

Planned changes to toys and cosmetics regulations



Government is updating the technical annexes to Regulation (EC) No 1223/2009 on Cosmetic Products, as amended by the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019, and Schedule 2 to the Toys (Safety) Regulations 2011. These changes entail either a reduction in the permitted level or prohibition of specific chemicals.

[Read the Toys and Cosmetic Products \(Restriction of Chemical Substances\) Regulations 2022](#) – Legislation.gov.uk website

These chemicals can be grouped into three categories:

1. Chemicals assessed by the Scientific Advisory Group on the Chemical Safety of non-food and non-medicinal consumer products (SAG-CS)
2. Chemicals classified as Carcinogenic, Mutagenic or Reprotoxic (CMR) under GB Classification, Labelling and Packaging (CLP) Regulations
3. Fragrance allergens

Below is a summary of the amendments to the Toys and Cosmetic Regulations as relating to the groups mentioned above.

SAG-CS advice and government decisions

The SAG-CS has recently concluded assessment on the risk to human health regarding:

- Deoxyarbutin used in cosmetics
- Salicylic Acid used in cosmetics
- Formaldehyde used in toys
- Aniline used in toys
- Aluminium used in toys

The conclusions of these assessments have been published:

[Access the opinions of SAG-CS](#)

The Government has considered the advice of SAG-CS regarding the above

chemicals in these opinions and used this to inform decisions regarding restrictions of these chemicals in products, which are set out below:

- amend Annex 2 to the Cosmetic Regulation to prohibit the use of deoxyarbutin
- amend Annex 3 to the Cosmetic Regulation to permit the use of salicylic acid for uses other than as a preservative at 0.5% in body lotion, eye shadow, mascara, eyeliner, lipstick, and roll-on deodorant applications
- amend Appendix C to Schedule 2 of the Toys (Safety) Regulations 2011 to introduce specific (lower) limits for aniline and formaldehyde for toys intended for use by children under 36 months old or other toys intended to be placed in the mouth
- amend point 13 of Annex 2 to the Toys Regulations to reduce the permitted migration limits for aluminium

Chemicals classified as CMRs

Under the Cosmetic Regulations, substances classified as CMR of category 1A, 1B or 2 under the GB CLP Regulation must not be present in cosmetic products unless the substance is included in any of Annexes 3 to 6. To be included in Annexes 3 to 6 various conditions must be met. Between 1 October 2021 and 1 March 2022, there is a [set of chemicals that has been classified as CMRs](#) (PDF, 150 KB, 2 pages). These substances will be added to Annex 2 (prohibited substances) where the conditions for including them in Annex 3 to 6 have not been met.

Fragrance allergens

Three chemicals (methyl heptane carbonate, atranol and chloratranol) have recently been included in the EU list of allergens which are prohibited for the use in toys. Currently in the UK atranol and chloratranol have already been prohibited and methyl heptane carbonate has been restricted to 0,01% for cosmetic products.

The fragrances in question are also used in some toys including fingerpaints and modelling clay, where the exposure routes to the fragrances will be similar to those from cosmetics. We will therefore be amending the UK Toys Regulations to prohibit the uses of these chemicals in toys.

Timeline

Toy products

Chemicals	Non-compliant products cannot be placed on the market after
Fragrance Allergens – Atranol, Chloroatranol and Methyl heptane carbonate	15 October 2022
Chemicals assessed by SAG-CS – Aluminium, Formaldehyde, and aniline	15 December 2022

Cosmetic products

Chemicals	Non-compliant products cannot be placed on the market after	Products already placed on the market can be made available until
CMRs	15 October 2022	15 December 2022
Chemicals assessed by SAG-CS – Salicylic Acid and deoxyarbutin Published 27 April 2022 Last updated 27 July 2022 + show all updates	15 December 2022	15 March 2023

1. 27 July 2022

Link added to Toys and Cosmetic Products (Restriction of Chemical Substances) Regulations 2022.

2. 30 May 2022

Page revised to clarify changes in respect of salicylic acid (Benzoic acid, 2-hydroxy).

3. 26 May 2022

Timeline amended to clarify that the transitional provisions apply to cosmetic products only and not toys.

4. 27 April 2022

First published.