

SCHEDULE 34

Amendment of Regulation (EC) No 1223/2009 and related amendments

PART 2

Amendment of the Cosmetic Products Enforcement Regulations 2013

Insertion of regulation 3A

32. After regulation 3, insert—

“Transitional provisions in relation to EU Exit

3A.—(1) In this regulation—

“pre-exit period” means the period beginning with 11 July 2013 and ending immediately before exit day;

“product” means a cosmetic product to which these Regulations apply.

(2) Subject to paragraph (3), where a product was made available on the market during the pre-exit period, despite the amendments made by Schedule 34 to the Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019⁽¹⁾—

- (a) any obligation to which a person was subject and was enforced under these Regulations as they had effect immediately before exit day, continues to have effect as it did immediately before exit day, in relation to that product; and
- (b) enforcement authorities continue to be under an obligation to enforce the obligations referred to in paragraph (a).

(3) Paragraph (2) does not apply to—

- (a) any obligation of any competent authority to inform the European Commission or the member States of any matter; or
- (b) any obligation to take action outside of the United Kingdom in respect of that product.”.

(1) S.I. 2019/ XXXX.