

2024 No. ***

CONSUMER PROTECTION

The Cosmetic Products (Restriction of Chemical Substances) (No. 2) Regulations 2024

Made - - - -

Laid before Parliament

Coming into force - -

31st January 2025

The Secretary of State makes these Regulations in exercise of powers conferred by Articles 31(1)(b), 31(1)(f) and 32(1)(b) of Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (“the Cosmetics Regulation”)(a).

In accordance with Article 31(1)(f) of the Cosmetics Regulation, the substances set out in Schedule 1 to these Regulations have been classified as CMR substances of category 1A, 1B or 2 under Regulation (EC) No 1272/2008 of the European Parliament and of the Council on classification, labelling and packaging of substances and mixtures(b).

In accordance with Article 31(1)(b) of the Cosmetics Regulation, the Secretary of State considers there is sufficient scientific evidence that there is a potential risk to human health arising from the use of the substance set out Schedule 2 to these Regulations in cosmetic products.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Cosmetic Products (Restriction of Chemical Substances) (No. 2) Regulations 2024 and come into force on [31st January 2025].

(2) These Regulations extend to England and Wales and Scotland.

Amendment to Regulation (EC) No 1223/2009

2.—(1) Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products is amended as follows.

(2) At the end of the table in Annex 2 (list of substances prohibited in cosmetic products), insert the entries set out in Schedule 1 to these Regulations.

(a) EUR 2009/1223 was incorporated into domestic law by virtue of section 3(1) of the European Union (Withdrawal) Act 2018 (c. 16); amended by S.I. 2019/696; there are other amending instruments but none is relevant.

(b) EUR 2008/1272 was incorporated into domestic law by virtue of section 3(1) of the European Union (Withdrawal) Act 2018; amended by S.I. 2019/720; there are other amending instruments but none is relevant.

(3) At the end of the table in Annex 3 (list of substances which cosmetic products must not contain except subject to the restrictions laid down), insert the entry set out in Schedule 2 to these Regulations.

Transitional Provisions

3.—(1) Notwithstanding the amendments in regulation 2(2), cosmetic products that are placed on the market on or before 20th April 2025 may continue to be made available on the market on or before 20th October 2025.

(2) Notwithstanding the amendment in regulation 2(3), cosmetic products that are placed on the market on or before 20th June 2025 may continue to be made available on the market on or before 1st November 2025.

00/00/2024

Name
Title
Department for Business and Trade

DRAFT

SCHEDULES

SCHEDULE 1

Regulation 2(2)

Amendments to Annex 2

1680	Tetrafluoroethylene	116-14-3	204-126-9
1681	6,6'-di-tert-butyl-2,2'-methylenedi-p-cresol; [DBMC]	119-47-1	204-327-1
1682	(5-chloro-2-methoxy-4-methyl-3-pyridyl)(4,5,6-trimethoxy-o-tolyl)methanone; pyriofenone	688046-61-9	692-456-8
1683	(RS)-1-{1-ethyl-4-[4-mesyl-3-(2-methoxyethoxy)-o-toluoyl]pyrazol-5-yloxy}ethyl methyl carbonate; tolpyralate	1101132-67-5	
1684	3-methylpyrazole	1453-58-3	215-925-7
1685	N-methoxy-N-[1-methyl-2-(2,4,6-trichlorophenyl)-ethyl]-3-(difluoromethyl)-1-methylpyrazole-4-carboxamide; Pydiflumetofen	1228284-64-7	
1686	N-{2-[[1,1'-bi(cyclopropyl)]-2-yl]phenyl}-3-(difluoromethyl)-1-methyl-1Hpyrazole-4-carboxamide; Sedaxane	874967-67-6	
1687	Thiophanate-methyl (ISO); dimethyl (1,2-phenylenedicarbamothioyl)biscarbamat; dimethyl 4,4'-(o-phenylene)bis(3-thioallophanate)	23564-05-8	245-740-7
1688	Mancozeb (ISO); manganese ethylenebis(dithiocarbamate) (polymeric) complex with zinc salt	8018-01-7	
1689	Trinickel disulfide; nickel subsulfide; [1] heazlewoodite [2]	12035-72-2 [1] 12035-71-1 [2]	234-829-6 [1] – [2]
1690	7-oxa-3-oxiranylbicyclo[4.1.0]heptane; 1,2-epoxy-4-epoxyethylcyclohexane; 4-vinylcyclohexene diepoxide	106-87-6	203-437-7
1691	4-methylpentan-2-one; isobutyl methyl ketone (MIBK)	108-10-1	203-550-1
1692	Carbendazim (ISO); methyl benzimidazole-2-ylcarbamat	10605-21-7	234-232-0
1693	Dimethomorph (ISO); (E,Z)-4-(3-(4-chlorophenyl)-3-(3,4-dimethoxyphenyl)acryloyl)morpholine	110488-70-5; (1135441-72-3)	404-200-2
1694	1,2,4-triazole	288-88-0	206-022-9

