

## SCHEDULE 2

### Testing, powers of entry etc and warrants

#### **Testing of cosmetic products**

**1.—(1)** — The enforcement authority may purchase a cosmetic product for the purpose of ascertaining whether the requirements of the EU Cosmetics Regulation or these Regulations have been complied with in respect of it.

(2) If—

(a) a cosmetic product which has been purchased under sub-paragraph (1) or seized under paragraph 4 is submitted to a test;

(b) the test leads to—

(i) the bringing of proceedings for an offence under regulation 12 or for the forfeiture of the product under regulations 20 or 21; or

(ii) the serving of a notice under regulation 8 requiring measures to be taken under Articles 25, 26 or 27 of the EU Cosmetics Regulation; and

(c) a person—

(i) from whom the cosmetic product was purchased or seized;

(ii) who is a party to the proceedings; or

(iii) who has an interest in the cosmetic product which is identified as an infringing cosmetic product in a notice under regulation 8 requiring measures to be taken under Articles 25, 26 or 27 of the EU Cosmetics Regulation,

requests the enforcement authority to allow that person to have the cosmetic product tested, the authority must, if it is practicable for such a test to be carried out, allow that person to have the cosmetic product tested.