

Commission Directive 2006/65/EC of 19 July 2006 amending Council Directive 76/768/EEC, concerning cosmetic products, for the purpose of adapting Annexes II and III thereto to technical progress (Text with EEA relevance)

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(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products⁽¹⁾, and in particular Article 8(2) thereof,

After consulting the Scientific Committee on Cosmetic Products and Non-Food Products intended for Consumers,

Whereas:

- (1) Following the publication of a scientific study in 2001, entitled 'Use of permanent hair dyes and bladder cancer risk', the Scientific Committee on Cosmetic Products and Non-Food Products intended for Consumers (the SCCNFP) concluded that the potential risks were of concern. It recommended that the Commission take further steps to control the use of hair dye chemicals.
- (2) The SCCNFP recommended in addition an overall safety assessment strategy for hair dyes including the requirements for testing hair dye cosmetic ingredients for their potential genotoxicity/mutagenicity.
- (3) Following the opinions of the SCCNFP, the Commission together with Member States and stakeholders agreed on an overall strategy to regulate hair dyes according to which the industry was required to submit the files with scientific data on hair dyes to be evaluated by the SCCNFP.
- (4) As a first step in the implementation of the strategy it was decided to give priority to permanent hair dye substances for which no explicit interest was expressed during the public consultation in defence of their use in hair dyes. Those substances should therefore be banned.
- (5) According to the opinion of the SCCNFP, certain azo dyes pose a risk to the health of the consumer. They were therefore deleted from the positive list of colouring agents allowed for use in cosmetic products in Annex IV to Directive 76/768/EEC. For the same reason they should also be banned for use in hair dyes.

Status: This is the original version (as it was originally adopted).

- (6) For hair dye substances provisionally allowed in part 2 of Annex III to Directive 76/768/EEC the provisional period should be extended.
- (7) Annexes II and III to Directive 76/768/EEC should therefore be amended accordingly.
- (8) The measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Cosmetic Products,

HAS ADOPTED THIS DIRECTIVE:

- (1) [OJ L 262, 27.9.1976, p. 169](#). Directive as last amended by Commission Directive 2005/80/EC ([OJ L 303, 22.11.2005, p. 32](#)).