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COVER NOTE

From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 15 July 2020

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

No. Cion doc.: [...] (2020) XXX draft - D067533/01

Subject: COMMISSION REGULATION (EU) .../... of XXX amending Annex VI to
Regulation (EC) No 1223/2009 of the European Parliament and of the
Council on cosmetic products

Delegations will find attached document [...] (2020) XXX draft - D067533/01.

Encl.: [...] (2020) XXX draft - D067533/01



Brussels, **XXX**
[...] (2020) **XXX** draft

COMMISSION REGULATION (EU) .../...

of **XXX**

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

(Text with EEA relevance)

Commission Regulation (EU) .../... of XXX amending Annex VI to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on 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 products¹, and in particular Article 31(2) thereof,

Whereas:

- (1) The Scientific Committee on Consumer Safety (SCCS) concluded in its opinion of 13 December 2019² (“the SCCS opinion”) that the use of Methoxypropylamino Cyclohexenylidene Ethoxyethylcyanoacetate as a UV filter in cosmetic products at a maximum concentration of 3 % is safe. Inhalation toxicity was not assessed in the SCCS opinion because no data were provided. Hence, the SCCS opinion is not applicable to any cosmetic product in form of spray that could lead to exposure of the end user’s lung by inhalation.
- (2) The SCCS also concluded in its opinion that Methoxypropylamino Cyclohexenylidene Ethoxyethylcyanoacetate is a secondary amine, and thus is prone to nitrosation and formation of nitrosamine. It should not be used in combination with nitrosating substances. The nitrosamine content should be less than 50 ppb.
- (3) In light of the SCCS opinion and in order to take into account technical and scientific progress, the use of Methoxypropylamino Cyclohexenylidene Ethoxyethylcyanoacetate as a UV filter in cosmetic products should be authorised at a maximum concentration of 3 %, except in applications that may lead to exposure of the end user’s lungs by inhalation.
- (4) Annex VI to Regulation (EC) No 1223/2009 should therefore be amended accordingly.
- (5) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Cosmetic Products,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VI to Regulation (EC) No 1223/2009 is amended in accordance with the Annex to this Regulation.

Article 2

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

¹ OJ L 342, 22.12.2009, p. 59.

² SCCS/1605/19.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

*For the Commission
The President
Ursula von der Leyen*