



10 July 2017

(17-3687)

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Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>EUROPEAN UNION</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
<b>2. Agency responsible:</b> European Commission <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b>  European Commission EU-TBT Enquiry Point Fax: +(32) 2 299 80 43 E-mail: <a href="mailto:grow-eu-tbt@ec.europa.eu">grow-eu-tbt@ec.europa.eu</a> Website: <a href="http://ec.europa.eu/growth/tools-databases/tbt/en/">http://ec.europa.eu/growth/tools-databases/tbt/en/</a>
<b>3. Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Cosmetic Products
<b>5. Title, number of pages and language(s) of the notified document:</b> Draft Commission Regulation amending Annexes II and III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (4 pages + Annex 5 pages, in English)
<b>6. Description of content:</b> This draft Commission Regulation would ban <i>Tagetes erecta</i> , restrict the use of <i>Tagetes patula</i> and <i>minuta</i> in cosmetic products and ban <i>Tagetes patula</i> and <i>minuta</i> in sunscreen products as recommended by the Scientific Committee on Consumer Products and the Scientific Committee on Consumer Safety
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Protection of human health or safety
<b>8. Relevant documents:</b> Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on Cosmetic Products ( <i>OJ L 342, 22.12.2009, p. 59-209</i> ) <a href="http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1415977955828&amp;uri=CELEX:32009R1223">http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1415977955828&amp;uri=CELEX:32009R1223</a>
<b>9. Proposed date of adoption:</b> Fourth quarter 2017 <b>Proposed date of entry into force:</b> 20 days from publication in the Official Journal of the EU  From [date = 9 months after the date of entry into force] cosmetic products containing one or more of the substances prohibited by this Regulation and cosmetic products containing one or more of the substances restricted by this Regulation and not complying with the restrictions laid down in this Regulation shall not be placed on the Union market.  From [date = 12 months after the date of entry into force] cosmetic products containing one

or more of the substances prohibited by this Regulation and cosmetic products containing one or more of the substances restricted by this Regulation and not complying with the restrictions laid down in this Regulation shall not be made available on the Union market.

**10. Final date for comments:** 60 days from notification

**11. Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:**

European Commission  
EU-TBT Enquiry Point  
Fax: + (32) 2 299 80 43  
E-mail: [grow-eu-tbt@ec.europa.eu](mailto:grow-eu-tbt@ec.europa.eu)

The text is available on the EU-TBT Website: <http://ec.europa.eu/growth/tools-databases/tbt/en/>

[https://members.wto.org/crnattachments/2017/TBT/EEC/17\\_3109\\_00\\_e.pdf](https://members.wto.org/crnattachments/2017/TBT/EEC/17_3109_00_e.pdf)

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