

---

S T A T U T O R Y   I N S T R U M E N T S

---

**1985 No. 2045**

**CONSUMER PROTECTION**

**The Cosmetic Products (Safety) (Amendment) Regulations 1985**

*Laid before Parliament in draft*

*Made - - - - - 20th December 1985*

*Coming into Operation 21st December 1985*

Whereas the Secretary of State has, in accordance with section 1(4) of the Consumer Safety Act 1978(a), consulted such organisations as appear to him to be representative of interests substantially affected by these Regulations, such other persons as he considers appropriate and the Health and Safety Commission:

And whereas the Secretary of State is a Minister designated(b) for the purposes of section 2 of the European Communities Act 1972(c) in relation to measures for safety and consumer protection as respects cosmetic products and any provisions concerning the composition, labelling, marketing, classification or description of cosmetic products and in relation to indication of origin on imported goods:

And whereas a draft of these Regulations has been approved by a resolution of each House of Parliament pursuant to section 7(7) of the said Act of 1978:

Now, therefore, the Secretary of State in exercise of powers conferred on him by sections 1 and 2(7) of the said Act of 1978 and by section 2 of the said Act of 1972 and of all other powers enabling him in that behalf hereby makes the following Regulations:—

1. These Regulations may be cited as the Cosmetic Products (Safety) (Amendment) Regulations 1985 and shall come into operation on the day after the day on which they are made.

2. The Cosmetic Products (Safety) Regulations 1984(d) shall have effect subject to the amendments set out in the following Regulations.

3. Paragraph (1) of Regulation 7 shall be omitted and the following paragraph shall be inserted in its place:

“(1) The Secretary of State may by way of exemption from the provisions of these Regulations authorise the use in a cosmetic product of a particular substance, not being a substance listed in Schedules 1 or 2.”

---

(a) 1978 c. 38.  
(c) 1972 c. 68.

(b) S.I. 1972/1811, 1975/1707.  
(d) S.I. 1984/1260.

4.—(1) In Schedule 1 the words in Column 2 relating to entry Number 664 shall be omitted and the following words shall be inserted in their place:

“Veratrum Spp. and their preparations”

(2) In Schedule 1 there shall be inserted after entry Number 674 the following entry:

“675 Aristolochic acid and its salts - 365”

5.—(1) In Part I of Schedule 2 entries Numbers 12 and 14 shall be omitted and the following entries shall be inserted in their respective places:

“12	Hydrogen peroxide	(a) Hair-care preparations	12 per cent of H <sub>2</sub> O <sub>2</sub> (40 volumes)	(a)(b)(c) Contains hydrogen peroxide. Avoid contact with eyes.
		(b) Skin-care preparations	4 per cent of H <sub>2</sub> O <sub>2</sub>	Rinse eyes immediately if product comes into contact with them
		(c) Nail hardening preparations	2 per cent of H <sub>2</sub> O <sub>2</sub>	
14	Hydroquinone	(a) Oxidizing colouring agent for hair-dyeing:	2 per cent. Subject to the provisions of “Combination Rule B” set out below	(a) 1. Do not use to dye eye-lashes or eyebrows. Rinse the eyes immediately if the product comes into contact with them. Contains hydroquinone
		1. General use		2. For professional use only. Contains hydroquinone. Rinse the eyes immediately if the product comes into contact with them
		2. Professional use	2 per cent. Subject to the provisions of “Combination Rule B” set out below	
		(b) Agents for localized skin lightener	2 per cent	(b) —Contains hydroquinone —Avoid contact with eyes —Apply to small areas —If irritation develops discontinue use —Do not use on children under the age of 12”

(2) In Part I of Schedule 2 the entries in Column 4 relating to entry Number 20 shall both be deleted and the following shall be inserted in the place of each:  
“5 per cent., subject to the provisions of “Combination Rule B” set out below”

(3) In Part I of Schedule 2 the figure “5” in Column 4 relating to entry Number 24 shall be omitted and the figure “6” inserted in its place.

(4) In Part I of Schedule 2 there shall be inserted after entry Number 47 the following entries:

“48	Nicomethanol hydrofluoride	Oral hygiene products	As for ammonium monofluorophosphate	—Contains nicomethanol hydrofluoride
49	Silver nitrate	Products to dye eyelashes or eyebrows	4 per cent	—Rinse eyes immediately if product comes into contact with them. Contains silver nitrate”

(5) In Part II of Schedule 2 entries Numbers 2 and 6 shall be omitted.

(6) In Part III of Schedule 2 entry Number 1 shall be omitted.

6. In Part II of Schedule 5 “A” shall be inserted in Column 4 to the right of the wording relating to entries Numbers 57 and 58.

*Michael Howard,*  
Parliamentary Under-Secretary of State,  
Department of Trade and Industry.

20th December 1985.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the Cosmetic Products (Safety) Regulations 1984 (“the principal Regulations”) and implement Commission Directive No. 84/415/EEC (OJ. L 228, 25.8.84, p. 31) by extending the ban on the use of veratrum album L to all forms of veratrum and adding aristolochic acid and its salts to the substances listed in Schedule 1 to the principal Regulations which may not be contained in a cosmetic product.

The Regulations also permit hydrogen peroxide in preparations for skin care and in nail hardening, hydroquinone as a skin-lightening agent, nicomethanol hydrofluoride for use in oral hygiene products and silver nitrate for colouring eyelashes and eyebrows.

The Regulations also provide for two preservative substances, 1-Phenoxypropan-2-ol and 1-Hydroxy-4-methyl-6 (2,4,4-trimethylpentyl) 2-pyridon and its monoethanolamine salt to exceed the limits set out in Schedule 5, providing that any excess is not for the primary purpose of inhibiting the development of micro-organisms and the purpose of the excess is apparent from the labelling of the product. Glycerol-1 (or 2,3-Dihydroxypropyl-4-aminobenzoate) is deleted from the provisionally allowed substances shown in Schedule 2, as the only purpose for which this substance is used is as an ultra-violet filter and as such is already listed in Schedule 6 to the principal Regulations.

The Regulations amend the two entries in Column 4 relating to entry Number 20 (pyrogallol) in Part 1 of Schedule 2 to the principal Regulations so as to make each refer to “Combination Rule B” and substitute 6 per cent for 5 per cent in Column 4 relating to entry Number 24 (alkaline earth sulphides) in the same Part, in order to reflect the provisions of amending Council Directive No. 82/368/EEC (OJ L167, 15.6.82, p. 1).