1695	Flumioxazin (ISO); N-(7-fluoro-3,4- dihydro-3-oxo-4-prop-2-ynyl-2H-1,4- benzoxazin-6-yl)cyclohex-1-ene-1,2- dicarboximide	103361-09-7	
1696	Imazamox (ISO); (RS)-2-(4-isopropyl-4-methyl- 5-oxo-2-imidazolin-2-yl)-5-methoxymethylnicotinic acid	114311-32-9	
1697	Thiamethoxam (ISO); 3-(2-chloro-thiazol-5-ylmethyl)-5- methyl[1,3,5]oxadiazinan-4-ylidene-N-nitroamine	153719-23-4	428-650-4
1698	Triticonazole (ISO); (RS)-(E)-5-(4- chlorobenzylidene)-2,2-dimethyl-1-(1H1,2,4-triazol-1-ylmethyl)cyclopentanol	138182-18-0	
1699	Desmedipham (ISO); ethyl 3-phenylcarbamoxyloxyphenylcarbamate	13684-56-5	237-198-5
1700	Tellurium dioxide	7446-07-3	231-193-1
1701	Tellurium	13494-80-9	236-813-4
1702	Fluopicolide (ISO); 2,6-dichloro-N-[3-chloro-5-(trifluoromethyl)-2- pyridylmethyl]benzamide	239110-15-7	607-285-6
1703	Daminozide (ISO); 4-(2,2- dimethylhydrazino)-4-oxobutanoic acid; N-dimethylaminosuccinamic acid	1596-84-5	216-485-9
1704	Benzophenone	119-61-9	204-337-6
1705	Acetamiprid (ISO); (1E)-N-[(6-chloropyridin-3- yl)methyl]-N'-cyano-N-methylethanimidamide; (E)-N 1 -[(6-chloro-3-pyridyl)methyl]-N 2 -cyano-N 1 – methylacetamidine	135410-20-7	603-921-1
1706	Theophylline; 1,3-dimethyl-3,7-dihydro-1 <i>H</i> -purine-2,6-dione	58-55-9	200-385-7
1707	<i>N</i> -(2-nitrophenyl)phosphoric triamide	874819-71-3	477-690-9
1708	Dibutyltin di(acetate)	1067-33-0	213-928-8
1709	Dibutyltin bis(2-ethylhexanoate)	2781-10-4	220-481-2
1710	Cumene	98-82-8	202-704-5
1711	Barium diboron tetraoxide	13701-59-2	237-222-4
1712	2-ethyl-2-[[[(1-oxoallyl)oxy]methyl]-1,3-propanediyl]diacrylate; 2,2-bis(acryloyloxymethyl)butyl acrylate; trimethylolpropane triacrylate	15625-89-5	239-701-3

1713	Quinoclamine (ISO); 2-amino-3-chloro-1,4-naphthoquinone	2797-51-5	220-529-2
1714	Pendimethalin (ISO); N-(1-ethylpropyl)-2,6-dinitro-3,4-xylidene	40487-42-1	254-938-2
1715	Isoflucypram (ISO); N-(5-chloro-2-isopropyl benzyl)-N-cyclopropyl-3-(difluoromethyl)-5-fluoro-1-methyl-1H-pyrazole-4-carboxamide	1255734-28-1	
1716	Dimoxystrobin (ISO); (2E)-2-{2-[(2,5-dimethylphenoxy)methyl]phenyl}-2-(methoxyimino)-N-methylacetamide; (E)-2-(methoxyimino)-N-methyl-2-[a-(2,5-xilyloxy)-o-tolyl]acetamide	149961-52-4	604-712-8
1717	2-(2-methoxyethoxy)ethanol; diethylene glycol monomethyl ether	111-77-3	203-906-6
1718	2,2-dimethylpropan-1-ol, tribromo derivative; 3-bromo-2,2-bis(bromomethyl)propan-1-ol	36483-57-5; 1522-92-5	253-057-0
1719	2,4,6-tri-tert-butylphenol	732-26-3	211-989-5
1720	Ammonium bromide	12124-97-9	235-183-8
1721	Divanadium pentaoxide; Vanadium pentoxide	1314-62-1	215-239-8
1722	Bentazone (ISO); 3-isopropyl-2,1,3-benzothiadiazine-4-one-2,2-dioxide	25057-89-0	246-585-8
1723	Margosa extract. [from the kernels of <i>Azadirachta indica</i> extracted with water and further processed with organic solvents]	84696-25-3	283-644-7
1724	Valifenalate (ISO); methyl N-(isopropoxycarbonyl)-L-valyl-(3RS)-3-(4-chlorophenyl)-β-alaninate	283159-90-0	
1725	Isopyrazam (ISO); reaction mass of 3-(difluoromethyl)-1-methyl-N-[(1RS,4SR,9RS)-1,2,3,4-tetrahydro-9-isopropyl-1,4-methanonaphthalen-5-yl]pyrazole-4-carboxamide and 3-(difluoromethyl)-1-methyl-N-[(1RS,4SR,9SR)-1,2,3,4-tetrahydro-9-isopropyl-1,4-methanonaphthalen-5-yl]pyrazole-4-carboxamide [>78% syn isomers ≤ 15% anti isomers relative content];	881685-58-1	
1726	Perfluoroheptanoic acid; tridecafluoroheptanoic acid	375-85-9	206-798-9
1727	4,4'-sulphonyldiphenol; bisphenol S	80-09-1	201-250-5

