paragraph of Article 33 of Regulation (EC) No 1223/2009 provides that the common ingredient names listed in the glossary are to be applied, for the purpose of labelling cosmetic products placed on the market, at the latest 12 months after publication of the glossary in the *Official Journal of the European Union*.
- (6) In the interests of clarity and legal certainty, Decision 96/335/EC should be repealed,

HAS ADOPTED THIS DECISION:

*Article 1*

The glossary of common ingredient names required by Article 33 of Regulation (EC) No 1223/2009 is set out in the Annex to this Decision.

*Article 2*

Decision 96/335/EC is repealed with effect from [... *OP: please insert date that is 12 months after the publication of this Decision*].

*Article 3*

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

Done at Brussels,

*For the Commission*

*The President*  
*Jean-Claude Juncker*