

Regulation (EC) No 1223/2009 of the European Parliament and of the Council
of 30 November 2009 on cosmetic products (recast) (Text with EEA relevance)

CHAPTER II

SAFETY, RESPONSIBILITY, FREE MOVEMENT

[^{F1}Article 4

Responsible person

- 1 A cosmetic product may not be placed on the market unless there is a responsible person established in the United Kingdom in respect of the cosmetic product.
- 2 Subject to paragraphs 6 and 7, a manufacturer of a cosmetic product is the responsible person in respect of that product where—
 - a the manufacturer is established in the United Kingdom; and
 - b the cosmetic product—
 - i is manufactured in the United Kingdom; and
 - ii after manufacture but prior to placing on the market is not exported and imported back into the United Kingdom.
- 3 Where paragraph 4 applies the manufacturer must ensure that—
 - a there is a person established in the United Kingdom designated by written mandate as the responsible person in respect of the cosmetic product; and
 - b that person has agreed in writing to be the responsible person in respect of that cosmetic product.
- 4 This paragraph applies where—
 - a a manufacturer of a cosmetic product is established in a country outside the United Kingdom; and
 - b the cosmetic product—
 - i is manufactured in the United Kingdom; and
 - ii after manufacture but prior to placing on the market is not exported and imported back into the United Kingdom.
- 5 Subject to paragraphs 6 and 7, any importer placing a cosmetic product on the market is the responsible person in respect of that cosmetic product.
- 6 An importer or a manufacturer established in the United Kingdom may by written mandate designate a person established in the United Kingdom as the responsible person.
- 7 Where the person designated by the importer or the manufacturer under paragraph 6 accepts the designation in writing, that person is the responsible person.
- 8 A distributor is the responsible person in respect of a cosmetic product where that distributor—
 - a places a product on the market under the distributor's name or trademark; or
 - b modifies a product already placed on the market in such a way that compliance with the applicable requirements may be affected.]

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1223/2009 of the European Parliament and of the Council, Article 4. (See end of Document for details)

Textual Amendments

- F1** Art. 4 substituted (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 34 para. 5** (as amended by [S.I. 2020/676](#), regs. 1(1), 3); 2020 c. 1, Sch. 5 para. 1(1))

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1223/2009 of the European Parliament and of the Council, Article 4.