1728	6-[C10-C13]-alkyl-(branched, unsaturated)-2,5-dioxopyrrolidin-1-yl]hexanoic acid (tetra-PSCA)	2156592-54-8	701-118-1
1729	6-[C12-18-alkyl-(branched, unsaturated)-2,5-dioxopyrrolidin-1-yl]hexanoic acid (Penta-PSCA)		701-162-1
1730	[C12-18-alkyl-(branched, unsaturated)-2,5-dioxopyrrolidin-1-yl] hexanoic acid, sodium and tris(2-hydroxyethyl) ammonium salts; (penta-PSCA Na-TEA)		701-271-4
1731	1,3,5-triazine-2,4,6-triamine; melamine	108-78-1	203-615-4
1732	Benzyl(diethylamino)diphenylphosphonium 4-[1,1,1,3,3,3-hexafluoro-2-(4-hydroxyphenyl)propan-2-yl]phenolate	577705-90-9	479-100-5
1733	Benzyltriphenylphosphonium, salt with 4,4'-[2,2,2-trifluoro-1-(trifluoromethyl)ethylidene] bis[phenol] (1:1)	75768-65-9	278-305-5
1734	Reaction mass of 4,4'-[2,2,2-trifluoro-1-(trifluoromethyl)ethylidene]diphenol and benzyl(diethylamino)diphenylphosphonium 4-[1,1,1,3,3,3-hexafluoro-2-(4-hydroxyphenyl)propan-2-yl]phenolate (1:1)		
1735	Reaction mass of 4,4'-[2,2,2-trifluoro-1-(trifluoromethyl)ethylidene] diphenol and benzyltriphenylphosphonium, salt with 4,4'-[2,2,2-trifluoro-1-(trifluoromethyl)ethylidene]bis[phenol] (1:1)		
1736	Reaction mass of 1-(2,3-epoxypropoxy)-2,2-bis((2,3-epoxypropoxy)methyl) butane and 1-(2,3-epoxypropoxy)-2-((2,3-epoxypropoxy)methyl) -2-hydroxymethyl butane		
1737	4,4'-[2,2,2-trifluoro-1-(trifluoromethyl)ethylidene]diphenol; bisphenol AF	1478-61-1	216-036-7
1738	Transfluthrin (ISO); 2,3,5,6-tetrafluorobenzyl trans-2-(2,2-dichlorovinyl)-3,3-dimethylcyclopropanecarboxylate	118712-89-3	405-060-5
1739	Salts of 2-ethylhexanoic acid		
1740	Benfluralin (ISO); N-butyl-N-ethyl- α,α,α -trifluoro-2,6-dinitro-p-toluidine	1861-40-1	217-465-2
1741	N,N-dimethyl-p-toluidine	99-97-8	202-805-4

1742	4-nitrosomorpholine	59-89-2	
1743	3,3'-dimethylbiphenyl 4,4'-diyl diisocyanate	91-97-4	202-112-7
1744	Foramsulfuron (ISO); 2-[[[4,6-dimethoxypyrimidin-2-yl]carbonyl]sulfamoyl]-4-formamido-N,N dimethylbenzamide; 1-(4,6-dimethoxypyrimidin-2-yl)-3-(2-dimethylcarbonyl-5-formamidophenylsulfonyl)urea	173159-57-4	

SCHEDULE 2

Regulation 2(3)

Amendment to Annex 3

323	5-hydroxy-2-(hydroxymethyl)pyran-4-one	Kojic acid	501-30-4	207-922-4	Face and hand products	1%		
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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend assimilated law, Regulation (EC) No 1223/2009 (“the Cosmetics Regulation”), to prohibit or restrict the use of certain chemical substances in cosmetic products.

Regulation 2(2) amends Annex 2 to the Cosmetics Regulation to prohibit the use of certain chemicals in cosmetic products following their classification as category 1A, 1B or 2 carcinogenic, mutagenic or toxic for reproduction substances under assimilated Regulation (EC) No 1272/2008. These chemicals are listed in Schedule 1 to these Regulations.

Regulation 2(3) amends Annex 3 to the Cosmetics Regulation to restrict the use of kojic acid in cosmetic products following advice from the Scientific Advisory Group on Chemical Safety of Non-Food and Non-Medicinal Consumer Products that there is a potential risk to human health from its use.

Regulation 3 sets out the transitional arrangements for cosmetic products containing the chemicals listed in the Schedules to these Regulations.

[A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or business sectors is foreseen. An Explanatory Memorandum is published alongside these Regulations on www.legislation.gov.uk.]