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European Union

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COVER NOTE

From: European Commission
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To: General Secretariat of the Council

No. Cion doc.: D053824/02 ANNEX

Subject: ANNEX to the Commission Regulation (EU).../... amending Annexes II and III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products

Delegations will find attached document D053824/02 ANNEX.

Encl.: D053824/02 ANNEX



Brussels, XXX
[...] (2018) XXX draft

ANNEX

ANNEX

to the

Commission Regulation (EU).../...

**amending Annexes II and III to Regulation (EC) No 1223/2009 of the European
Parliament and of the Council on cosmetic products**

Annexes II and III are amended as follows:

(1) in Annex II, in the table, the following entry is added:

Ref No.	Substance identification			EC number
	Chemical name/INN	CAS number		
a	b	c	d	
"x	Tagetes erecta flower extract* Tagetes erecta flower oil**	90131-43-4 90131-43-4	290-353-9 290-353-9/-	

* From [date = 9 months after the date of entry into force] cosmetic products containing that substance shall not be placed on the Union market.
From [date = 12 months after the date of entry into force] cosmetic products containing that substance shall not be made available on the Union market.

** From [date = 9 months after the date of entry into force] cosmetic products containing that substance shall not be placed on the Union market.
From [date = 12 months after the date of entry into force] cosmetic products containing that substance shall not be made available on the Union market."

(2) in Annex III, in the table, the following entries are added:

Reference number	Substance Identification				Restrictions			Wording of conditions of use and warnings
	Chemical name/INN	Name of Common Ingredients Glossary	CAS number	EC number	Product type, Body parts	Maximum concentration in ready for use preparation	Other	
a	b	c	d	e	f	g	h	i
"x	Tagetes minuta flower extract* Tagetes minuta flower oil**	Tagetes minuta flower extract Tagetes minuta flower oil	91770-75-1; 91770-75-1/8016-84-0	294-862-7; 294-862-7	(a) Leave-on products (b) Rinse-off products	(a) 0,01 % (b) 0,1 %	For (a) and (b): Alpha terthienyl (terthiophen) content in the extract/oil ≤ 0,35 %. For (a): Not to be used in sunscreen products and products marketed for exposure to natural/artificial UV light. For (a) and	

	patula flower oil****	patula flower oil	84-0	(b) Rinse-off products	(b) 0,1 %	0,35 %. For (a): Not to be used in sunscreen products and products marketed for exposure to natural/artificial UV light. For (a) and (b): In case of combined use with Tagetes minuta (entry x), the total combined content of Tagetes in ready for use preparation shall not exceed the maximum concentration limits set out in column (g).	
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* From [date = 9 months after the date of entry into force] cosmetic products containing that substance and not complying with the restrictions shall not be placed on the Union market. From [date = 12 months after the date of entry into force] cosmetic products containing that substance and not complying with the restrictions shall not be made available on the Union market.

** From [date = 9 months after the date of entry into force] cosmetic products containing that substance and not complying with the restrictions shall not be placed on the Union market. From [date = 12 months after the date of entry into force] cosmetic products containing that substance and not complying with the restrictions shall not be made available on the Union market.

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**** From [date = 9 months after the date of entry into force] cosmetic products containing that substance and not complying with the restrictions shall not be placed on the Union market. From [date = 12 months after the date of entry into force] cosmetic products containing that substance and not complying with the restrictions shall not be made available on the Union market."