



STATUTORY INSTRUMENTS.

S.I. No. 417 of 2010

EUROPEAN COMMUNITIES (COSMETIC PRODUCTS)
(AMENDMENT) (NO. 2) REGULATIONS 2010

(Prn. A10/1289)

EUROPEAN COMMUNITIES (COSMETIC PRODUCTS)
(AMENDMENT) (NO. 2) REGULATIONS 2010

I, MARY HARNEY, Minister for Health and Children, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Commission Directive 2010/4/EU¹ of 8 February 2010, hereby make the following regulations:

Citation

1. These Regulations may be cited as the European Communities (Cosmetic Products) (Amendment) (No. 2) Regulations 2010.

Collective citation

2. The collective citation “the European Communities (Cosmetic Products) Regulations 2004 to 2010” includes these Regulations.

Commencement

3. (1) Subject to paragraph (2), these Regulations come into operation on 1 December 2010.

(2) Column f (requirements relating to labelling) of Reference Number 208 (inserted by Regulation 6(1) of these Regulations) in Part 1 of Schedule 3 to the Principal Regulations comes into operation—

(a) on 1 November 2011, so far as regards its application to the placing on the market of a cosmetic product which—

(i) contains a substance mentioned in Column b of the reference number, and

(ii) is manufactured or imported on or after that date,

and

(b) on 1 November 2012, so far as regards its application to the placing on the market of any other cosmetic product which contains a substance so mentioned.

Interpretation

4. In these Regulations, “Principal Regulations” means the European Communities (Cosmetic Products) Regulations 2004 (S.I. No. 870 of 2004), as amended.

¹OJ L36, 9.2.2010, p.21

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 3rd September, 2010.


Amendment of Regulation 4(1) of Principal Regulations

5. The definition of “Directive” in Regulation 4(1) of the Principal Regulations is further amended by the addition to it of a reference to Commission Directive 2010/4/EU.

Amendment of Schedule 3 to Principal Regulations

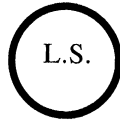
6. Subject to Regulation 3(2), Schedule 3 to the Principal Regulations is amended—

(1) in Part 1, by the insertion, after Reference Number 207, of the following reference numbers:

Reference number	Substance	Restrictions			Conditions of use and warnings which must be printed on the label
		Field of application and/or use	Maximum authorised concentration in the finished cosmetic product	Other limitations and requirements	
a	b	c	d	e	f
“208	1-(beta-Aminoethyl) amino-4- (beta-hydroxyethyl)oxy-2-nitrobenzene and its salts HC Orange No 2 CAS No 85765-48-6 EINECS 416-410-1	Hair dye substance in non-oxidative hair dye products	1,0 %	— Do not use with nitrosating systems — Maximum nitrosamine content: 50 µg/kg — Keep in nitrite-free containers	 Hair colourants can cause severe allergic reactions. Read and follow instructions. This product is not intended for use on persons under the age of 16. Temporary “black henna” tattoos may increase your risk of allergy. Do not colour your hair if: — You have a rash on your face or sensitive, irritated and damaged scalp. — You have ever experienced any reaction after colouring your hair. — You have experienced a reaction to a temporary “black henna” tattoo in the past.
209	2-[(2-methoxy-4-nitrophenyl)amino] ethanol and its salts 2-Hydroxyethylamino-5-nitroanisole CAS No 66095-81-6 EINECS 266-138-0	Hair dye substance in non-oxidative hair dye products	0,2 %	— Do not use with nitrosating systems — Maximum nitrosamine content: 50 µg/kg — Keep in nitrite-free containers”,	

and

(2) in Part 2, by the deletion of Reference Numbers 26 and 29.



Given under my Official Seal,
1 September 2010.

MARY HARNEY,
Minister for Health and Children.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations give effect to Commission Directive 2010/4/EU of 8 February 2010. They amend the European Communities (Cosmetic Products) Regulations 2004 to 2010 and provide for restrictions in relation to the use, storage and labelling of certain hair dye products.

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